

PROF. MADHU DANDAVATE: I commend the Resolutions.

MR. SPEAKER: I will put them to the vote of the House. The question is:

"That this House do resolve that a Parliamentary Committee consisting of 12 members of this House, to be nominated by the Speaker, be appointed to review the rate of dividend which is at present payable by the Railway Undertaking to General Revenues as well as other ancillary matters in connection with the Railway Finance *vis-a-vis* the General Finance and make recommendations thereon."

"That this House do recommend to Rajya Sabha to agree to associate 6 members from Rajya Sabha with the Parliamentary Committee to review the rate of dividend which is at present payable by the Railway Undertaking to General Revenues as well as other ancillary matters in connection with the Railway Finance *vis-a-vis* the General Finance and make recommendations thereon and to communicate the names of the members so appointed to this House."

*The motion was adopted.*

MR. SPEAKER: We will now take up the Finance Bill.

SHRI KISHORE LAL (East Delhi): Sir, I want to make one observation. Yesterday when I took coffee in the Central Hall and when the change was given to me, it included one 25 paise coin, a quarter rupee with the head of King George Sixth. Now the old rupees-notes are not legal tender but these coins still continue to be legal tender even 30 years after independence. I hope the Finance Minister will take this into consideration.

12.39 hrs.

FINANCE (NO. 2) BILL, 1977

(Amendments recommended by Rajya Sabha)

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to move\*:

"(a) that the following amendments recommended by Rajya Sabha in the Bill to give effect to the financial proposals of the Central Government for the financial year 1977-78, be taken into consideration:—

Clause 3

(1) That at page 3, clause 3 be omitted.

Clause 13

(2) That at pages 10-11, clause 13 be omitted.

Clause 15

(3) That at page 12, after line 29, the following be inserted namely:—

"(iii) the amalgamated company absorbs in full the staff and labour borne on the rolls of the amalgamating company at the time of amalgamation."

Clause 20

(4) That at page 16, clause 20 be omitted.

Clause 21

(5) That at pages 16-17, clause 21 be omitted.

THE THIRD SCHEDULE

(6) That at page 45.—

(i) line 15, the brackets, figures and letters "(3) (i), (3)(ii)" be omitted; and

(ii) lines 17—19, the words "Four rupees and sixty paise per thousand.", "one rupee and sixty paise per thousand" be omitted.

\*Moved with the recommendation of the President.

(b) that the recommendations made by Rajya Sabha be rejected."

May I point out to the Members of this House that the six amendments to the Bill which the Rajya Sabha has recommended to us for consideration are by no means new ideas or new concepts? Hon. Members will recollect that similar amendments were moved in this very House at the time of the clause by clause consideration of the Bill. These amendments were extensively discussed and after due consideration this hon. House rejected the amendments and passed the Finance Bill. I do not know whether I should offer any comments at this stage.

MR. SPEAKER: It is up to you.

SHRI H. M. PATEL: The first two amendments recommended by the Rajya Sabha are in respect of the provisions of the Finance Bill relating to capital gains taxation. They propose to amend Clauses 3 and 13. I would like to reiterate what I have already stated in both the Houses that my intention is to introduce certain changes in the capital gains taxation which will stimulate the growth of investment, which will transfer investments from unproductive to productive uses and which will consequently generate production, competition, abundance of goods and lowering of prices. All this is intended for the benefit of the common man. At present, capital gains arising from the transfer of a capital asset held by a taxpayer for more than sixty months are treated as long term capital gains and charged to tax on a concessional basis. An unduly long holding period, however, inhibits investment. Individual investors hesitate to subscribe to new shares which they have to hold for five years in order to avoid taxation of capital gains as ordinary income. A long holding period also affects mobility as individual investors, companies and financial institutions have to wait long before changing their investments. In a developing

country where we have to encourage savings and investment in productive assets, this is not desirable.

Prior to 1973, the holding period was only twenty-four months. The Finance Act, 1973, raised the holding period from twenty-four months to sixty months. This amendment was sponsored by the previous Government in pursuance of the recommendation by the Wanchoo Committee that the short period of 24 months "encourages speculative deals instead of promoting capital formation and contribution to a healthy growth of the economy". I do not think that the holding period of three years would encourage speculative deals. As is well known, speculators believe in quick transfers and, therefore, hold their investments for very short periods. The proposed reduction in the holding period is really intended to help the ordinary investor to re-arrange his investment portfolio from time to time, which in turn will improve mobility and capital formation, which are conducive to the growth of the national economy.

The present structure of capital gains taxation stands in the way of adequate mobility of investible resources and perpetuate investment in low priority and even sterile assets. Clause 13 of the Bill seeks to exempt long-term capital gains if the sale proceeds arising from the transfer of a capital asset are invested or deposited within six months in specified priority assets. My purpose in providing this exemption is mainly to help channalise investment from unproductive assets into preferred or productive assets, such as Government securities, units in the Unit Trust of India, bank deposits and shares in widely-held companies. Investment of the sale proceeds of capital assets in these preferred assets will undoubtedly be conducive to the growth of the country's economy.

I would also like to mention that, under the existing provisions of the

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Income-tax Act, capital gains arising from the transfer of certain types of assets are exempted from tax if the capital gains are re-invested in the same types of assets. For instance, capital gains arising from the sale of a residential house are exempted to the extent the capital gains are utilised for acquiring another house for residential purposes. Similarly, capital gains arising from the sale of agricultural land are exempted from tax to the extent that they are utilised for acquiring new agricultural land. The provision in the Bill seeks to extend this principle to investment in specified assets. It is, however, relevant to note that whereas the existing provision requires only the re-investment of capital gains, the provision in the Bill is more stringent in as much as it requires the taxpayer to re-invest the entire sale proceeds arising from the transfer in specified priority assets.

The third recommendation made by the Rajya Sabha relates to Clause 15 of the Bill. The Rajya Sabha has recommended the addition of a new condition in the proposed provision for carry forward and set-off of accumulated loss and unabsorbed depreciation in approved cases of amalgamation. The condition recommended is that the proposed concession will be available only if "the amalgamated company absorbs in full the staff and labour borne on the rolls of the amalgamating company at the time of amalgamation."

Sir, the members of the Opposition in the House and the members of the majority in the Rajya Sabha have in suggesting this amendment attempted to pose as the protectors of the working classes. They are seeking mischievously to create the impression that it is the intencion of this Government to displace the workers of sick units and to create the further impression that it is they who desire to protect the interests of such workers. I cannot imagine, Sir, a greater travesty of the truth. Why have I made this

suggestion at all, Sir. We are all aware that in our economy, and once again may I repeat that, it was an economy built up by our friends in the Opposition, there has appeared time and again the grave malady of sickness in industry. This sickness has been due often to the wrong policies followed by the previous Government and in some cases due to down-right mismanagement. Government recognises that it is our bounden duty to see that such sick units do not collapse and wind up because we realise our responsibility towards the working classes and we cannot afford a situation where they will be thrown on the streets. We believe, however, Sir, that the responsibility for reviving sick units should not entirely and solely fall on the backs of the taxpayers. I can see no reason why successful and prosperous business should not share this responsibility with us. It is our prime intencion, therefore, that where sick units are taken over by the State or by private companies, the interests of the working classes must and will be protected. I have given this assurance in both Houses. The Bill provides adequate safeguards to ensure this. The proposed tax concession will only be available where the amalgamated company furnishes a certificate from the specified authority to the effect that adequate steps have been taken by that company for the rehabilitation or revival of the business of the amalgamating company. I do not conceive of a situation where such revival is possible with the removal of the workers in the company. I have examined the past cases where Government itself has taken over sick units. While protecting the interests of the workers, Government itself has gone in for rationalisation measures and it has not hesitated to remove from the company staff members, particularly the managerial staff, who were themselves responsible for the state of affairs of the company. Surely, it is not the intencion of this hon. House that those who were responsible for the sad fate of the company should receive

our protection. I would like to reiterate that Government will ensure that the specified authority will fully take into consideration the interests of the working classes and will not permit these tax concessions unless it is satisfied that the main purpose of the amalgamation is actually served.

Clause 20 of the Bill seeks to exempt closely-held companies which are mainly engaged in industrial activity from the requirements of compulsory distribution of dividends upto the statutory percentage of their distributable income. As a logical corollary to this proposal, clause 21 of the Bill seeks to exempt closely-held companies which are partly engaged in industrial activity from the obligation to distribute dividends in relation to the profits attributable to their industrial activity. The Rajya Sabha has recommended the deletion of both these clauses. I had explained the rationale of this proposal in detail in my reply to the debate on the Finance Bill in the two Houses. I would like to reiterate that the need for a provision requiring closely-held companies to distribute a specified percentage of their profits arises when the rates of corporation tax are substantially lower than the maximum marginal rate of personal taxation. In this situation, tax-payers may like to avoid paying tax at a higher rate by using companies as a cover for their personal business. However, when the rates of corporation tax are nearly as high as the maximum rate of personal taxation, as is the position now not much advantage is gained by operating through closely-held companies.

The growth of monopolies in this country has been built up largely by holding companies. And holding companies have not been exempted from the requirement of compulsory distribution of dividends. In the interest of industrial growth and development and maximising production, I have proposed this exemption only in the case of industrial companies,

leaving the other categories of closely-held companies, such as trading companies of investment companies, within the purview of this provision. There is, therefore, no merit in the criticism made by certain hon. Members that the proposed exemption will encourage monopoly control over industry.

These proposals have also been criticised on the ground that industrialists will be able to avoid payment of income-tax by capitalising their undistributed profits into bonus shares. This criticism ignores the fact that the conversion of undistributed profits into bonus shares will ensure that these profits are not frittered away for personal consumption, but are permanently ploughed back in business. The criticism does not also take note of the fact that capital gains arising on the sale of such bonus shares will be chargeable to income-tax in the hands of the share-holders. I would further like to invite the attention of the hon. Members to the fact that the Wanchoo Committee, and before that, Shri Bhoothalingam, as the One-man Committee on the Rationalisation and Simplification of the Tax Structure, had recommended the deletion of this provision from the statute. I have, however, not gone that far and have merely proposed exemption of industrial companies from the requirement of compulsory distribution of dividends.

Let me once again reiterate, Sir, with all the emphasis which I can command that the growth of monopoly houses, the growth of big business, the growth of multi-nationals have not been the creation of the Janata Government. If the distinguished members of the Opposition concede that these institutions are evil institutions, they must bear full responsibility for having created such evil in our country. It shall be my duty and the duty of my colleagues in the Janata Government to ensure that productive assets in our country whomsoever they may belong to—public sector or private sector—will be used fully, fruitfully and

[Shri H. M. Patel]

effectively so that the common man can benefit by abundance of goods by truer competition and consequently by easy availability and lower prices. All the proposals which I have made in the Finance Bill in respect of direct taxes and which were endorsed by this House are designed to achieve this objective.

May I now turn to the two amendments recommended by the Rajya Sabha in respect of indirect taxes? Both these amendments seek to withdraw the increased basic excise duty in respect of bidis, whether machine-made or hand-made. Once again, Sir, an extraordinary claim is being made by the majority in the Rajya Sabha and by friends in the Opposition—extraordinary because it is far from credible—that in suggesting this amendment, they are speaking on behalf of the common man. It was not the Janata Government which first introduced the excise duty on hand-made bidies. This was one in the 1975 Budget when imposition of Re. 1 per thousand bidis was then proposed by the Finance Minister who now sits in the House as a distinguished member of the Opposition. If it was the view of my Congress friends that a duty on bidis was a terrible blow against the common man, what promoted them to introduce such a duty? Why were they sitting silent on behalf of the common man when the duty was introduced? What have I done, Mr. Speaker, Sir? I accepted as a starting premise that a duty on bidis was reasonable and rational, a premise which apparently was found justifiable by the then Congress Government. All that I have suggested is that the duty should be moderately raised. The real issue before this House, the issue on which it is necessary for us to ponder carefully and take a well-considered decision is—can it be considered that bidis are an essential and normal item of consumption of common man. It is very difficult for me, Sir, or for the

Janata Government to accept this proposition. We cannot with a clear conscience tell our people that we would like to encourage the smoking habit amongst common people in our country. There is ample evidence given by eminent medical men that smoking as a habit is injurious to health. It is for this reason that we have insisted that manufacturers of cigarettes should put a specific warning to this effect so that the consumers are protected. I do not know what ideas the members of the Opposition or the majority in the Rajya Sabha have about what are the essential requirements of the common men. The idea of the members of the Janata Party is that the items such as food, clothing, public health and sanitation and education—these alone can legitimately be regarded as essential. This is what we would like to provide for the common man. We cannot under any circumstances sacrifice these genuine needs of the common man to what is admittedly a habit forming and undesirable item of consumption.

Many Members have expressed the view that the increase in the duty on bidis would ruin the bidi industry. There is no evidence at all to support this. When the duty was first levied in 1975 there was no threat to the bidi industry. On the contrary the production and consumption of bidis seems to have gone up. I may also invite your attention to the specific steps which we have taken to protect unbranded bidis and hand-made bidis. The levy is restricted to branded bidi only and unbranded hand-made bidis continue to remain exempt from whole of the duty. Hand-made bidis are being protected against machine-made bidis and since it is hand-made bidis which provide employment to a large number of people, we have taken care to see that the interests of employment are not affected. Some Members made the most extraordinary statement that we have acted in favour of cigarette smokers as against

bidis smokers. They have evidently no knowledge at all about the incidence of taxation on cigarettes and bidis. With my proposal, the total incidence on the ex-factory price of bidis will be only 14 per cent and the increase will be only 1 paise for every 10 bidis. The incidence of taxation on cigarettes is really enormous. It already ranges from 150 per cent in case of the cheaper variety of cigarettes to 370 per cent in the case of more expensive varieties. Even so, I have made provision for stepping up these already high duties by another 7 per cent on cigarettes so that the party which existed before is not disturbed. May I also give the Members the figures of the collection on bidis and cigarettes. The total collection on bidis even with the current amendment would be of the order of Rs. 64.5 crores. As against this, the collections of excise duty on cigarettes is of the order of Rs. 404.35 crores.

I am sure, therefore, that wiser counsels will prevail, that the true interests of the common man will be borne in mind and that the House will not accept those amendments suggested to us by the Rajya Sabha.

MR. SPEAKER: Motion moved.

“(a) that the following amendments recommended by Rajya Sabha in the Bill to give effect to the financial proposals of the Central Government for the financial year 1977-78, be taken into consideration:—

*Clause 3*

(1) That at page 5, clause 3 be omitted.

*Clause 13*

(2) That at pages 10-11, clause 13 be omitted.

*Clause 15*

(3) That at page 12, after line 29, the following be inserted, namely:—

“(iii) the amalgamated company absorbs in full the staff and labour borne on the rolls of the amalgamating company at the time of amalgamation.”

*Clause 20*

(4) That at page 16, clause 20 be omitted.

*Clause 21*

(5) That at pages 16-17, clause 21 be omitted.

*THE THIRD SCHEDULE*

(6) That at page 45,—

(i) line 15, the brackets, figures and letters “(3) (i), (3) (ii)” be omitted; and

(ii) line 17-19, the words “Four rupees and sixty paise per thousand”, “One rupee and sixty paise per thousand” be omitted.

(b) that the recommendations made by Rajya Sabha be rejected.”

After the lunch hour, the Leader of the Opposition will speak. The House stands adjourned.

13.00 hrs.

*The Lok Sabha adjourned for Lunch till Fourteen of the Clock.*

*The Lok Sabha reassembled after Lunch at two minutes past Fourteen of the Clock.*

[MR. SPEAKER in the Chair]

FINANCE (NO. 2) BILL, 1977—contd.

(Amendments recommended by Rajya Sabha)

SHRI YESHWANTRAO CHAVAN (Satara): Mr. Speaker, Sir, I am participating in the discussion on the motion moved by the hon. Finance Minister, and I must say that, personally, I am not surprised to see the

[Shri Yeshwant Rao Chavan]

motion because I was expecting some such move on the part of the Government. That is why I am getting confirmed in my fears that Government does not really need any cooperation from the Opposition. I was hoping against hope that, perhaps, they would be keen to get cooperation from us at least on issues and matters which are not of political nature but issues and matters in which the people's interests are involved; at least we expected that on these they would think it is necessary that they should consider all the serious views that we are expressing on this side. If at all they wanted to discuss any issues, possibly this was the occasion when they could have said, "Well, here is a view expressed, not by an individual Member but a view expressed by a Chamber of Parliament, a House of Parliament." And this House of Parliament namely Rajya Sabha is a very important House, I should say. The Constitutional position regarding the supremacy of Lok Sabha in the matter of money Bills, I am quite aware of; I need not be told about that Constitutional position. We certainly know the Constitutional position and we can also resort to the Constitutional methods. But that certainly would lead to unnecessary confrontation which we do not want. The Rajya Sabha, as contemplated under the Indian Constitution, cannot be compared to any other upper chamber in any other Constitution in the world. This is a very important and essential feature of the federal structure of our Constitution. The Janata Government, particularly, has declared to the wide world that they would like to go along the most Constitutional lines and would like to follow democratic methods, not technically but in its essence, that it is a Government by consultation, it is a Government by continuous dialogue etc. If that is so, then the importance of the Rajya Sabha must not be underestimated. The Rajya Sabha essentially represents all the States. It may be an indirectly elected House,

but it is elected on the basis of States' representation and the views expressed by the Rajya Sabha therefore, are important. If, because you have a large number of Members here you say 'no, we reject it then we can also since we have a large number of Members there, choose right occasion and reject your view. I expected that since this is the view of the Rajya Sabha, we would sit down here and discuss what are the issues involved. This complete disregard for the recommendations of the Rajya Sabha is complete disregard for the view expressed by a very important House of Parliament. This is, really speaking, rejecting the views of the States of the country. We must take into account that this is a most important political aspect. If you want to make everything a Party issue, you can do so; I cannot take any objection to it. (*Interruption*).

Another point I wanted to make was that I have seen this attitude more than once. When we raised the question of Compulsory Deposit Scheme in this House, we were told 'No, we do not want to consider it, we will certainly fight it out.' But what happened ultimately? You made a statement afterwards, coming to this House or that House, that you have reconsidered the matter. What were the factors which made you reconsider? The only factor you had to take into account was your position in the Rajya Sabha. It was hypocritical to come here and say that you reconsidered the issue on its merits and came to contrary decision. It would have been more straightforward of you had you come and told us 'Well, we accept the position'. But that is exactly what is lacking. But yet we are told 'we want to give cooperation and want to take cooperation.' This is not the way to do that. The manner in which this Motion has been brought just shows that you do not care for opposite views and that what you think about the issue is that since you have got a majority in the Lok Sabha you can

certainly do whatever you think is right. You are entitled to do that; I cannot object to it. It is your right to do so, but let us not forget that we have also this right.

**THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE):** I think he has cogently argued his case.

**SHRI YESHWANTRAO CHAVAN:** I know his arguments. Prof. Dandavate. You will hear cogent arguments from our side also.

Coming to the amendment itself, he tried to give cogent arguments, which have been repeated for centuries together, about the capital gains tax. At least you, Prof. Dandavate, as a socialist, know what exactly is capital gains tax. There are many social factors which go into making the capital gains. Capital gain is not necessarily the result of any efficiency. In most of the cases there is a social factor which creates capital gains. For example, if there is a piece of land and some Municipality or Development Corporation makes an investment of crores of rupees and the value of the land goes on increasing, there will be capital gains. In inflationary times when prices are increasing, certainly without making any effort, if you possess or own a thing, after a few years its value goes up. This is unearned income, Prof. Dandavate. You have certainly every right to talk about socialism, but I can also share something with you. What is capital gain? Capital gain is unearned income and it is the fundamental policy of any socialist country or any Government which has to consider the

well-being of the people and which is against concentration of wealth in a few hands to see that no concessions are given in the case of capital gains. If you do not accept this basic thing, what is the point in telling me that he has given cogent reasons? Capitalists argue their case in a much more sophisticated manner and cogent manner. Cogent argument is not necessarily a convincing or valid argument. Capital gains is something unsocial in a sense; it is an unearned income and any concession to the unearned income must never be accepted, and, therefore, this was an essential point for us. We have many differences with you on many aspects of the budget, but we have not made every issue an issue to argue with you; we have chosen only three or four issues, selective issues. First is the capital gains tax; I have given our major argument about it. Second is the closely held companies. The hon. Minister was taking advantage of the Wanchoo Commission and was arguing cogently about the capital gains tax. On the basis of the Wanchoo Commission, we had taken certain steps; I was instrumental in taking those steps. He uses the same Wanchoo Commission when it suits him and he rejects it where it does not suit him. Is it a cogent reason for this matter?

Let us come to the closely held companies. What are these companies? These are family concerns. I do not want to name these. It would be giving them unnecessary advertisement. In giving these concessions to these companies, we feel that we will



[Shri Yeshwantrao Chavan] be making a mistake. The hon. Minister says that there is no possibility of speculation; he also argued about possibilities of better investment and productive investment. These are the things which are normally branded about to justifying anything that one does about the taxation. This is the simplest thing that anybody can say that this is something for proper investment for productive purposes. I would say that any concession given to the closely held companies indicates definitely—let me make this charge, I am not making this charge against any individual, I am making a charge against the party—and brings out the characteristics of your party. These two things are indicative that though this party consists of progressive elements and other types of elements, it is the domination of reactionary elements.... (Interruptions).

श्री रवीन्द्र प्रताप सिंह (अमेठी) : आप स्पष्ट बताइये, किस को कह रहे हैं ?

श्री यशवन्तराव चव्हाण : जिस के सिर पर यह टोपी बैठ जाय, वह मान ले।

श्री जनेश्वर मिश्र (इलाहाबाद) : आप अपने चश्मे से जनता पार्टी को देख रहे हैं।

श्री यशवन्तराव चव्हाण : जहाँ प्रिंसिपल की बात आती है, जनेश्वर जी, वहाँ हमारी आपसे ज्यादा उमीदें हैं।

These are the two things which indicate what type of philosophy, what type of political ideology, what type of political programme, and what type of economic policy this party tries to follow. If you think it is a charge, it is a charge and if you do not think so, it is not a charge, but according to me this is the correct appreciation of your party's characteristics.

Now, I come to the sick industrial units. I would personally like to say more about it because I have got a little more experience about it as I was one of the Chief Ministers in this country who started treating this sick industry in Bombay as early as 1957,

nearly 20 years ago. He says, "This is because of your wrong policy." I would like to say what those wrong policies are. In the industries, particularly, the textile and jute industries, the machinery was not properly maintained by the industrialists. There was no proper investment made at proper time on them. They have taken advantage of the speculation in the raw material that is used in this industry. Therefore, all the profits that could be taken out of it, was completely taken out of it. It was exhausted completely when it became sick. They said that they wanted to close it down.... (Interruptions) Yes, they milched the cow. You can say that. (Interruptions). Somebody would like to call it a buffalo. I am not for it. The main point is that this was not as a result of our government's policy. It was the result of policies tendency and mentality of the private ownership. These are the typical results of private ownership. They want to take as much profits out of it and kill the cow or the buffalo that gives the milk and the result was that hundreds and thousands of workers were thrown on the streets. At that time there was an opportunity....

SHRI DINEN BHATTACHARYA (Serampore): It started from your time.

SHRI YESHWANTRAO CHAVAN: Not in the Centre. I tried to do in Maharashtra in 1957. At that time we had consulted a great economist, Dr. Gadgil about it and in consultation with him we had evolved a method and handed it over to some other private but efficient management who had some experience. It was the Narsinghirji Mill in Sholapur about which you all know. The man improved the working but under the compulsions of the law and the Constitution we had to return the mill back to the old owner. After two years it came back to the same position. So it became a sick patient and it became a matter of taking a sick patient, improving him and

handing him over back to be again exploited and become sick again. Naturally, therefore, it was necessary for the government to make certain departures or take certain new initiatives and take over the mills, because it was necessary to have modernisation and that certain new investments had to be made. That was very useful and socially very important investment because in the sick industry there are two aspects of which one is production and the other is the employment. Here what you are doing is that you are allowing one company to amalgamate into another. If you see the actual working of it, it is only allowing accounts of one company to be amalgamated into another so that he can take all the advantage under the taxation laws and completely disregard the manpower that was employed before. If you are very clear about it and you are saying very cogently that you are particular about the employment aspect of it, then why don't you accept our amendments? They are very simple amendments. Why are you ashamed of accepting it? You are saying more and more, that 'We are committed to the employment of the people.' If you mean it then we want a legal commitment on your part. But you do not want to accept our amendments because you do not mean it....(Interruptions) I am talking of hon. Member Mr. Sonu Singh Patil. He and I come from the same State. He and I belonged to the same Party then and he and I had to fight the same fight of one such textile mill in his own home town. He remembers that. This is essentially a point of employment. If you are very keen about it and if you are really very sincere about it, please accept the amendments.

One of the observations that was made by the Finance Minister was that we are doing it to pose as if we are the protectors of the people. Well, if we are not posing, then you are posing. If we pose, you should also pose. What is wrong about it?

Trying to take a position and serving the people and honestly meaning that is the business of a political party. What is wrong about it? It is the business of a political party. Political parties are meant for that. They should not merely pose it, they should act on it. That is why we are insisting on these amendments. We are testing your sincerity.

I am mentioning the issues. We are not merely trying that in technical sense of pressing. We are not merely pressing the amendments. We are pressing important issues and we want to have your reaction from you on them.

What a hypocritical moral lecture the Government has been giving that they were against smoking, etc! We have heard these sermons long before. The other day when the Finance Minister was speaking last time when the Finance Bill was passed, his colleague Shri Biju Patnaik got up and said that he had been smoking for more than fifty years and he is still healthy. I am not quoting Biju Patnaik only. I also smoked for forty years and nothing wrong has happened to me up till now. I have stopped smoking now. This is because of my choice and not because of taxes. Please do not take that moral pose.

I also find another fashion of this Government. When anything wrong is pointed out, the reply comes—everything wrong had been done by you and now we are trying to improve this way. How long this will sustain you, my friends? This may be for one month, two months, three months, until State Legislature elections, Corporation Elections, Metropolitan Elections, for now that you have them. How long more? India's problems are very serious problems. I would request you on this occasion again....

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): At least thirty years more.

**SHRI YESHWANTRAO CHAVAN:** You are counting too much on Indian people. Indian people are very wise. They find out things very quickly.

**SHRI KANWAR LAL GUPTA (Delhi Sadar):** You know it now.

**श्री यशवन्तराव चव्हाण :** आप को पता है वह कैसा है । . . . . (व्यवधान) . . . . हां हां, देखेंगे । जिन लोगों में आप आते हैं, उन्हीं में से हम भी आते हैं । आप भी चुन कर आए हैं, हम भी चुन कर आए हैं । हम जो यहां बैठे हैं, किसी की मेहरबानी से नहीं बैठे हैं । . . . . . (व्यवधान) . . . . . मैं कोई आप से गाली गलौज नहीं कर रहा हूं । मैं आप को मलाह दे रहा हूं ।

I am not abusing you. I am not criticising you. I am giving you very serious advice. Indian economic problems, Indian social problems, Indian political problems are very complex problems and merely telling the schedule that we will do it in four years and another thing in five years is not enough. I am sometimes surprised, I must honestly confess that—it is rather a very innocent sort of position, but somebody coming and telling us that India's unemployment problem can be solved within ten years. I must say that it is very unfortunate thing for the people of India that such empty provisions are made.

Hon. Finance Minister asked me what bidi has to do with the common man. Shri Ravindra Varma can tell him that while working out the cost of living index of the working class, this smoking is one of the important things taken into consideration. It is one of the items in the basket. It is considered to be essential from that point of view.

Another important consideration is nature and character of bidi industry. Those who know about the nature and character of bidi industry will see that large number of people in the

rural areas, particularly, the house wives are employed in that industry. This sort of distinction of branded and non-branded bidis,—cogently argued, only shows that this is going to be exploited by the bidi industrywallahs and they have already started exploiting the small man. Lakhs of people are working in this industry. You tell us on one hand, that you want to create employment opportunities. But you act otherwise. Please rectify it?

**SHRI DINEN BHATTACHARYYA:** Five years back we advised them not to impose any tax on bidis.

**SHRI YESHWANTRAO CHAVAN:** My friend, I do not consider your voice an independent voice. Your voice is independent perhaps in Calcutta only, but not in Delhi, I am telling you. (Interruptions)

**AN HON. MEMBER:** In Maharashtra also.

**SHRI YESHWANTRAO CHAVAN:** In West Bengal, yes; in Maharashtra, yes; but not in Delhi. Let your polit-bureau reconsider the whole position. So, Sir, when we say bidi, it is not smoking as such that we refer to. It is again the case of the small man who works hard. He does require certain relaxation. It is the case of the small man and his housewife who work hard in a remote village-house that matters most. Therefore we are raising these issues. Closely-held companies, capital gains tax, unemployment in sick mills, small man involved in the employment in the bidi industry. These are all the basic issues, you are supposed to take a view about. Here is the other House which in its wisdom and coolness applied its mind quietly and made certain recommendations back to this honourable House. We should have taken them more seriously instead of merely and lightly moving a motion that you reject them. This is a rejection like that of an emperor. You are very conscious of the power of strength in this House. Well, Sir, we have taken note of what you think and what you are. Whether this is accepted or not accept-

ed, the people will ultimately judge on the basis of merits. I am sure you will regret what you are doing today.

14.29 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

SHRI SOMNATH CHATTERJEE (Jadavpur): I wish that the Leader of the Opposition had not chosen to give any sermons to us. I repudiate the insinuation made by the Leader of the Opposition which he perfectly knows, is not correct. I am sure that he knows that it is not correct. He has tried to explain in his own way the support which we had given to the Janata party in spite of our basic differences. We said this. So long as they fight against authoritarianism against anti-democratic principles and policies which were followed by the previous Government, so long as they are for the restoration of civil liberties and political rights and democratic rights in this country, we will support them; and we will continue to support them if their policies are based on these principles and are on proper lines.

We have, of course, reserved our right to oppose any proposal which, according to us, does not benefit the people. That is why we shall make our position clear with regard to the recommendations which have come from the Rajya Sabha.

It was very interesting to hear from the leader of the Opposition about his vast experience in administration, ministerial responsibility and all that which have got this country to this position under their Government. I said on an earlier occasion that I found many crocodiles on that side shedding tears. But, to-day, I find that the crocodiles have become bigger and bigger in size. This is the position. Today we do not hear any longer the slogan of 'garibi hatao' the 20-Point Programme. (Interruptions); we are supposed to have lost our voice in Delhi to Mr. Patel, Mr. Dandavate and Mr. Desai—but what was your voice during those 20 months' times, Mr. 1894 LS—10

Chavan? You and your party members were only indulging in *tali bajao*. That was the performance of the members of the Congress Party. You have denigrated the people of this country; you have decimated the democratic rights of the people and Parliamentary Institution in this country. The people have cut you now to size. This is your present position. Therefore, this could have been good if Mr. Chavan, leader of the Opposition instead of indulging in this sort of thing, had tried to control his own party. I do not know how many desparate groups are inside their party? (Interruptions). And as the result of their policies now Mr. Chavan is to-day sitting on the other side adorning the House.

I personally admired him when he was the Finance Minister, External Affairs Minister and the Home Minister. But to-day, I find that that his performance was a great disappointment because he had to say many things which he himself does not believe. I appreciate that position.

May I now come to the topic? I am provoked to say all this because of his, if I may be excused for using that expression, lecture to us. So far, I have said that, our party is concerned, it does not have any illusion about what the country's future is going to be? We shall cooperate with the ruling party and we sincerely believe in that. That is why in West Bengal even though we know that we are the biggest and largest single party, we wanted to have their cooperation. In West Bengal, in their wisdom, the people exercised their choice for us. We have not rejected the cooperation from the Centre—from the Janata Party. We have sought the cooperation of the Centre. That is because we have to build up the country and we have to rejuvenate this country from the ashes to which this Congress Party has brought it. (Interruptions) In this great task of nation building, we shall cooperate so long as they have the support of the people. (Interruptions) Therefore, Sir, I would have very much liked if the Congress Party had not taken up the

[Shri Somnath Chatterjee]

pose of injured innocence. This was the only party which had carried on a calculated and sustained attack on the people not only in the political sphere, not only against their democratic rights but also against their economic rights. To-day, seventy per cent of our people, thanks to Mr. Chavan and his so-called progressive policies, twenty-point programme, *garibi hatao* etc. are below the poverty line. What are the suggestions given by the Congress Party?

Let us not fight over those things. So far as the recommendations are concerned, we believe that Rajya Sabha also has its rights; our Constitution gives them the right to make recommendations. With regard, to financial proposals, our Constitution gives a predominant position to the Lok Sabha because it is the directly elected House of the People of this country. Therefore, that overriding position is given to the Lok Sabha and, it is for the Lok Sabha either to accept or to reject the recommendations. But certainly Rajya Sabha has got the authority under the Constitution to make recommendations and today we know that Mr. Chavan's party in Rajya Sabha—I am not making any aspersions as such—has become suddenly very much concerned about the poor people and about certain tax proposals in the Finance Bill and they have chosen to make recommendations. But we did not find this concern when the 42nd Constitution Amendment Bill came. We did not see that concern when the Bonus Amendment Bill came. We did not see that concern when MISA was introduced and passed. We did not see that concern when Emergency was approved—a spurious and fake Emergency was thrust on the people of this country and to justify that, make-believe situations were created in this country with 20-point programme and so on.

Sir, Rajya Sabha Members are supposed to be more mature and more wise but where was that wisdom when the people of this country were being bulldozed for the sake of one family and today they are giving us sermons

about peoples' rights and government's duties. Instead of them indulging in gimmicks, let us join hands to see as to how to make this country proceed along the right lines for the benefit of the common people who have not got the advantage of Independence or Freedom of this country that has been monopolised by a handful of people.

Sir, today 80 per cent of our population in rural areas neither have true economic freedom nor true political freedom. Let us try to do something for those people in the country and let us not indulge in theoretical discourses or about the so-called right of the Opposition sitting here. May I make our party's position clear regarding these recommendations? With regard to the capital gains and with regard to the closely held companies Mr. Chavan, the hon'ble Leader of the Opposition, tried to place it on principle but I wish on principle you could decide every question of taxation. I would have liked that the indirect taxation should be minimised as much as possible. The direct taxation should be increased. The rich people who can bear greater burden should be subjected to greater incidence of taxation. I would have liked the entire taxation structure in this country to be altered and we have indicated our objective during the debate on the Finance Bill. Unfortunately, Sir, we find that somehow the ghost of the Congress party remains still operating in the corridors of the Finance Ministry. We have to get rid of that. The same *status quo* attitude is there. We do not find anything about the land reforms and about providing the necessities to the common people of this country. There is nothing about how to contain the price rise and how to reduce the menace of unemployment. These are the aspects on which we have stressed and made our submissions. I do not wish to repeat that. No doubt, the capital gains represent unearned income but we have to find out as to what the changes are which are against the common people of this country. So far as the closely held

companies are concerned, the proposals that have been made, will they go against the common people of this country? We have not been able to find that out. Mr. Chavan—the experienced legislator as he is—has not gone into the details of it because he would not be able to make out a case. So far as those aspects are concerned we are not going to accept the recommendations and will leave it to the Congress party to fight out the same with the Janata party. But so far as two other aspects are concerned, we have our own views. One is: what will be the consequence of amalgamation? If the proposal with regard to the amalgamation results in reviving sick units, we shall be very happy because it would create more job potential, more people will be employed. Those people who, as a result of the policy of the Congress Party and the dangerous state of the sick units, have been thrown out their job, should be taken back. What we want is a statutory recognition. I am happy to know about the assurances given by the hon. Finance Minister in the Rajya Sabha. I was going through the debate of the Rajya Sabha. He has given an assurance and here also he has given an assurance to that we are not accepting your assurance, we are saying 'yes', you mean this. Let us hope, but you have to take the people along with you. You are making provisions for giving tax concessions for taking over the sick units. Why don't you do away with the misgivings in the minds of the people? Later on if you come and say well so much amount is the loss which they are going to suffer, that will not help and therefore, out of the workmen contingent of 5000 you have to reduce it to 3,000. Let us take the assurance which he has given. But will you honour those assurances? I wish you had made it clear to the staff and the officials.

**SHRI H. M. PATEL:** I did make it clear that there was a specified authority which was to accept the proposal of amalgamation in the manner in which it had to be carried out and that specified authority would see to it that this particular assurance was fulfilled.

**SHRI SOMNATH CHATTERJEE:** Now, that clarification helps us. I am very thankful to him. But where are the guidelines for that specified authority? You have to lay down those guidelines either in the statute or somewhere else. If you have those guidelines to enable the specified authority or the tax assessing authority to go into the matter, it will help us. But where is the statutory protection for this? On this we have our misgivings, we have our difficulties. There are doubts in the minds of the people and on this at least they have, for a change, made a good recommendation. They have made this change. *(Interruptions)*

**SHRI VASANT SATHE (Akola):** At least you accept this.

**SHRI SOMNATH CHATTERJEE:** So far as bidis are concerned, here in the Finance Bill what relief have you given to the poor people? In the last Budget, an assurance for the lowering of the price level was given. But nothing has happened, on the other hand, it has increased. There is no provision made as to providing employment as such. There is no reduction made in the level of indirect taxes; on the other hand you have increased general excise duty from one per cent to 2 per cent. which is going to be heavy on the common man. Therefore, Sir, it is not a case whether smoking is good for health or not, I am almost a chain smoker; look at my health. Mr. Biju Patnaik has also got this habit, but I think it has not affected his health. I hope it has not.

Now, regarding prohibition, everybody knows that it is a social evil. It is a health hazard. In many cases we hear that there are deaths due to illicit distillation and all that. I do not know if you can at all bring in prohibition.

Now coming back to the increase in the excise on bidis, you may say it is the minimal, that is, one paise per 10. But this attitude you have to change. Do not give a feeling to the people of

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this country that this Government is against the common people. Apart from the economic consequences, it will be the bidi workers who are going to be affected whether you admit it or not. It is going to affect. It may be a rupee or even fifty paise. Those who earn about Rs. 100 or Rs. 200 or Rs. 300, even they are not able to bear it. What A, B or C or X in a better and happier position, is able to bear cannot be compared with what the ordinary people could bear. If a person could afford he would switch over to cigarette; because he cannot afford to smoke cigarette, he smokes biri. I do not know the distinctions of branded and non-branded but willy-nilly you are going to affect that also. The hon. Finance Minister says that Rs. 65 crores will be realised; out of that Mr. Chavan's contribution is Rs. 34 crores. A substantial contribution has been made by Mr. Chavan and his party. Why are you following them in this respect? You could have better examples to follow. Do not follow Mr. Chavan and his party so far as biri is concerned, because they have not looked after the common people; please do not emulate their bad examples. Therefore, I appeal to you with all sincerity. We are not objective for the sake of objection. Our attitude is clear. We say that this provision will not benefit the common people and we do not want government to lose credibility with the people. You accept these two proposals and that will show that you are open to re-thinking and you take into consideration different viewpoints. For some reason or other they have chosen to make one or two good recommendations and we should accept them. On other issues we are not with them about the other taxation proposals of the Finance Minister. But so far as these two proposals are concerned, I again appeal to Shri Patel to give second thought to it.

SHRI R. VENKATARAMAN (Madras South): The Leader of the Opposition has very ably and clearly stated that the recommendations of the Raja Sabha have considerable weight

and that the matter could have been discussed between the Finance Minister and the Leader of the Opposition before actually bringing forward the present motion to reject those recommendations. In view of the support which has been given by Mr. Somnath Chatterjee and the support which is not expressed but felt in the other side of the House, I am quite sure it would have been a very good precedent had the Finance Minister discussed this matter with the Leader of the Opposition and come to some agreement with regard to those recommendations. But he has chosen to present arguments and defend the position he has taken and it becomes necessary for us to examine the validity of those arguments and see how far they are acceptable and correct. I will not go into political polemics but shall confine myself to the proposals which are before the House and examine them from purely economic point of view. The four proposals which are now before us fall into two categories. One category is that relating to the concessions which are given to undeserving well-to-do classes; the other category affecting the poorer classes. Those which affect the poorer classes are those relating to the employment of labour and the levy of duty on bidi and those which give concessions to the undeserving classes are those which deal with capital gains and the closely held companies. The Finance Minister said that showing concessions to the capital gains will not affect the common man. I take it that any loss of revenue, any concession given which leads to loss of revenue affects ultimately the poor man, the common man of this country because you are not flush with money, you are not having a surplus budget. In fact you have to make up the loss by levying tax on butter and bidi.

Therefore, if you give any concession which denudes the treasury of its revenue resources, you will have to examine whether it is worth giving, whether it is necessary to give and whether it will bring any benefit to the community or society.

As the hon. Leader of the Opposition has clearly stated, you know what are capital gains. Capital gains are got by people who have not contributed to the increase a man buying a property, by a mere force of social circumstances gets a high income out of it when he sells; man holding some property by virtue of inflation gets a large amount of money when he sells it. Why not the community or the society share it? Is it a new concept? Is it anything which is radical, which is suggested for the first time? All over the world, capital gains taxes have been levied and it is considered as well as accepted to be an appropriate and an equitable tax. It is based on the same principle as progressive taxation. When a man gets an income for which he was not made any contribution, when a man out of circumstances arising out of either inflation or other social causes gets an increment in the value, the society is entitled to share it because it is the society which has contributed. Why and on what principle should we give up a source of revenue and then levy tax on the poor people for the purpose of compensating the loss, which we incur by this? If a man buys a property and makes an improvement and then gets an increased value, under the present law, he is entitled to deduct that amount which he spent on the improvement of the property and it is not calculated and taken as capital gains.

Therefore, it is only the unearned increment, it is only the income for which one has contributed nothing that is taxed. It is totally improper in the present context of world opinion to allow capital gains to escape taxation.

Then in clause 3, he has stated, it is enough if you hold these capital assets only for three years. If you hold it for three years, as the Wanchoo Committee pointed out, short term capital gains are more constantly changing from one investment to another and lead to speculation. As my leader said, when it suits the Finance Minister, he

quotes the scripture. When it does not he just gives the go-by to it.

Here the Wanchoo Committee has pointed out that in various countries, in Finland, in Norway, it is ten years, five years and it is always held that the long term capital gains alone should be exempt from taxation and anything less than five years is never considered to be a long term capital gain. By foregoing this revenue, I do not know exactly how much he will lose, but by the combined effect of clauses 3 and 13, the Government of India will lose almost all the revenue by way of capital gains tax, because the moment a person gets capital gains, he can invest it in any other asset specified in the schedule like bank investment, unit trust or shares. Most of the people who make capital gains are business tycoons or industrialists. They go on changing their shares once in three years. They keep them for three years and evade tax for ever. Therefore, you will lose the tax for ever. By way of reinvestment I wonder how much will come to the society, because most of the capital which is invested in banks, shares and equities will continue to be in one equity or the other. So far as macro-economics is concerned, it does not matter in which equity it is held. It is only a matter of concern to the individual that it is held in one equity or the other. So far as the country is concerned, it does not make any difference. If you say that by changing the investments, you will add to the wealth of the country or to the benefits of society, I am afraid it is totally erroneous. Therefore, I submit for the very kind consideration of the Finance Minister that unless he reconciles himself to completely losing the revenue from this head and writing off from the Income-tax Act that section which deals with capital gains tax, he will do well to re-consider it, because it is easy for any person to re-invest in shares or equities or deposit or unit trust, hold it for three years and sell it away. This is a loop hole which



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will deprive the State of all the revenue.

So far as closely held companies are concerned, the Finance Minister said that there is no loss to the society. Here again I have to challenge that statement. As I said earlier, any measure which gives up revenue to a State or country which does not have a surplus, which has to make up the deficit by levying further taxes probably on consumption goods by way of indirect taxation, necessarily when it gives up a tax which it can get from the affluent section, it affects the society and poor people. Closely held companies are those held by a few families, a few relatives. Actually it is nothing more than a partnership. It is a legal evasion. If it were partnership, the income-tax authorities can tax the total profits of the partnership in the hands of the partners. Therefore, the entire profit becomes taxable and revenue will not be lost. But in the case of closely held companies, if they do not distribute the amount which is statutorily distributable and hold it back, the company pays only corporation tax; it does not pay any tax on the dividends received by the shareholders in their hands. Anybody knows that when a company makes profit the company pays corporation tax and the dividends in the hands of the shareholders are again taxed to income-tax. But when the company does not distribute the dividends and holds it back, that amount of income-tax which would be payable on the dividend by a shareholder who receives the dividend is lost to the exchequer. As I said earlier when I was moving the same amendment, when this amount is held back and accumulated, the accumulated amount is distributed as bonus shares in three or four years and on bonus shares, there is no tax. The Minister said, when the bonus share is sold, they will again pay capital gains tax. No, Sir. Combined with the present clauses 3 and 13, if they sell these bonus shares and invest the amount in equities or invest in the

Unit Trust or invest it in a deposit for three years, they will escape the tax. It is not correct. I ask the Finance Minister to explain how he says it will pay tax. It will not pay tax because the moment they get the bonus shares, they can sell them to others and invest the sale proceeds in one of the specified items thereby completely avoiding and evading the tax. Some time I will put the question to the Finance Minister also asking him to give details of the loss of revenue on account of these two items and you will see that it is a sizeable item. The people who sell these bonus shares are not fools. They will certainly invest the proceeds in specified items in clause 13 and they will immediately escape the tax. Therefore, on both the counts we will lose. We lose the income-tax on the dividend not distributed, we lose the tax when it is distributed as a bonus share and when it is sold and they make capital gains they will invest it in other equities for three years and again we lose the tax. Is it proper for the Government to forgo the revenue when we are not, as I said, having a surplus budget?

15 hrs.

The next point is about labour. The reason why labour insisted on Government taking over the sick units is not to protect the industrialists, but it is to protect the workers working in those factories. They are lingering between starvation and life. They are just lingering on. If a factory is closed, people will lose their jobs and how can they be protected unless the company which amalgamates them says that it will take all those labour and the staff employed? Now, the Finance Minister said that the staff includes management, some of the people in the top echelons and we want to rationalise those. You know the definition of staff Labour is a certain category under the Industrial Disputes Act, staff is a certain category of the Industrial workers Act and the persons whom you mentioned as management belong

to a third category and the amendment only says 'staff and labour', that is, only those who come within the classification of staff as defined and labour as defined. If they are management, nobody sheds a tear for them. They can rationalise them and send them away because they are people with qualifications, they can find employment elsewhere. So far as the staff, which means persons who are defined under the Industrial Disputes Act as workmen, as people employed as clerks, supervisors and so on are concerned, they are to be protected. If the Finance Minister says that he will give an undertaking that the labour employed will be taken care of, what prevents him now, I ask, from making it a statutory obligation? Verbal promises made on the floor of the House do not have the force of a statute. They cannot be enforced in a court of law. That is why we are asking for a statutory protection and not a mere verbal assurance.

Lastly, my friend Mr. Somnath Chatterjee and everybody else have spoken about the bidi. Only one thing I want to say. I have been myself the President of bidi labour association.

PROF. MADHU DANDAVATE: So, you are acquainted with it.

SHRI R. VENKATARAMAN: I do not smoke, but I have been the President of a Union. I know how many people are living, how many thousands and thousands of workers are living on this. I will now tell you the amount of evasion that will take place as a result of this. You say that only branded bidis will be taxed. Many people who have branded items will distribute them to the other people and say this is non-branded and then evade the tax. This has happened earlier. I once tried to bring a law about the bidi workers; and when I said that these bidi workers will be governed by the Factory Act, they merely distributed tobacco to their houses and said that they were not factory workers. Man's ingenuity to evade tax is far greater than that of any Finance Minister that India has produced. What I am

worried about is that the employees in the organized sector will lose, and exploitation of labour in unorganised sector will take place. Everybody will suffer. As a consequence, you will find that this will come back to you. As a result of this, there will be evasion, loss of revenue, unemployment and exploitation of labour. People will complain that workers in the branded items will be dismissed; and they will say that those in the non-branded items will be taken and they will be given wages; which are very low, i.e. sweated wages; and a series of consequences will follow as a result of this. The best thing that you can do is at least to accept the four recommendations which the Rajya Sabha has made, and earn a very good name for yourself.

श्री कंवर लाल गुप्त : (दिल्ली सदर) :  
उपाध्यक्ष जी, चव्हाण साहब हमारी पार्लियामेंट के बड़े अच्छे डिबेटर हैं और बहुत अच्छे पार्लिमेंटेरियन हैं—यह मैं मानता हूँ। पर आज का उनका भाषण सुनने के बाद मुझे ऐसा लगा कि उनका भाषण केवल एक पोलिटिकल स्टैंट था। उसको सुनकर मुझे बड़ी निराशा हुई। उन्होंने कहा कि जनता पार्टी हमारी मदद लेना नहीं चाहती है। मैं समझता हूँ जिस तरह से जनता पार्टी ने विपक्ष के साथ अभी तक व्यवहार किया है, लोकपाल बिल के बारे में आपने कहा कि ज्वाइंट सेलेक्ट कमेटी में भेज दें तो हमने उसको वहाँ भेज दिया, स्पीकर के चुनाव के बारे में हमने आपसे राय ली, हम और चीजों के बारे में भी आपसे राय लेते रहे हैं और आगे भी लेते रहेंगे लेकिन मैं समझता हूँ राष्ट्रपति के बारे में उनका बहुत अनचैरिटेबिल रिमार्क था परन्तु मैं उनको विश्वास दिलाना चाहता हूँ कि जनता पार्टी आपके साथ मिल करके, विपक्ष के साथ मिल करके, बात-चीत करके काम करना चाहती है, कोई भी एक तरफा काम नहीं करना चाहती है। लेकिन इसका मतलब यह नहीं है कि जिस तरह से आप विपक्ष के साथ

[श्री कंवर लाल गुप्त]

बात-चीत किया करते थे—मुझे कम से कम 1967 का जमाना याद है—कि जब मतलब हुआ तब कर लिया और जब मतलब नहीं हुआ तब छोड़ दिया, हम तो आपसे जरूर बात करेंगे, आपसे गाइडेंस भी लेंगे, आपकी राय की कीमत भी करेंगे लेकिन आप ऐसा मत समझिए कि जो कुछ आप कहें उसको हम सारा ही मान लें। ऐसा नहीं हो सकता है। हमारे और आपमें आनेस्ट डिफरेंस आफ ओपीनियन हो सकता है। अगर डिफरेंस आफ ओपीनियन नहीं होता तो आज आप वहां नहीं होते हम यहां नहीं होते। दो पार्टीज में डिफरेंस आफ ओपीनियन का होना लाजमी है—यह बात तो आपको माननी पड़ेगी। इसलिए यह कहना कि आपने हमारी यह बात नहीं मानी इसलिए हम आपसे बातचीत नहीं करना चाहते या हम आपको राय की कद्र नहीं करना चाहते—मैं समझता हूं यह कहना बहुत ही अनचैरिटेबिल है और ऐसा हम चव्हाण साहब से एक्सपेक्ट नहीं करते थे।

श्री जे० रामेश्वर राव (महबूब नगर):  
कौन सी चीज आपने आज तक मानी, जरा बतायें।

श्री कंवरलाल गुप्त : एक बात उन्होंने यह कही कि राज्य सभा की जो मान्यता है, और राज्यसभा ने जो सिफारिश की है वह बहुत महत्वपूर्ण है तो उसके महत्व को हम कम नहीं करना चाहते। राज्य सभा अपनी जगह पर बहुत बड़े अधिकार का संगठन है जैसे कि लोकसभा है। उसके महत्व को हम कम नहीं करना चाहते। लेकिन यह कहना कि राज्य सभा की सिफारिशों को न मानना राज्य सभा की डिसप्रेस करना है—यह कहना भी ठीक नहीं है। विधान में लोक सभा को कुछ अधिकार दिए गए हैं। मैं समझता हूं विधान की आप मुझ से ज्यादा जानते हैं। फाइनेंस बिल के बारे में विधान में यह प्रावधान है कि लोकसभा अपनी सिफारिशों राज्यसभा को भेजती है, अगर राज्य सभा

उनको न मानें तो वह लोक सभा में आती हैं और लोक सभा जो कहे वही माना जायेगा। यह तो विधान के निर्माताओं ने बनाकर रखा है। लेकिन इस तरह से कभी लोकसभा को राज्यसभा से लड़वाना, कभी दक्षिण को उत्तर से लड़वाना, कभी हिन्दुओं को मुसलमानों से लड़वाना—यही काम आप करते रहे हैं। मैं आपसे कहना चाहता हूं कि कृपा करके इस काम को आप बन्द कर दें। इस तरह से मुकाबला करना कि लोक सभा महत्वपूर्ण है या राज्य सभा महत्वपूर्ण है—यह ठीक नहीं है। मैं चव्हाण साहब से एक सवाल पूछना चाहता हूं—जब यह बिल लोक सभा ने पास कर के राज्य सभा में भेज दिया और राज्य सभा ने इस को नहीं माना तो क्या यह लोक सभा का डिसरिगार्ड नहीं है—आप की परिभाषा के अनुसार।

श्री यशवंतराव चव्हाण : मैं कांस्टीट्यूशन की बात नहीं कर रहा हूं कांस्टीट्यूशन में तो ऐसा है। लेकिन मैंने अपनी स्पीच में यह कहा था कि आप सहयोग की बात करते हैं आप को हमारे साथ बातचीत करनी चाहिये थी।

श्री कंवर लाल गुप्त : आप ने यह कहा है—यदि हमने राज्य सभा के रिक्मेंडेशन को नहीं माना तो यह राज्य सभा का डिसरिगार्ड होगा। चव्हाण साहब लोक सभा को भारत की साठ करोड़ जनता ने चुना है जो बजट या फाइनेंस बिल लोक सभा ने पास किया यदि राज्य सभा उस को नहीं मानती तो मैं तो यह नहीं कहता कि वह लोक सभा का डिसरिगार्ड है। लेकिन आप व जो प्रिन्सिपल बनाया है उस के अनुसार यह डिसरिगार्ड हो सकता है। उन के अपने अधिकार हैं वे जो चाहें करें और हमारे अपने अधिकार हैं हम जो चाहें करेंगे। लेकिन आप जो जनता से चुन कर आये हैं यह कहें कि वहां जो 6-7 साल पहले कुछ लोग चुन कर आये थे जिनकी पार्टी आज डिसक्रेडिटेड हो चुकी है उन की भावनाओं को स्वीकार कर लीजिये

माफ कीजिये—यह ठीक नहीं होगा। मेरी अपनी निजी राय है कि आज राज्य सभा का जो रोल है उस के बारे में थोड़ा विचार करने की जरूरत है। आज वहां आप का बहुमत है अगले साल चुनाव होंगे उस के बाद 1980 में चुनाव होंगे तब वहां जनता पार्टी का बहुमत होगा। आप ने हम को थ्रोट किया है—और हम यह बात नहीं मानेंगे तो आगे आप हमारी बात पर सहयोग देने पर विचार कर सकते हैं। यह कोई नई बात नहीं है यह तो आप कर ही रहे हैं पहले भी आप ने किया है। 42वां संविधान संशोधन यदि हमारा बहुमत वहां होता तो कभी का खत्म कर देते लेकिन नहीं कर पाये। कोई भी कानून जब तक राज्य सभा पास न करे हम जानते हैं वह पास नहीं हो सकता। आप के पास अभी भी वह शक्ति है और अभी कई साल चलने-वाली है यह भी हम मानते हैं। इसलिये मैं कहता हूँ कि राज्य सभ के रोल के बारे में सरकार को सोचना चाहिये कि इस का रोल क्या हो। इस वक्त कोई सुझाव मेरे सामने नहीं है, लेकिन मैं यह जरूर कहूंगा—आज आप लोक सभा की अवहेलना कर के कोई काम ऐसा करते हैं, जिस को राज्य सभा उलट देती है, तो इस का मतलब यह है कि लोक सभा ही नहीं, बल्कि भारत की साठ करोड़ जनता की भावनाओं की आप अवहेलना करते हैं।

चव्हाण साहब ने सोशललिज्म का नारा लगाया, पिछले तीस सालों से आप समाजवाद की बातें कर रहे हैं। जब हम बीड़ी की बात करते हैं या कैपिटल गेन टैक्स की बात करते हैं, तो कहने लगे कैपिटल गेन टैक्स तो अन-ग्रण्ड इन्कम है। मैं पूछना चाहता हूँ—जब आप फाइनेन्स मिनिस्टर थे, उस वक्त अगर कोई मकान या कोठी बेचता है और उस के एक साल के अन्दर वह कोई दूसरी कोठी खरीद लेता है, तो उस में जो कैपिटल गेन होता था, उस को आप ने पूरी तरह से माफ नहीं कर दिया था ?

श्री यशवन्त राव चव्हाण : आप को मालूम नहीं है, कंवर लाल जी, उस वक्त आप गैरहाजिर थे। हम ने जो कानून पास किया था—आप तो लायर भी है—जरा उस को पढ़ लीजिये, उस के बाद बात कीजिये।

श्री कंवर लाल गुप्त : मैंने पढ़ कर ही यह बात कही है—लीडर आफ अपोजीशन को मालूम होना चाहिये। मैं जो कह रहा हूँ वह ठीक है और आप गलत हैं। मान लीजिए—आप के पास कोई मकान है, आज अगर आप उस मकान को बेचते हैं और एक साल के अन्दर दूसरा मकान खरीद लेते हैं तो कैपिटल गेन टैक्स बिल्कुल माफ है।

श्री यशवंतराव चव्हाण : यह तो पहले से है, मोरारजी भाई के वक्त से है।

श्री कंवर लाल गुप्त : आप फिर बदल गए।

उपाध्यक्ष महोदय, मैं दूसरी बात बतलाता हूँ—पहले इन्टरेस्ट इन्कम पर ज्यादा टैक्स लगता था, लेकिन क्या वह इन की सरकार नहीं थी जिस ने इन्टरेस्ट इन्कम और दूसरी इन्कम को एक जैसा बना दिया, क्या वह अन-ग्रण्ड इन्कम नहीं थी ?

आज जो आप ऐसी बात कहते हैं मैं पूछना चाहता हूँ कि पिछले साल 1976 में आप ने क्या किया। वैल्य टैक्स जो ज्यादा था, उस को घटा कर आप ने कितना कर दिया। हमने वैल्य टैक्स को इस बार बढ़ाया है लेकिन आप ने नहीं बढ़ाया था। आप ने उस को बहुत कम कर दिया था। इसलिए सोशललिज्म की बात मत कीजिए अभी तक कांग्रेस पार्टी का रवैया यही रहा है कि वह सोशललिज्म की बात करती है लेकिन गरीबी हटाओ की लोरियां दे कर उस ने गरीबों को ही हटा दिया। वह गरीबों को लोरियां दे कर सुलाती है और उधर टाटा और बिरला उन का खून निकाल कर अपनी जेबों में पैसा

[श्री कंबर लाल गुप्त]

भरते हैं। कांग्रेस पार्टी की यही 30 साल की कहानी है। मैंने मंत्री महोदय से एक सवाल पूछा था कि पिछले 7 सालों में जो आप के बिग बिजनेस हाउसेज हैं, उन के कितने एसेट्स बढ़े। श्री शान्ति भूषण ने 20 बिग बिजनेस हाउसेज की लिस्ट दी थी और उन में किसी के हन्डेड पर सेन्ट एसेट्स बढ़े, किसी के एसेट्स डेढ़ गुना हो गए, किसी के दुगने हो गए और किसी के 4 गुना हो गए। क्या यही आप का समाजवाद है? अगर 1974 से 1977 तक के आंकड़े लिये जायें, तो मैं विश्वास के साथ कहता हूँ कि गरीब और गरीब हुआ है और अमीर और अमीर हुआ है। जनता पार्टी ने अपने आप को गरीब आदमी के साथ आइडेंटिफाई किया है।

There is a complete commitment, our commitment is total.

अगर हम वापस जायेंगे और गलत काम करेंगे, तो हम चुपके से अपने घर वापस चले जायेंगे, लेकिन अपनी कुर्सी से चिपकने के लिए इमर्जेंसी नहीं लगायेंगे, हम प्रेस का गला नहीं घोटेंगे, हम अदालतों के दरवाजे बन्द नहीं करेंगे और लाखों आदमियों को अदालतों में बन्द नहीं करेंगे। अगर हम जनता की भावनाओं को पूरा नहीं करते हैं और जनता द्वारा हम हरा दिये जाते हैं, तो हम घर बैठ जायेंगे और यह नहीं करेंगे कि कुर्सी के लिए जो कुछ भी करना पड़े, वह हम करें। . . .

(व्यवधान) . . . . .

सिक मिल्स के बारे में चन्हाण साहब ने बहुत कुछ कहा। उन्हें बहुत एक्सपीरियन्स है और कांग्रेस वालों का रवैया यह रहा है कि पैसे वालों से मिल कर उन को कर्ज देंगे, उन को मदद देंगे और जब वे मिल को सिक बना देंगे तो उस के बाद गवर्नमेंट उस मिल को ले लेगी। आखिर, कोहनूर मिल्स का क्या हुआ। करोड़ों रुपये का कर्ज, कपादिया को दे दिया जो संजय गांधी के साथ डाइरेक्टर था और जब वह मिल सिक हो गई तो उस के बाद गवर्नमेंट ने उस को ले लिया। क्या

गवर्नमेंट को गौशाला समझ रखा है कि जो भी सिक मिल होगी, उसे गवर्नमेंट ले लेगी। मैं समझता हूँ कि हमारी जनता सरकार ने इस पालिसी में एक बहुत बड़ा इम्प्रूवमेंट किया है कि सारी सिक मिलों को सरकार नहीं लेगी। हम उन को कहेंगे कि आप इस की हालत ठीक कीजिए और उस के लिए कुछ कन्सेशन मिलेगा और वह तब मिलेगा जब वे पूरी कन्डिशन को पूरा करते हैं।

उपाध्यक्ष महोदय, मैं और अधिक नहीं कहना चाहता लेकिन बीड़ी के बारे में जो बात कही जाती है कि गरीब आदमी पर टैक्स नहीं लगना चाहिए, मैं भी मानता हूँ कि नहीं लगना चाहिए लेकिन अगर 34 करोड़ रुपये इस से आमदनी होती है और उस को हम हटा दें, तो और भी डेफिसिट फाइनेंसिंग बढ़ जाएगी और इस बात से आप एग्री करेंगे कि जो डेफिसिट फाइनेंसिंग होती है वह हर आदमी पर इनडाइरेक्ट टैक्स होता है। इस से तो आप एग्री करते हैं। अगर डेफिसिट फाइनेंसिंग को कम करना है, जोकि हमारा फर्ज है, तो कई बार ऐसी चीजें भी करनी पड़ती हैं। आप कहते हैं कि बीड़ी पर टैक्स नहीं बढ़ाना चाहिए क्योंकि इस से उस के दाम बढ़ जायेंगे, लेकिन चन्हाण साहब, आप भी फाइनेन्स मिनिस्टर रहे हैं, आप ने कितनी नेसिस्सिटीज़ ग्राफ लाइफ की कीमतें अपने जमाने में बढ़ाई हैं। इसलिए मैं यह कहूँगा कि जनता पार्टी की सरकार ने और हमारे फाइनेन्स मिनिस्टर ने बजट को सीमा में बांध कर रखा है और डेफिसिट फाइनेंसिंग कम से कम हो, इस की कोशिश की है। उन्होंने यह भी कोशिश की है कि मनी स्प्लाइ कम से कम हो और इस तरह से दामों को बांधने की कोशिश की है।

श्री बसन्त साठे : शराब पर टैक्स लगा दो, बीड़ी पर क्यों टैक्स लगाते हो।

श्री कंबर लाल गुप्त : अगर शराब पर ज्यादा टैक्स लगाते, तो इससे आप लोग

को तकलीफ होती। हमने कोशिश की है कि विरोधी पक्ष को तकलीफ न हो इसलिए हमने शराब पर ज्यादा टैक्स नहीं लगाया। कहीं कहीं तो हम आपको एकमोडेट कर ही सकते हैं। मैं चव्हाण साहब को विश्वास दिलाना चाहता हूँ कि जनता पार्टी कांग्रेस को खत्म करना नहीं चाहती। हम चाहते हैं कि आप जिन्दा रहें। हम चाहते हैं कि आप इफेक्टिवली काम करें। आपका कोओप्रेशन भी हम चाहते हैं और आगे भी चाहते रहेंगे। लेकिन हम यह जरूर चाहते हैं कि जो हमारी पालिसियां हैं उनको भी हम न छोड़ें। उनको छोड़ कर हम नहीं चाहते हैं। जहां तक हो सकेगा आगे भी हम कोशिश करेंगे कि आपको एकमोडेट किया जाए। इस वास्ते मैं चाहता हूँ कि इस तरह का चैरिटेबल व्यू चव्हाण साहब भी लें तो अच्छा होगा।

SHRI M. N. GOVINDAN NAIR (Trivandrum): Sir, I am not interested in the wordy war of politics. Secondly, I do not want to enter into a discussion about the role of the Rajya Sabha and the Lok Sabha as per our Constitution. The problem before the House is that the Finance Bill which was accepted by this House, has been returned by the Rajya Sabha with certain modifications. Now, regarding those amendments which they have made, let us have a dispassionate look. Even when this question was discussed here, many people from the ruling party spoke in favour of these recommendations.

I start with bidi. That question was discussed here. It was not only the people from the opposition but people belonging to the ruling party also very vehemently and strongly opposed it. Our friends from the Marxist Party also very strongly stated that the tax on bidi should be avoided. Now the Congress has a majority in Rajya Sabha. They have expressed themselves in favour of it. Are we to stand on prestige? Or are we to accept the reasonable amendment they have

made? Are the arguments put forward by the hon. Finance Minister—his eloquent speech on the injurious affect of bidi, quoting doctors—convincing? Now, I warn you against doctors because today there is a report in the press that some doctor has stated that gas should not be used because it affects your heart. It is said that gobar gas is better. I am not an expert to say whether that is right or wrong. For how many years are the people using gas? Are you going to ban the use of gas?

Then, the day before yesterday, another report came on chicken-eating. All gentlemen should take care. According to that advice, your masculinity will go. Therefore, you should not depend on these stupid reports. Here is Mr. Biju Patnaik, a chain smoker, who stands as a challenge to the statement of the doctors. I am also a smoker. According to doctors, the life is shortened by smoking. If that is calculated, I must be dead years ago. So, please don't bring in these doctors in the picture.

AN HON. MEMBER: What about Mr. Raj Narain?

SHRI M. N. GOVINDAN NAIR: One of the most intelligent things that the Janata leadership has done is to make him a Minister.

A HON. MEMBER: An entertainer.

SHRI M. N. GOVINDAN NAIR: It is not only for our entertainment. He comes only once in a week for one hour. Supposing he were an ordinary Member, could any business be transacted here? You must think them. Don't mention the name of Mr. Raj Narain too often. That one hour is very entertaining. That is enough.

Now, coming back to the question of bidis, the Finance Minister was very much surprised to hear that cigarette lobby is behind this move. If he does not know, he should know as the Finance Minister, as to what would be

[Shri M. N. Govindan Nair]

the implication of this move and who are the parties that will get interested in it. The cigarette lobby is very much interested in seeing that the bidi price goes up. Therefore, I think, at least on this account, you should make a concession. They have made four recommendations. In Mahabharata, a question was posed by Lord Krishna, "Will you not at all give even one house to the Pandavas?". Instead of spending your time on arguments about Rajya Sabha and Lok Sabha, will heavens fall if one recommendation of Rajya Sabha is accepted? I do not want to repeat all the arguments that were brought forward in favour of this amendment. I say, that it will adversely affect the industry. All those matters, Mr. Venkataraman who is not very enthusiastic in making accusations but who studies problems has presented the case very well. Can't you accept it? Why should Mr. Patel be so firm that he will not budge an inch? I would appeal to him to accept that amendment.

There is one more amendment which he can accept regarding the sick industrial units. You have already accepted the principle that workers should be protected—including staff. The managerial persons should go. You yourself had said that you had given that assurance in Rajya Sabha, you have given the assurance here not only now even earlier also. Why can you put it in the statute? Then what will happen if you accept these two amendments? I am not going to support the other points. But it would be a very good gesture if these two amendments are accepted. I say these two amendments. One is the bidi which affects the common man; secondly, the workers whom you really want to protect—I take your own words—you give them statutory protection.

Who is going to read what assurances you have given in the Parliament? When the Constitution was discussed here, if you go through the speeches of the framers of the Constitution, you

will find that they talked many things. Do we go by that or do we go by what is written in the Constitution?

AN HON. MEMBER: Mr. Kamath is here, who is the Father of the constitution.

SHRI M. N. GOVINDAN NAIR: Father or grand-Father, I do not know. Whatever it is, as long as Parliament is here, Mr. Kamath will have a place of his own. Our point of discussion is something else. I am suggesting a compromise. If you accept these two amendments, then no one will feel that you have surrendered to the Rajya Sabha; there is no question of surrender and all that. What I suggest is that you accept these two simple amendments. If you do it, it will be a very good gesture on the part of the Lok Sabha that when they (Rajya Sabha) sent some amendments, we did not totally reject them but accepted some of them. More than that, the workers in the sick units will feel very much consoled, if you accept that amendment. The ordinary man in the country will be very happy. Mr. Patel, if you accept the amendment on bidi. I hope you will do it.

SHRI A. BALAJANOR (Pondicherry): Mr. Deputy-Speaker, Sir, thank you for giving me this opportunity and I will be very brief in this discussion. At the outset, I would like to bring to the notice of this hon. House one instance about my colleague and hon. friend who was in the Assembly in 1967 in Madras. A similar incident took place there wherein the Legislative Assembly passed the Finance Bill sent it to the Council. If I am not wrong, I think the hon. Member Mr. Venkataraman was in the Upper House as the leader leading the Congress Party therein. I think, at that time, the Congress Party was very generous. I do agree with the hon. Members speaking from the Janata Party side and of course from the Ruling Party and stating that the verdict of the people is very much reflected in this House—because we are directly elected

by the people—that is the Lok Sabha So, the Elders (Rajya Sabha) must respect it. But you may put a question that this House is mostly of elders whereas there, they are young people as Members. So, there cannot be any physical or age verification. But I do not argue on that. But for all constitutional purposes, that is considered to be the eldest House and this is supposed to be the young House. But I am quite young and many of us are young.

In Madras, they differed on many issues raised by the then DMK Party led by the great and revered Anna. They accepted the Bill and voted it and sent it back to the Assembly. I do not understand why the Congress Party—of course, they have expressed their unwillingness or difference on the Finance Bill—voted it down and sent it for reconsideration by this House. But I would, at the same time, say, that if Elders say something, we must learn to respect it. I say this with utmost sincerity and seriousness. This is a matter, as my learned friend and leader, Shri Govindan Nair, has said, in which we thought, the Janata Party would concede to the Janata's feelings because the Janata in this country, majority of the people in this country, smoke bidis. I thought, the Janata Party would have the heart for the Janata and consider it. My friend has placed it before the Finance Minister saying that the Finance Minister would become very popular with the people if he removed this duty on bidi. Of course, it is a difficult job. Our Prime Minister was once the Finance Minister and he had said this at that time—I remember; I had read it in the papers—that 'to be a Finance Minister is a difficult job because he will become most unpopular'. But last time when we met the Foreign Minister of Japan, he said that he was the Finance Minister and that was the reason why he had been sent to External Affairs. I told him that he would never become unpopular in the outside world; he would become very popular. Therefore, it is not a question of becoming popular or unpopular. My

friend has placed the matter in a subtle way—he has asked them to consider it with a certain amount of gesture and take the people into confidence to march towards progress.

Removing this duty, my friend on the other side argued, would create a big deficit—to the extent of Rs. 45 crores or so. It is not a correct argument. The majority of the people in this country are poor, and they cannot afford and they should not feel this burden of taxation on them. Of course, I do not smoke bidi; I smoke very costly cigarettes. That is a different matter. If you remove this duty on bidi and show this concession to them, the people on the whole will feel very happy and they will say: 'Here is the Janata Government which has considered our feelings' and they will give their support for all progressive measures, where you have to be very harsh. When you come to the question of taxation, you have to be harsh. I have studied economics; I know, it is very difficult for a Finance Minister for Government to be very lenient on the question of tax; it is an essential item in a developing country like ours. So, I would appeal to the Finance Minister to reconsider these items—not only the question of bidi but also the question to amalgamation of companies where also the workers have to be taken care of. Whenever the problem of workers is touched, many of us are very eloquent; whenever the question of Scheduled Castes and Scheduled Tribes comes up, many of us are very eloquent. But when it is a question of action, I am afraid, it is left to the administration, it is for the administration to do.

On behalf of the All India Anna DMK, I would say that I am in full agreement with Mr. Govindan Nair as far as bidi is concerned—though it is not one of our policies to smoke bidis—because it touches the Janata whom the present Government very happily and every now and then—and many times in Hindi which I do not follow—say that they represent. Of



[Shri A. Bala Pajanon]

course, I follow at least the word 'janata', and I hope that the Janata Government will do this for the janata for the people.

I would like to make another appeal. We will not be pressing every item included in the motion. I request you, Sir, to have the voting item-wise because we will differ on two issues—on the question of bidi and also on the question of amalgamation of companies.

I remember how the hon. Member, Mr. Venkataraman, acted in the Legislative Council in 1967—of which year we are very proud because we dislodged the Congress for the first time in Tamil Nadu and we continue to keep the power in Tamil Nadu in our hands, in the hands of Anna and his descendants in Tamil Nadu. I hope, the same gesture will be shown by them here also; I say 'gesture', not 'compromise'. At least on the question of bidi and the other item also the feeling of the janata should be considered.

SHRI CHITTA BASU (Barasat):  
Sir, I do not propose to make a long speech as he does not deserve that.

So far as the recommendations made by the Rajya Sabha are concerned, I have promised earlier that I will not join issue. But I want to quote certain statements made by the Prime Minister which have appeared in the press today. The Prime Minister has said:

"The important point is that we should not give up our right in the Lok Sabha."

This statement is unfortunate, coming as it does from the Prime Minister, the Leader of the House. I do not know what he means by the 'right' of the Lok Sabha, and how the right of the Lok Sabha will be lost if the Lok Sabha, in its wisdom, can accept some of the recommendations of the Rajya Sabha (which is also a

part of Parliament) made in their wisdom. By accepting any of the recommendations of the Rajya Sabha, we do not lose any of the rights conferred on us by the Constitution of our country. Therefore, the Prime Minister's statement at this stage is very unfortunate.

Now, coming to the amendments, I plead for two of the recommendations made by the Rajya Sabha. One is regarding 'amalgamation' and the other is regarding the bidi workers. Arguments have been advanced by many on this side and I therefore only want to take up the arguments advanced by that side, particularly by the Finance Minister. He has said in the course of his speech that with regard to Amalgamation he has all the sympathy for the workers but that, when there is a constitutional provision of this nature, he cannot get rid of the members of the staff whom he has to get rid of in the interests of amalgamating the units. This argument is not justified. If you will allow me to say so, it is frivolous. If you really want that workers' employment is to be guaranteed and that is the purpose of the amalgamation, then, if you find there are certain erring officers or people for whose fault the industrial unit fell sick, you can take care of them by other measures which are in hands of the Government.

Another argument was regarding bidis—that if they accept this recommendation the deficit will rise by Rs. 34 crores. Yes, the deficit will rise by Rs. 34 crores, why can it not be covered by taxation on the corporate sector? Can it not be realised by other means of taxation which will fall on the richer sections of the society? (I have some suggestions in this regard). Why should you make the poor bidi workers or the bidi industry bear the burden of the tax, especially when you have brought about a plethora of concessions to the big capitalists and monopolists of the country? I can catalogue a few of them—the financial proposals propose to raise the rate of investment allowance; the

financial proposals include tax reduction for donations to charity and changes in the excise and customs tariff and concessions for encouraging rural industry by the big capitalists. In this way, many concessions have been given to the big men, but you hesitate to give the smallest amount of concession to the poor people—and that also, in the name of fighting or eliminating deficit financing. This is not correct. I would therefore suggest, as a measure of compromise and as a token of deference to the wishes of this House and those of the Rajya Sabha that the Government should reconsider the whole issue and accept at least two of the six amendments made by the Rajya Sabha. That will be in the fitness of things; that will be a token of deference to the wishes of the people; no question of losing any right of the Lok Sabha is involved. That would push up the morale of the people and it will also brighten the image of the Janata Government in the eyes of the Janata.

**चौधरी बलबीर सिंह (होशियारपुर) :**

उपाध्यक्ष महोदय, चव्हाण साहब के बारे में मुझे एक शेर याद आ रहा है—

उम्र तो सारी कटी इश्के-बुतां में मोमिन  
आखरी वक्त में क्या खाक मुसलमां होंगे ।

इन्दिरा गांधी ने 1969 में कहा था कि हम सीलिंग मुकर्रर करेंगे, क्योंकि अब कांग्रेस में जितने रिएक्शनरीज थे, वे सब निकल गए हैं, अब सिर्फ प्रोग्रेसिव रह गए हैं। जायदाद की सीलिंग मुकर्रर की जायेगी, लेकिन कहां मुकर्रर हुई, किस ने आप का हाथ रोका था? 1971 में आप की क्लिअर मैजारिटी आई, इतनी मैजारिटी होने के बावजूद पांच साल की टर्म को 6 साल करने में भी इन्होंने शर्म महसूस नहीं की। घरों की सीलिंग को शुरू किया तो कारखानों पर चले गये। कहने लगे कि कोठियों का सीलिंग होगा, तो प्लाटों पर आ गए। प्लाटों में भी जो बकाया था, जो खाली थे, उन को लेने की बात होने लगी। जब कार-

खानदारों ने देखा कि ये हमारे हाथ से निकल रहे हैं, तो फिर इन्होंने गाइड लाइन्ज मुकर्रर कर दीं। मैं पूछता हूँ—सीलिंग मुकर्रर करने के लिये आप की किस ने रोका था ?

याद है आप को—इसी हाउस में इन्दिरा गांधी ने कहा था—ये सीलिंग हम नहीं कर सकते, क्योंकि इस में कुछ काम्प्लीकेशनज हैं, जायदाद और मकानों पर सीलिंग लगाने में कुछ काम्प्लीकेशनज हैं, लेकिन हम इन पर टैक्स इस ढंग से लगा देंगे कि ये अनप्राफिटेबिल हो जायेंगे, लेकिन हुआ क्या—जो अगला टैक्स आया, उस में वैल्य टैक्स ही घट गया, बढ़ा नहीं। ये आज गरीबों के लिए रोते हैं, मगरमच्छ के आंसू बहाते हैं, लेकिन इन्हें पता है—बिड़ला का 47 करोड़ का असासा था, जो बढ़ कर 1000 करोड़ से ऊपर हो गया। टाटा का 37 करोड़ का असासा था, जो बढ़ कर 1100 करोड़ से ऊपर हो गया। आप बताइये—ये लोग आज किस मुंह से ऐसी बातें करते हैं। ये कहते हैं—जनता पार्टी क्या है? मैं पूछता हूँ—आप क्या थे? शिव सेना आप के साथ मिल गई तो प्रोग्रेसिव हो गई। मुस्लिम लीग मिल गई तो प्रोग्रेसिव हो गई। उपाध्यक्ष महोदय, आप को याद होगा—केरल में कांग्रेस पार्टी की सरकार थी। वहां मुस्लिम लीग के एक मिनिस्टर थे, उन्होंने कहा—इस किताब में एक मजमून पं० जवाहर लाल नेहरू का है, उस को इस किताब में से निकाल दीजिए। क्यों निकाल दीजिए—पंडित जवाहर लाल नेहरू ने अपनी आटोबायोग्राफी में लिखा था कि मि० जिन्नत रिएक्शनरी रहे हैं और मुल्क की आजादी के खिलाफ काम करते रहे हैं। वहां के मुस्लिम लीग के मिनिस्टर ने कहा कि यह पूरा मजमून उस में से निकाल दीजिये। चव्हाण साहब और उन की पार्टी के तमाम लोगों की जुबान बन्द रही और उस वक्त इन्दिरा गांधी ने अपने बाप के लिखे हुए उस मजमून को उस किताब में से निकाल दिया ताकि उन की गद्दी कायम रहे।

### [चौधरी बलबीर सिंह]

इसी हाउस में एक मੈम्बर थे—फ़ीरोज़ गांधी, जो इन्दिरा गांधी के पति थे। उन्होंने यहां पास किया था कि प्रेस को आजादी रहेगी। लेकिन इन्दिरा गांधी ने अपने पति के उस कानून का, जो उन्होंने यहां पास करवाया था, कत्ल कर दिया, फिर भी ये लोग बैठे रहे, कुछ नहीं बोले, लेकिन आज हमको सबक दे रहे हैं कि आप हमारे साथ तआवुन करो, हमारी अक्ल की बात मान लो। अगर अक्ल होती तो यहां से उठ कर वहां न जाते।

आप कहते हैं कि हम ने प्रोग्राम बनाया था। जरूर बनाया था—बेटे ने चार बनाए, मां ने बीस बनाए और उस के बाद सारे मुल्क में 420 प्रोग्राम चला। घर में बैठकर मां के बेटे से कहा—यह 420 प्रोग्राम तो सारे देश में चला, लेकिन लोगों में अभी तक सांस आ रही है। बेटे ने कहा—मां, फ़िरक न करां, यह सांस भी बन्द हो जायेगी। एक और प्रोग्राम चलाया गया—वह प्रोग्राम क्या था—द्विवरी-टैट प्रोग्राम, जिस से लोगों की सांस बन्द कर दी जाये। संजय साहब पटियाला गये, सारे देश की पुलिस वहां जमा हो गई, सारे स्कूलों के टीचर वहां पहुंच गये, सारे इलाकों से लोगों को वहां पहुंचाया गया। अब सारी बातें सामने आ रही हैं, संजय के इस प्रोग्राम पर कई लाख रुपया खर्च किया गया। अगर यही रुपया उन शहरों को दे दिया जाता, तो वे शहर खूबमूरत हो सकते थे। आज ये लोग यहां पर बैठ कर तरह-तरह की बातें करते हैं, लेकिन उस वक्त किसी की हिम्मत नहीं थी कि आवाज उठा सके।

पंजाब में सरकार बनी—अकाली दल, जनसंघ और कम्युनिस्ट पार्टी के साथ मिलकर, उस वक्त इन कम्युनिस्ट पार्टी वालों ने कहा कि ये अकाली और जनसंघ प्रोग्रेसिव हैं—और जब ये सरकार से निकले गये तो रीएक्शनरी हैं। ये हैं श्री करण सिंह, ये राजा साहब हैं, अगर ये कांग्रेस पार्टी में हैं तो बड़े प्रोग्रेसिव हैं और अगर कांग्रेस से

निकल गये, तो रीएक्शनरी हैं। इसलिए यह जो इन की अपनी रीएक्शनरी और प्रोग्रेसिव की कहानी है, इस की असलियत मैंने बताई है। इनका नेहरू फोरम था, सोशलिस्ट फोरम था और पता नहीं कौन कौन से फोरम थे। तो इन का इस तरह का सोशलिज्म था। मैं आपको बताऊं कि इन के सोशलिस्ट फोरम के जो सेक्रेटरी थे, मिस्टर कपूर, उन के बारे में मैं आपको बता दूं।

MR. DEPUTY-SPEAKER: You are not talking on the amendments. You better wind up your speech.

चौधरी बलबीर सिंह : इन का जो सोशलिस्ट फोरम था उस के श्री कपूर सेक्रेटरी थे। मेम्बर बनने से पहले जब वे बाजार में चाय की प्याली पीने जाते थे और उसको पीना शुरू करते थे, तो दुकानदार उन से पूछता था कि आप की जेब में चार आने पैसे हैं। आज वे लखपति बन गये हैं।

MR. DEPUTY SPEAKER: Now you please wind up. Your time is over. I said five minutes but you have taken 10 minutes.

चौधरी बलबीर सिंह : जब चह्वाण साहब उपदेश दे रहे थे तो मैं सुन रहा था और मुझे ऐसा लगा जैसे शैतान स्क्रिचर्स पढ़ रहा हो। उन्होंने एमेंडमेंट पर बात नहीं कही और उन्होंने जितनी बातें कहीं वे सब ऐसी ही थीं जैसे जय प्रकाश जी ने पहले कहा था कि श्री बरभ्रा साहब दरबारी मसखरा हैं और आज यहां पर वे सारे मसखरे हैं। जब चह्वाण साहब बोलते हैं, तो सारे हंसना शुरू कर देते हैं।... (अव्यवधान)।

श्री एम० रामगोपाल रेड्डी (निजामाबाद): यह जनता का राज है। यह जो मेगजीन है, इस में राज नारायण जी को मसखरा कहा गया है।

MR. DEPUTY-SPEAKER: Now I will call the next speaker. Mr. Reddy, you please take your seat. I do not wish any magazine being tossed like that in the House.

श्री श्री बलबीर सिंह : मुझे बात करने दो । इन्होंने राज नारायण जी का नाम लिया है ।

उपाध्यक्ष महोदय : आपका टाइम खत्म हो गया है आप बोलते जा रहे हैं । आप जरा बैठ जाइए ताकि दूसरा कोई बोले ।

श्री पी० जी० मावलंकर ।

PROF. P. G. MAVALANKAR (Gandhinagar): It is quite evident that we have been caught in a very unusual situation when the Finance Minister has brought a second Finance Bill because the first Bill has recommendations attached to it by the other House.

The Leader of the Opposition and some other people in the House particularly on the Opposition Benches have spoken about the role of the Rajya Sabha, and they have also refrained and I think, rightly so, from passing any comments, much less criticisms, about the role of the Rajya Sabha. We all respect the constitutional position that we have a bicameral legislature. We all accept the fact that we have a federal set up. We all accept that the Rajya Sabha is an honourable House which represents the interests of the States. We also accept that the Rajya Sabha has a right to pass, reject and amend the various pieces of legislation that come from the Lok Sabha.

The question is not all this. The question is something very different. The question is: whether the second Chamber in our federal structure, in our parliamentary set up, can use its temporary, special and vast majority to oust.....

1894 LS—11

AN HON. MEMBER: It is not temporary..... (Interruptions)

SHRI SHEO NARAIN (Basti): Certainly you are temporary..... (Interruptions). They are not going to listen to the learned professor. Is this the way?

PROF. P. G. MAVALANKAR: The majority of the Congress Party in the Rajya Sabha in March, 1977 and its majority in July-August 1977 is different. The majority has been reduced. There have been political changes in the country. My point is whether the temporary special vast majority that the Congress Party in the Upper House enjoys.....

SHRI YESHWANTRAO CHAVAN: What do you mean by 'temporary special majority'? Do you think that yours is a permanent majority here?

PROF. P. G. MAVALANKAR: My esteemed friend the Leader of the Opposition should bear with me for three minutes more. Let me come to the concluding part. I am not at all assuming that the majority of the Janata Party in this House is a permanent one. I hope now..... (Interruptions).

My point is that the majority that the Congress Party has in the Upper House is for a temporary period of time. And I repeat, our Constitution is enjoining a federal structure with the Parliamentary set up based on the Westminster model where the Lower House elected directly by the people is responsible to the people, exclusively and entirely in all financial matters. That Constitutional position. I respectfully submit, should have been kept intact by my friends in the Congress Party who happen to be temporarily in the majority in the Upper House. They have not done that. They have every right to use their majority, against all other pieces of

[Prof. P. G. Mavalankar]

legislations, excluding of course Budget and excluding also the money Bills as certified by the hon. Speaker. Why do I say this? I know if the second Chamber agrees with the first, it is superfluous. If it does not agree it becomes obnoxious. But we do not want both the Chambers to go co-equal.

In all democracies there is ultimately, I use the word 'ultimately', one Chamber which prevails over the other and the chamber which prevails over the other is this Chamber—the Lok Sabha because it is directly elected by the people . . . . .  
(Interruptions).

This is the first time in our country's Parliamentary history that the Government have been facing an extraordinary situation of a good majority in this House but a good opposition numerically in the other House. Therefore, my point is (interruptions).

SHRI A. BALA PAJANOR: What is this? My friend is making a reference to the other House. That is a different House. We consider it as the Council of States. When we say bad majority or good majority, they are independent in their domain.

MR. DEPUTY-SPEAKER: He is only referring to the numbers.

PROF. P. G. MAVALANKAR: I said good numerically.

SHRI A. BALA PAJANOR: How is it taken for granted that there is a temporary majority? Supposing there is defection in Gujarat and some other place, unless you pass the Defection Bill we cannot be certain that majority will change.

MR. DEPUTY-SPEAKER: Mr. Bala Pajanor, there is no aspersion. He was only talking about the size of the Opposition.

PROF. P. G. MAVALANKAR: Having adopted the Parliamentary model of Westminster, Executive Government is responsible to the Lower House and financial power is vested here. All I am suggesting is this. I would have liked my esteemed friend the Leader of the Opposition and his Party members to use their majority in the other House in a way that they make the upper chamber better in terms of improving legislation and other things. But, Sir, they used it for the political purpose of putting the government into difficulties. While he was talking today, his performance was really very attractive and I enjoyed it. He has a great art of Parliamentary wits and I give him marks for that. But let us not forget that he was the Finance Minister when the country for thirty years saw the largest taxation in one single year. Now he has come out with support for poor people. Sir, I am also for the poor people. I want the bidi tax to go. I want that workers' interests should be safeguarded. We would have liked the Finance Minister to agree to our proposition at the earlier stage. If they had agreed, Government would not have found themselves in this situation now.

16.00 hrs.

Lastly I do agree with my esteemed friend, the Leader of the Opposition about the need for a proper government attitude. I say this in all humility. I am only an individual, and so I say, in all humility. Let the Government not show at this particular occasion that they have majority. Let them not show an attitude which they themselves condemned sitting here earlier on the Opposition benches, namely, the arrogance of power! Moreover, the absence of emotional and political cohesion and the absence of economic programme on the part of the Janata Government must also go. Further, there must be the determination to get themselves free from the domination of bureaucracy. If on these three

things they will not learn their lessons they will also not be in a majority for long! But I want to conclude by saying that this debate has shown that we must respect the popular will, that we must show an attitude of being pro-people and not just having the name of the Janata Party.

The hon. Prime Minister and the hon. Finance Minister told us about bidi and cigarette. I don't smoke bidi although occasionally I smoke cigarette but I am not a habitual smoker. But this moral lesson 'Don't smoke, it is bad for your health' is all right for a classroom lecture, but not for Parliament. This is not a proper way of defending a wrong tax. Mahatma Gandhi was opposed to salt tax. Why? Salt was a symbolic item, it was used and consumed by everyone. Bidi is something which is found in almost every hearth and home in the whole country and therefore this tax on bidi is something which will make the people feel that although the Janata Government is good in many other ways at least on this their attitude is not good and that is why I have to oppose it.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I must confess to a considerable amount of disappointment at the way the distinguished Leader of the Opposition spoke.

He had very little of substance to say against what I had put forward except this that what I said only brought out the reactionary aspect of the Janata Party and he wanted to say, by pointing out to my colleagues sitting on my right, 'Look' you are socialists. You would understand my language.'

I do not know why the hon. Leader of the Opposition does not still realise that this is one party? (Interruptions) I saw Mr. Chavan was very much annoyed when there was some interruption to him, I thought he might listen

to what I say. We cannot agree to this because you are not accustomed to honesty. (Interruptions) The hon. Leader of the Opposition smiles. He was talking about that, but, when his party supported the tax on biri, was there no common man? At that time there was no question of any of the arguments that are now being urged against the imposition of further addition to the tax. Why? Why is he not honest enough to say that this is something which he had done against the Common man? To-day he is free to say what he like. There was a period when he did not have that freedom. I am not concerned with that. (Interruptions).

Mr. Deputy-Speaker, Sir, I am not interested in pointing out that the recommendations of the Rajya Sabha may be rejected. We are rejecting them because they are not sound on merits. I am told or lectured about economics elementary principles that capital gains, unearned income etc., etc. You yourself pointed out various things and said that that was not good. Shri Venkataraman is here for whom I have great regard. What does he say? He says that if capital gain is exempted it will only mean not advantage but a great deal of loss. I have pointed out repeatedly that the object is to see that funds which are tied up and not used become investible funds. Surely, that is a valid point to consider. There may be some loss in revenue. But, that is more than adequately compensated by the advantages gained by the additional investible funds that become available. These are economic arguments on the basis of which I consider these proposals which we have put forward in the budget as sound necessary.

My hon. friend, Shri Chatterjee said that the right thing really should be this that the country's main source of income should be direct taxes and not indirect taxes. I agree with him. But, a poor country is not in a position to adopt that. Nevertheless, for

[Shri H. M. Patel.]

the first time, in many years, it is in this budget that the direct tax brought in more money than the indirect taxes. Rs. 99 crores was from the direct taxes and a much smaller amount was from indirect taxes and, yet, my hon. friend on the opposite side says that it is against the poor and not against the rich. It is the rich who have been taxed more and not the poor. The surcharge on income tax has been increased. For the sake of argument, it is easy to say that some levy is not good. It is no argument; I do not want to indulge in such things. But, I do maintain that this is a solid and cogent argument. I also say that it is not so simple to give up revenue and increase the deficit. Deficit financing is bad. It will cause inflationary pressures and lead to increase in prices. Here I am making an effort to see that the deficit financing is kept down to the minimum.

AN HON. MEMBER: Why don't you tax the rich?

SHRI H. M. PATEL: If you do not want to see reason then I cannot help. I can only argue rationally but I cannot try and meet irrational agreements. I think, Mr. Deputy Speaker, Sir, there is no doubt at all that these recommendations should not have come after this House had passed this Bill and I would strongly commend that this House accepts the Bill in the form in which it had passed before it went to Rajya Sabha which means reject the recommendations of the Rajya Sabha. (*Interruptions*).

SHRI VASANT SATHE: Are the poor your only source of revenue?

SHRI H. M. PATEL: The hon'ble Member's anxiety for the poor has only appeared now. It was not visible a few months ago. When I was on that side and asked that this must be done in the interests of the poor my suggestion was steam-rollered and you did not care. Who are you to

speak now? It is only monstrous hypocrisy.

MR. DEPUTY-SPEAKER: The question is:

"(a) that the following amendments recommended by Rajya Sabha in the Bill to give effect to the financial proposals of the Central Government for the financial year 1977-78, be taken into consideration:—

Clause 3

(1) That at page 5, clause 3 be omitted.

Clause 13

(2) That at pages 10-11, clause 13 be omitted.

Clause 15

(3) That at page 12, after line 29, the following be inserted, namely:—

"(iii) the amalgamated company absorbs in full the staff and labour borne on the rolls of the amalgamating company at the time of amalgamation."

Clause 20

(4) That at page 16, clause 20 be omitted.

Clause 21

(5) That at pages 16-17, clause 21 be omitted.

THE THIRD SCHEDULE

(6) That at page 45,—

(i) line 15, the brackets, figures and letters "(6) (i), (3) (i)" be omitted; and

(ii) lines 17-19, the words "Four rupees and sixty paise per thousand.", "One rupee and sixty paise per thousand" be omitted.

The motion was adopted.

MR. DEPUTY-SPEAKER: Now, we take up clause by clause voting. The question is:

"Clause 3

(1) That at page 5, clause 3 be omitted.

**SHRI VASANT SATHE :** Are you going to put it to vote?

**MR. DEPUTY-SPEAKER :** They have asked for division. That is why I am going to put it to vote. (*Interruptions*) There is no clarification required. The division is on. Please take your seat.

**SHRI HARI VISHNU KAMATH (Hoshangabad) :** Sir, I am on a point of order. There are two motions here. One is item 6(a) which reads as follows:

“(a) that the following amendments recommended by Rajya Sabha in the Bill to give effect to the financial proposals of the Central Government for the financial year 1977-78, be taken into consideration:—”

Are they at the consideration stage? Are items (1) and (2) at the consideration stage, or are they put separately after the consideration motion has been carried?

**MR. DEPUTY-SPEAKER :** That has been put to the vote of the House. It was already put to the vote.

**SHRI HARI VISHNU KAMATH :** Item 6(b) says “that the recommendations made by Rajya Sabha be rejected.”

**MR. DEPUTY-SPEAKER :** It is not put to the vote like that. Now, that question is

*Clause 3*

“(1) That at page 5, clause ~~3~~ be omitted”.

*The Lok Sabha divided:*

Division No. 10] AYES [16.27 hrs.

Ahmed Hussain, Shri

Alluri, Shri Subhash Chandra Bose

Austin, Dr. Henry

Avari, Shri Gev. M.

Badri Narayan, Shri A. R.

Balakrishniah, Shri T.

Barua, Shri Bedabrata

Barve, Shri J. C.

Basu, Shri Dhirendranath

Bonde, Shri Nanasahib

Charan Narzary, Shri

Chavan, Shri Yeshwantrao

Chettri, Shri K. B.

Choudhari, Shri K. B.

Choudhury, Shrimati Rashida Haque

Deo, Shri V. Kishore Chandra S.

Desai, Shri D. D.

Desai, Shri Hitendra

Doley, Shri L. K.

Engti, Shri Biren

Faleiro, Shri Eduardo

Gamit, Shri Chhitubhai

Gawai, Shri D. G.

Gode, Shri Santoshrao

Gogoi, Shri Tarun

Gomango, Shri Giridhar

Gopal, Shri K.

Gotkhinde, Shri Annasaheb

Jawade, Shri Shridhar Rao

Jeyalakshmi, Shrimati V.

Kadam, Shri B. P.

Kadannappalli, Shri Ramachandran

Karan Singh, Dr.

Khan, Shri Ismail Hossain

Kolur, Shri Rajshekhar

Kosalram, Shri K. T.

Krishnappa, Shri M. V.

Lakkappa, Shri K.

Laskar, Shri Nihar

Magar, Shri Annasaheb

Mallanna, Shri K.

Mathew, Shri George

Meduri, Shri Nageswara Rao

Mirdha, Shri Nathu Ram

Murugaiyan, Shri S. G.

Naidu, Shri P. Rajagopal

Narayana, Shri K. S.

Pai, Shri T. A.

Parvati Devi, Shrimati

Patel, Shri Dwarikadas



## NOES

Patil, Shri S. B.	
Patil, Shri Vijaykumar	Agarwal, Shri Satish
Poojary, Shri Janardhana	Aghan Singh, Shri
Rachaiiah, Shri B.	Alhaj, Shri M. A. Hannan
Rajan, Shri K. A.	Amat, Shri D.
Raju, Shri P. V. G.	Amin, Prof. R. K.
Ramalingam, Shri N. Kudanthai	Bagri, Shri Mani Ram
Ramamurthy, Shri K.	Bairagi, Shri Jena
Rao, Shrimati B. Radhabai Ananda	Bal, Shri Pradyumna
Rao, Shri J. Rameshwar	Balbir Singh, Chowdhry
Rao, Shri Jagannath	Baldev Prakash, Dr.
Rao, Shri M. Satyanarayan	Barrow, Shri A. E. T.
Rao, Shri P. Ankineedu Prasada	Bashir Ahmad, Shri
Ravi, Shri Vayalar	Berwa, Shri Ram Kanwar
Reddy, Shri G. Narsimha	Bhanwar, Shri Bhagirath
Reddy, Shri K. Obul	Burande, Shri Gangadhar Appa
Reddy, Shri M. Ram Gopal	Chakravarty, Prof. Dilip
Reddy, Shri S. R.	Chand Ram, Shri
Roy, Shri Saugata	Chandan Singh, Shri
Sangma, Shri P. A.	Chandravati, Shrimati
Sathe, Shri Vasant	Chaturbhuj, Shri
Sayeed, Shri P. M.	Chaturvedi, Shri Shambhu Nath
Seyid Muhammed, Dr. V. A.	Chaudhary, Shri Motibhai R.
Shankar Dev, Shri	Chaudhary, Shri Rudra Sen
Shankaranand, Shri B.	Chauhan, Shri Nawab Singh
Shinde, Shri Annasaheb P.	Chavda, Shri K. S.
Shrangare, Shri T. S.	Chhetri, Shri Chhatra Bahadur
Somasundaram, Shri S. D.	Chunder, Dr. Pratap Chandra
Stephen, Shri C. M.	Dandavate, Prof. Madhu
Suryanarayana, Shri K.	Danve, Shri Pundalik Hari
Thakur, Shri Krishnarao	Das, Shri S. S.
Thomas, Shri Skariah	Dasgupta, Shri K. N.
Thorat, Shri Bhausahab	Dawn, Shri Raj Krishna
Tulsiram, Shri V.	Desai, Shri Morarji
Unnikrishnan, Shri K. P.	Dhara, Shri Sushil Kumar
Venkataraman, Shri R.	Dhillon, Shri Iqbal Singh
	Digal, Shri Sribatcha
	Digvijoy Narain Singh, Shri
	Durga Chand, Shri
	Dutt, Shri Asoke Krishna
	Fernandes, Shri George
	Ganga Bhakt Singh, Shri
	Ganga Singh, Shri

Gattapi, Shri R. D.  
 Gowda, Shri S. Nanjeshu  
 Goyal, Shri Krishna Kumar  
 Gulshan, Shri Dhanna Singh  
 Gupta, Shri Kanwar Lal  
 Harikesh Bahadur, Shri  
 Hazari, Shri Ram Sewak  
 Hukam Ram, Shri  
 Jain, Shri Kacharulal Hemraj  
 Jain, Shri Kalyan  
 Jasrotha, Shri Baldev Singh  
 Joshi, Dr. Murli Manohar  
 Kamble, Shri B. C.  
 Kapoor, Shri L. L.  
 Kar, Shri Sarat  
 Kaushik, Shri Purushottam  
 Khalsa, Shri Basant Singh  
 Khan, Shri Ghulam Mohammad  
 Khan, Shri Kanwar Mahmud Ali  
 Khan, Shri Mohd. Shamsul Hasan  
 Kishore Lal, Shri  
 Krishan Kant, Shri  
 Kureel, Shri R. L.  
 Kushwaha, Shri Nam Naresh  
 Lalji Bhai, Shri  
 Machhand, Shri Raghubir Singh  
 Mahala, Shri K. L.  
 Mahale, Shri Harishankar  
 Mahi Lal, Shri  
 Malhotra, Shri Vijay Kumar  
 Malik, Shri Mukhtiar Singh  
 Mallick, Shri Rama Chandra  
 Mandal, Shri Dhanik Lal  
 Mankar, Shri Laxman Rao  
 Manohar Lal, Shri  
 Meerza, Shri Kazim Ali  
 Mehta, Shri Prasannbhai  
 Mhalgi, Shri R. K.  
 Miri, Shri Govindram  
 Mishra, Shri Janeshwar  
 Mondal, Dr. Bijoy  
 Multan Singh, Chaudhary  
 Nahar, Shri Bijoy Singh  
 Nathwani, Shri Narendra P.  
 Negi, Shri T. S.  
 Oraon, Shri Lalu  
 Pandey, Shri Ambika Prasad

Pandit, Dr. Vasant Kumar  
 Parmaj Lal, Shri  
 Paswan, Shri Ram Vilas  
 Patel, Shri H. M.  
 Patel, Km. Maniben Vallabhbbhai  
 Patil, Shri Chandrakant  
 Patil, Shri Sonu Singh  
 Patnaik, Shri Biju  
 Phirangi Prasad, Shri  
 Pradhan, Shri Gananath  
 Pradhan, Shri Pabitra Mohan  
 Raghavendra Singh, Shri  
 Rahi, Shri Ram Lal  
 Rai, Shri Gauri Shankar  
 Rai, Shri Shiv Ram  
 Rajda, Shri Ratansinh  
 Ram Charan, Shri  
 Ram Dhan, Shri  
 Ram Gopal Singh, Choudhary  
 Ram Murti, Shri  
 Ram Sagar, Shri  
 Ramachandran, Shri P.  
 Ramdas Singh, Shri  
 Ramapati Singh, Shri  
 Ramjiwan Singh, Shri  
 Rao, Shri Raje Vishveshvar  
 Rathor, Dr. Bhagwan Dass  
 Ravindra Pratap Singh, Shri  
 Rodrigues, Shri Rudolph  
 Saeed Murtaza, Shri  
 Sahoo, Shri Ainthu  
 Saini, Shri Manohar Lal  
 Samantashinhar, Shri Padmasharan  
 Saran, Shri Daulat Ram  
 Sarangi, Shri R. P.  
 Sarda, Shri S. K.  
 Sarkar, Shri Sakti Kumar  
 Sarsonia, Shri Shiv Narain  
 Satapathy, Shri Devendra  
 Shah, Shri Surath Bahadur  
 Shaiza, Shrimati Rano M.  
 Shanti Devi, Shrimati  
 Sharma, Shri Yagya Datt

Shastri, Shri Bhanu Kumar  
 Sheo Narain, Shri  
 Sher Singh, Prof.  
 Sikander Bakht, Shri  
 Singh, Dr. B. N.  
 Sinha, Shri C. M.  
 Sinha, Shri H. L. P.  
 Sinha, Shri Satyendra Narayan  
 Somani, Shri S. S.  
 Suman, Shri Ramji Lal  
 Suraj Bhan, Shri  
 Surendra Bikram, Shri  
 Talwandi, Shri Jagdev Singh  
 Tej Pratap Singh, Shri  
 Tiwari, Shri Brij Bhushan  
 Tiwary, Shri D. N.  
 Tohra, Shri G. S.  
 Tripathi, Shri Madhav Prasad  
 Tyagi, Shri Om Prakash  
 Ugrasen, Shri  
 Varma, Shri Brij Lal  
 Varma, Shri Ravindra  
 Vasisht, Shri Dharma Vir  
 Verma, Shri Hargovind  
 Verma, Shri Raghunath Singh  
 Verma, Shri Sukhdeo Prasad  
 Yadav, Shri Hukmdeo Narain  
 Yadav, Shri Narsingh  
 Yadav, Shri Ramji Lal  
 Yadav, Shri Vinayak Prasad  
 Yadava, Shri Roop Nath Singh  
 Yadvender Dutt, Shri

MR. DEPUTY-SPEAKER: The result\* of the division is: Ayes—86; Noes—164.

*The motion was negatived.*

MR. DEPUTY-SPEAKER: Now we take up amendment to clause 13. The question is:

*Clause 13*

“(2) That at pages 10-11, clause 13 be omitted.”

*The Lok Sabha divided:*

Division No. 11 | [16.24 hrs.]

**AYES**

Ahmed Hussain, Shri  
 Alluri, Shri Subhash Chandra Bose  
 Austin, Dr. Henry  
 Avari, Shri Gev M.  
 Badri Narayan, Shri A. R.  
 Balakrishniah, Shri T.  
 Barua, Shri Bedabrata  
 Barve, Shri J. C.  
 Basu, Shri Dhirendranath  
 Bonde, Shri Nanasahib  
 Chavan, Shri Yeshwantrao  
 Chettri, Shri K. B.  
 Choudhari, Shri K. B.  
 Choudhury, Shrimati Rashida Haque  
 Dabhi, Shri Ajitsinh  
 Deo, Shri V. Kishore Chandra S.  
 Desai, Shri D. D.  
 Desai, Shri Hitendra  
 Devarajan, Shri B.  
 Doley, Shri L. K.  
 Engti, Shri Biren  
 Gamit, Shri Chhitubhai  
 Gode, Shri Santoshrao

\*The following Members also recorded their votes:

AYES: Sarvshri K. Chikkalin gaih, Darur Pullaiah, Ajitsinh Dabhi, V. M. Sudheeran, A. Bala Pajanor, and P. V. Narasimha Rao.

NOES: Sarvshri Shri Kumari Ananthan, Purna Sinha, Dr. Ramji Singh, Sarvshri Ram Awdhesh Singh, Raghavji, Bapusaheb Parulekar, Yashwant Borole, Rasheed Masood, Zulfiqarulla, Mangal Deo, Dr. Bapu Kaldaty, Sarvshri Jawala Prasad Kureel, Ram Kinkar, Mohd. Hayat Ali, Dr. Rothuama and Shri Shrikrishna Singh.

Gogoi, Shri Tarun  
 Gomango, Shri Giridhar  
 Gopal, Shri K.  
 Gotkhinde, Shri Annasaheb  
 Jawade, Shri Shridhar Rao  
 Jeyalakshmi, Shrimati V.  
 Kadam, Shri B. P.  
 Kadannappalli, Shri Ramachandran  
 Karan Singh, Dr.  
 Khan, Shri Ismail Hossain  
 Kolur, Shri Rajshekhar  
 Kosalram, Shri K. T.  
 Krishnappa, Shri M. V.  
 Lakkappa, Shri K.  
 Laskar, Shri Nihar  
 Magar, Shri Annasaheb  
 Mallanna, Shri K.  
 Mathew, Shri George  
 Meduri, Shri Nageshwara Rao  
 Mirdha, Shri Nathu Ram  
 Murugaiyan, Shri S. G.  
 Naidu, Shri P. Rajagopal  
 Narayana, Shri K. S.  
 Pai, Shri T. A.  
 Parvati Devi, Shrimati  
 Patel, Shri Dwarikadas  
 Patil, Shri S. B.  
 Patil, Shri Vijaykumar  
 Poojary, Shri Janardhana  
 Pullaiah, Shri Darur  
 Rachaiah, Shri B.  
 Raju, Shri P. V. G.  
 Ramalingam, Shri N. Kudanthai  
 Ramamurthy, Shri K.  
 Rao, Shrimati B. Radhabai Ananda  
 Rao, Shri J. Rameshwar  
 Rao, Shri Jagannath  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. Ankineedu Prasada  
 Rao, Shri P. V. Narasimha  
 Ravi, Shri Vayalar  
 Reddy, Shri G. Narsimha  
 Reddy, Shri K. Obul  
 Reddy, Shri M. Ram Gopal  
 Reddy, Shri S. R.

Roy, Shri Saugata  
 Sangma, Shri P. A.  
 Sathe, Shri Vasant  
 Sayeed, Shri P. M.  
 Seyid Muhammed, Dr. V. A.  
 Shankar Dev, Shri  
 Shankaranand, Shri B.  
 Shinde, Shri Annasaheb P.  
 Shrangare, Shri T. S.  
 Stephen, Shri C. M.  
 Suryanarayana, Shri K.  
 Thakur, Shri Krishnarao  
 Thomas, Shri Skariah  
 Thorat, Shri Bhausahab  
 Tulsiram, Shri V.  
 Unnikrishnan, Shri K. P.  
 Venkataraman, Shri R.

#### NOES

Agarwal, Shri Satish  
 Aghan Singh, Shri  
 Alhaj, Shri M. A. Hannan  
 Amin, Prof. R. K.  
 Ananthan, Shri Kumari  
 Anbalagan, Shri P.  
 Bagri, Shri Mani Ram  
 Bairagi Shri Jena  
 Bal, Shri Pradyumna  
 Balbir Singh, Chowdhry  
 Baldev Prakash, Dr.  
 Barrow, Shri A. E. T.  
 Bashir Ahmad, Shri  
 Bateshwar Hemram, Shri  
 Berwa, Shri Ram Kanwar  
 Bhanwar, Shri Bhagirath  
 Borole, Shri Yeshwant  
 Chand Ram, Shri  
 Chandan Singh, Shri  
 Charan Narzary, Shri  
 Chaturbhuj, Shri  
 Chaturvedi, Shri Shambhu Nath  
 Chaudhary, Shri Motibhai R.  
 Chaudhary, Shri Rudra Sen

Chauhan, Shri Nawab Singh  
 Chavda, Shri K. S.  
 Chhetri, Shri Chhatra Bahadur  
 Chunder, Dr. Pratap Chandra  
 Dandavate, Prof. Madhu  
 Danve, Shri Pundalik Hari  
 Das, Shri S. S.  
 Dasgupta, Shri K. N.  
 Dawn, Shri Raj Kishna  
 Desai, Shri Morarji  
 Deshmukh, Shri Nanaji  
 Dhara, Shri Sushil Kumar  
 Dhillon, Shri Iqbal Singh  
 Digal, Shri Sribatcha  
 Digvijoy Narain Singh, Shri  
 Durga Chand, Shri  
 Dutt, Shri Asoke Krishna  
 Fernandes, Shri George  
 Ganga Bhakt Singh, Shri  
 Ganga Singh, Shri  
 Gattani, Shri R. D.  
 Gawai, Shri D. G.  
 Gowda, Shri S. Nanjeshu  
 Goyal, Shri Krishna Kumar  
 Gulshan, Shri Dhanna Singh  
 Gupta, Shri Kanwar Lal  
 Harikesh Bahadur, Shri  
 Hazari, Shri Ram Sewak  
 Hukam Ram, Shri  
 Jain, Shri Kacharulal Hemraj  
 Jain, Shri Kalyan  
 Jasrotha, Shri Baldev Singh  
 Joshi, Dr. Murlji Manohar  
 Kailash Prakash, Shri  
 Kaldaty, Dr. Bapu  
 Kamble, Shri B. C.  
 Kapoor, Shri L. L.  
 Kar, Shri Sarat  
 Kasar, Shri Amrut  
 Kaushik, Shri Purushottam  
 Khalsa, Shri Basant Singh  
 Khan, Shri Kanwar Mahmud Ali

Khan, Shri Mohd. Shamsul Hasan  
 Kishore Lal, Shri  
 Krishan Kant, Shri  
 Kureel, Shri Jwala Prasad  
 Kureel, Shri R. L.  
 Kushwaha, Shri Ram Naresh  
 Lalji Bhai, Shri  
 Machhand, Shri Raghubir Singh  
 Mahala, Shri K. L.  
 Mahi Lal, Shri  
 Malhotra, Shri Vijay Kumar  
 Malik, Shri Mukhtiar Singh  
 Mallick, Shri Rama Chandra  
 Mandal, Shri Dhanik Lal  
 Mangal Deo, Shri  
 Mankar, Shri Laxman Rao  
 Manohar Lal, Shri  
 Mathur, Shri Jagdish Prasad  
 Meerza, Shri Kazim Ali  
 Mehta, Shri Prasannbhai  
 Mhalgi, Shri R. K.  
 Miri, Shri Govindram  
 Mishra, Shri Janeshwar  
 Mondal, Dr. Bijoy  
 Multan Singh, Chaudhary  
 Nahar, Shri Bijoy Singh  
 Nathuni Ram, Shri  
 Nathwani, Shri Narendra P.  
 Negi, Shri T. S.  
 Pandey, Shri Ambika Prasad  
 Pandit, Dr. Vasant Kumar  
 Parmai Lal Shri  
 Parulekar, Shri Bapusaheb  
 Patel, Shri H. M.  
 Patel, Km. Maniben Vallabhbbhai  
 Patil, Shri Chandrakant  
 Patil, Shri Sonu Singh  
 Patnaik, Shri Biju  
 Phirangi Prasad, Shri  
 Pradhan, Shri Gananath

Pradhan, Shri Pabitra Mohan  
 Raghavendra Singh, Shri  
 Raghavji, Shri  
 Rahi, Shri Ram Lal  
 Rai, Shri Gauri Shankar  
 Rajda, Shri Ratansinh  
 Ram Awadhesh Singh, Shri  
 Ram Dhan, Shri  
 Ram Gopal Singh, Choudhary  
 Ram Murti, Shri  
 Ram Sagar, Shri  
 Ramachandran, Shri P.  
 Ramdas Singh, Shri  
 Ramapati Singh, Shri  
 Ramji Singh, Dr.  
 Ramjiwan Singh, Shri  
 Rao, Shri Raje Vishveshvar  
 Rashid Masood, Shri  
 Rathor, Dr. Bhagwan Dass  
 Ravindra Pratap Singh, Shri  
 Rodrigues, Shri Rudolph  
 Saeed Murtaza, Shri  
 Sai, Shri Narhari Prasad  
 Saini, Shri Manohar Lal  
 Samantasinhar, Shri Padmcharan  
 Saran, Shri Daulat Ram  
 Sarangi, Shri R. P.  
 Sarada, Shri S. K.  
 Sarkar, Shri Sakti Kumar  
 Sarsonia, Shri Shiv Narain  
 Satapathy, Shri Devendra  
 Shah, Shri Surath Bahadur  
 Shaiza, Shrimati Rano M.  
 Shanti Devi, Shrimati  
 Sharma, Shri Yagya Datt

Shastri, Shri Bhanu Kumar  
 Sheo Narain, Shri  
 Sher Singh, Prof.  
 Shrikrishna Singh, Shri  
 Sikander Bakht, Shri  
 Singh, Dr. B. N.  
 Sinha, Shri C. M.  
 Sinha, Shri Purna  
 Sinha, Shri Satyendra Narayan  
 Somani, Shri S. S.  
 Suman, Shri Ramji Lal  
 Suraj Bhan, Shri  
 Surendra Bikram, Shri  
 Tej Pratap Singh, Shri  
 Tiwary, Shri D. N.  
 Tohra, Shri G. S.  
 Tyagi, Shri Om Prakash  
 Ugrasen, Shri  
 Varma, Shri Brij Lal  
 Varma, Shri Ravindra  
 Vasisht, Shri Dharma Vir  
 Verma, Shri Hargovind  
 Verma, Shri Sukhdeo Prasad  
 Yadav, Shri Hukmdeo Narain  
 Yadav, Shri Narsingh  
 Yadav, Shri Ramji Lal  
 Yadav, Shri Vinayak Prasad  
 Yadava, Shri Roop Nath Singh  
 Yadvender Dutt, Shri  
 Zulfiquarulla, Shri

MR. DEPUTY-SPEAKER: The result\* of the division is: Ayes 85; Noes 171.

*The motion was Negative*

AN HON. MEMBER: Are we following the correct procedure... (Interruptions)

\*The following Members also recoded their votes:

AYES: Sarvshri S. D. Somasundaram, K. Chikkalingaiah, V. M. Sudheeran and A. Bala Pajanor.

NOES: Sarvshri Ram Vilas Paswan, Raghunath Singh Verma, Mahmud Hassan Khan, Jagdev Singh Talwandi, Laxmi Narayan Nayak, Madhav Prasad Tripathi, Brij Bhushan Harishankar Mahale, Tiwary, Chandra Pal Singh, Gulam Mohammad Khan, Ram Charan, Aintho Sahoo, Ram Kinkar, D. Amat Mohd. Hayat Ali, and Shrimati Shandravati.

**MR. DEPUTY-SPEAKER:** We are following the correct procedure. Those members whose machines do not work or those members who have not voted correctly, those corrections will be carried out. Persons in charge of this work will be coming to you and taking the corrections that you want to make. So, we go to the next amendment.

The question is:

“(3) That at page 12, after line 29, the following be inserted, namely:—

‘(ii) the amalgamated company absorbs in full the staff and labour borne on the rolls of the amalgamating company at the time of amalgamation.’ ”

*The Lok Sabha divided*

**Division No. 12] AYES [16.30 hrs.**

Ahmed Hussain, Shri  
 Alluri, Shri Subhash Chandra Bose  
 Arunachalam, Shri V.  
 Austin, Dr. Henry  
 Avari, Shri Gev M.  
 Badri Narayan, Shri A. R.  
 Balakrishniah, Shri T.  
 Barman, Shri Palas.  
 Barua, Shri Bedabrata.  
 Barve, Shri J. C.  
 Basu, Shri Dhirendranath  
 Bhattacharya, Shri Dinen  
 Bhattacharyya, Shri Shyamapasanna  
 Bonde, Shri Nanasahib  
 Burande, Shri Gangadhar Appa  
 Chavan, Shri Yeshwantrao  
 Chettri, Shri K. B.  
 Chikkalingiah, Shri K.  
 Choudhari, Shri K. B.  
 Choudhury, Shrimati Rashida Haque  
 Dabhi, Shri Ajitsinh  
 Deo, Shri V. Kishore Chandra S.  
 Desai, Shri D. D.  
 Desai, Shri Hitendra  
 Devarajan, Shri B.  
 Dhondge, Shri Keshavrao  
 Doley, Shri L. K.

Engti, Shri Biren  
 Faleiro, Shri Eduardo  
 Gamit, Shri Chhitubhai  
 Gawai, Shri D. G.  
 George, Shri A. C.  
 Gode, Shri Santoshrao  
 Gogoi, Shri Tarun  
 Gomango, Shri Giridhar  
 Gopal, Shri K.  
 Goswami, Shrimati Bibha Ghosh  
 Gotkhinde, Shri Annasaheb  
 Jawade, Shri Shridhar Rao  
 Jyalakshmi, Shrimati V.  
 Joarder, Shri Dinesh  
 Kadam, Shri B. P.  
 Kadannappalli, Shri Ramachandran  
 Karan Singh, Dr.  
 Khaan, Shri Ismail Hossain  
 Kodiyar, Shri P. K.  
 Kolur, Shri Rajshekhar  
 Kosalram, Shri K. T.  
 Krishnan, Shrimati Parvathi  
 Krishnappa, Shri M. V.  
 Kunhambu, Shri K.  
 Lahanu Shidava, Shri  
 Lakkappa, Shri K.  
 Laskar, Shri Nihar  
 Mahata, Shri C. R.  
 Mallanna, Shri K.  
 Mathew, Shri George  
 Meduri, Shri Nageswara Rao  
 Mirdha, Shri Nathu Ram  
 Modak, Shri Bijoy  
 Mukherjee, Shri Samar  
 Murthy, Shri K. K.  
 Murugaiyan, Shri S. G.  
 Naidu, Shri P. Rajagopal  
 Nair, Shri M. N. Govindan  
 Narayana, Shri K. S.  
 Pai, Shri T. A.  
 Pajanor, Shri A. Bala  
 Parvati Devi, Shrimati  
 Patel, Shri Dwarikadas  
 Patil, Shri D. B.

Patil, Shri S. B.  
 Patil, Shri Vijaykumar  
 Poojary, Shri Janardhana  
 Pradhan, Shri Amar Roy  
 Pullaiah, Shri Darur  
 Rachaiah, Shri B.  
 Rajan, Shri K. A.  
 Raju, Shri P. V. G.  
 Ramalingam, Shri N. Kudanthai  
 Ramamurthy, Shri K.  
 Rangnekar, Shrimati Ahilya P.  
 Rao, Shrimati B. Radhabai Ananda  
 Rao, Shri J. Rameshwar  
 Rao, Shri Jagannath  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. Ankineedu Prasada  
 Rao, Shri P. V. Narasimha  
 Ravi, Shri Vayalar  
 Reddy, Shri G. Narsimha  
 Reddy, Shri K. Obul  
 Reddy, Shri M. Ram Gopal  
 Reddy, Shri S. R.  
 Roy, Shri A. K.  
 Roy, Dr. Saradish  
 Roy, Shri Saugata  
 Saha, Shri A. K.  
 Saha, Shri Gadadhar  
 Sait, Shri Ebrahim Sulaiman  
 Sangma, Shri P. A.  
 Sathe, Shri Vasant  
 Sayeed, Shri P. M.  
 Seyid Muhammed, Dr. V. A.  
 Shankar Dev, Shri  
 Shankaranand, Shri B.  
 Shinde, Shri Annasaheb P.  
 Shrangare, Shri T. S.  
 Somasundaram, Shri S. D.  
 Stephen, Shri C. M.  
 Suryanarayana, Shri K.  
 Thakur, Shri Krishnarao  
 Thomas, Shri Skariah  
 Thorat, Shri Bhausahab  
 Tirkey, Shri Pius

Tulsiram, Shri V.  
 Unnikrishnan, Shri K. P.  
 Venkataraman, Shri R.  
**NOES**  
 Agarwal, Shri Satish  
 Aghan Singh, Shri  
 Alhaj, Shri M. A. Hannan  
 Amat, Shri D.  
 Amin, Prof. R. K.  
 Ananthan, Shri Kumari  
 Anbalagan, Shri P.  
 Bagri Shri Mani Ram  
 Bairagi, Shri Jena  
 Bal, Shri Pradyumna  
 Balbir Singh, Chowdhry  
 Baldev Prakash, Dr.  
 Barrow, Shri A. E. T.  
 Bashir Ahmad, Shri  
 Bateshwar Hemram, Shri  
 Berwa, Shri Ram Kanwar  
 Bhanwar, Shri Bhagirath  
 Borole, Shri Yashwant  
 Chakravarty, Prof. Dilip  
 Chand Ram, Shri  
 Chandan Singh, Shri  
 Chandra Pal Singh, Shri  
 Chandravati, Shrimati  
 Charan Narzary, Shri,  
 Charan Singh, Chaudhuri  
 Chaturbhuj, Shri  
 Chaturvedi, Shri Shambhu Nath  
 Chaudhary, Shri Motibhai R.  
 Chaudhary, Shri Rudra Sen  
 Chauhan, Shri Nawab Singh  
 Chavda, Shri K. S.  
 Chhetri Shri Chhatra Bahadur  
 Chunder, Dr. Pratap Chandra  
 Dandavate, Prof. Madhu  
 Danve, Shri Pundalik Hari.  
 Das, Shri S. S.  
 Dasgupta, Shri K. N.  
 Dawn, Shri Raj Krishna  
 Desai, Shri Morarji



Deshmukh, Shri Nanaji	Mallick, Shri Rama Chandra
Dhara, Shri Sushil Kumar	Mandal, Shri Dhanik Lal
Dhillon, Shri Iqbal Singh	Mangal Deo, Shri
Digvijoy Narain Singh, Shri	Mankar, Shri Laxman Rao
Durga Chand, Shri	Manohar Lal, Shri
Dutt, Shri Asoke Krishna	Meerza, Shri Kazim Ali
Fernandes, Shri George	Mehta, Shri Prasannbhai
Ganga Bhakt Singh, Shri	Mhalgi, Shri R. K.
Ganga Singh, Shri	Mishra, Shri Janeshwar
Gattani, Shri R. D.	Mishra, Shri Shyamnandan
Gowda, Shri S. Nanjasha	Mondal, Dr. Bijoy
Goyal, Shri Krishna Kumar	Multan Singh, Chaudhary
Gulshan, Shri Dhanna Singh	Nahar, Shri Bijoy Singh
Gupta, Shri Kanwar Lal	Nathuni Ram, Shri
Harikesh Bahadur, Shri	Nathwani, Shri Narendra P.
Hazari, Shri Ram Sewak	Negi, Shri T. S.
Hukam Ram, Shri	Pandey, Shri Ambika Prasad
Jain, Shri Kacharulal Hemraj	Pandit, Dr. Vasant Kumar
Jain, Shri Kalyan	Parmal Lal, Shri
Jasrotha, Shri Baldev Singh	Parulekar, Shri Bapusaheb
Joshi, Dr. Murli Manohar	Paswan, Shri Ram Vilas
Kailash Prakash, Shri	Patel, Shri H. M.
Kakady, Shri Sambhajirao	Patel, Km. Maniben Vallabhbai
Kamble, Shri B. C.	Patil, Shri Chandrakant
Kapoor, Shri L. L.	Patil, Shri Sonu Singh
Kar, Shri Sarat	Patnaik, Shri Biju
Kasar, Shri Amrut	Phirangi Prasad, Shri
Kaushik, Shri Purushottam	Pradhan, Shri Gananath
Khalsa, Shri Basant Singh	Pradhan, Shri Pabitra Mohan
Khan, Shri Ghulam Mohammad	Raghavendra Singh, Shri
Khan, Shri Kanwar Mahmud Ali	Raghavji, Shri
Khan, Shri Mohd. Shamsul Hasan	Rahi, Shri Ram Lal
Kishore Lal, Shri	Rai, Shri Gauri Shankar
Krishan Kant, Shri	Rajda, Shri Ratansinh
Kureel, Shri Jwala Prasad	Ram Awadhesh Singh, Shri
Kureel, Shri R. L.	Ram Charan, Shri
Kushwaha, Shri Ram Naresh	Ram Dhan, Shri
Lalji Bhai, Shri	Ram Gopal Singh, Choudhary
Machhand, Shri Raghubir Singh	Ram Kinkar, Shri
Mahala, Shri K. L.	Ram Murti, Shri
Mahi Lal, Shri	Ram Sagar, Shri
Malhotra, Shri Vijay Kumar	Ramachandran, Shri P.
Malik, Shri Mukhtiar Singh	Ramdas Singh, Shri

Ramapati Singh, Shri  
 Ramji Singh, Dr.  
 Ramjiwan Singh, Shri  
 Rao, Shri Raje Vishveshvar  
 Rashid Masood, Shri  
 Rathor, Dr. Bhagwan Dass  
 Ravindra Pratap Singh, Shri  
 Rodrigues, Shri Rudolph  
 Saeed Murtaza, Shri  
 Sahoo, Shri Ainthu  
 Sai, Shri Narhari Prasad  
 Saini, Shri Manohar Lal  
 Samantasinhar, Shri Padmacharan  
 Saran, Shri Daulat Ram  
 Sarda, Shri S. K.  
 Sarkar, Shri Sakti Kumar  
 Sarsonia, Shri Shiv Narain  
 Satapathy, Shri Devendra  
 Shaiza, Shrimati Rano M.  
 Shanti Devi, Shrimati  
 Sharma, Shri Yagya Datt  
 Shastri, Shri Bhanu Kumar  
 Sheo Narain, Shri  
 Sher Singh, Prof.  
 Shrikrishna Singh, Shri  
 Sikander Bakht, Shri  
 Singh, Dr. B. N.  
 Sinha, Shri C. M.  
 Sinha, Shri Purna  
 Sinha, Shri Satyendra Narayan  
 Somani, Shri S. S.  
 Suman, Shri Ramji Lal  
 Suraj Bhan, Shri  
 Surendra Bikram, Shri  
 Talwandi, Shri Jagdev Singh  
 Tej Pratap Singh, Shri  
 Tiwari, Shri Brij Bhushan  
 Tiwary, Shri D. N.

Tohra, Shri G. S.  
 Tyagi, Shri Om Prakash  
 Ugrasen, Shri  
 Verma, Shri Brij Lal  
 Varma, Shri Ravindra  
 Vasisht, Shri Dharma Vir  
 Verma, Shri Hargovind  
 Verma, Shri Raghunath Singh  
 Verma, Shri Sukhdeo Prasad  
 Yadav, Shri Hukmdeo Narain  
 Yadav, Shri Narsingh  
 Yadav, Shri Ramji Lal  
 Yadava, Shri Roop Nath Singh  
 Yadvender Dutt, Shri  
 Zulfiquarulla, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result of the division is: Ayes—117; Noes—178.

*The motion was negatived.*

MR. DEPUTY-SPEAKER: The question is:

*"Clause 20*

*"(4) That at page 16, clause 20 be omitted."*

*The Lok Sabha divided*

**Division No. 13] AYES [16.33 hrs.**  
 Ahmed Hussain, Shri  
 Ailuri, Shri Subhash Chandra Bose  
 Arunachalam, Shri M.  
 Austin, Dr. Henry  
 Avari, Shri Gev M.  
 Badri Narayan, Shri A. R.  
 Balakrishniah, Shri T.  
 Barua, Shri Bedabrata  
 Barve, Shri J. C.

\*The following Members also recorded their votes:

AYES: Sarvshri Chitta Basu, Bhagat Ram, and V. M. Sudheeran.

NOES: Sarvshri R. P. Sarangi, Vinayak Prasad Yadav, Shiv Ram Kai. Mahmud Hasan Khan, H. L. Patwary, Govindram Miri, Harishankar Mahale, Sureth Bahadur Shah, Jagannath Sharma and Sribatcha Digal.

Basu, Shri Dhirendranath  
 Bonde, Shri Nanasahib  
 Chavan, Shri Yeshwantrao  
 Chettri, Shri B.  
 Chikkalingiah, Shri K.  
 Choudhari, Shri K. B.  
 Choudhury, Shrimati Rashida Haque  
 Dabhi, Shri Ajitsinh  
 Deo, Shri V. Kishore Chandra S.  
 Desai, Shri D. D.  
 Desai Shri Hitendra  
 Devarajan, Shri B.  
 Engti, Shri Biren  
 Gamit, Shri Chhitubhai  
 George, Shri A. C.  
 Gode, Shri Santoshrao  
 Gogoi, Shri Tarun  
 Gomango, Shri Giridhar  
 Gopal, Shri K.  
 Gotkhinde, Shri Annasaheb  
 Jeyalakshmi, Shrimati V.  
 Kadam, Shri B. P.  
 Kadannappalli, Shri Ramachandran  
 Karan Singh. Dr.  
 Khan, Shri Ismail Hossain  
 Kodyan, Shri P. K.  
 Kolur, Shri Rajshekhar  
 Kosalram, Shri K. T.  
 Krishnappa, Shri M. V.  
 Kunhambu, Shri K.  
 Lakkappa, Shri K.  
 Laskar, Shri Nihar  
 Magar, Shri Annasaheb  
 Mallanna, Shri K.  
 Mathew, Shri George  
 Meduri, Shri Nageswara Rao  
 Mirdha, Shri Nathu Ram  
 Murugaiyan, Shri S. G.  
 Naidu, Shri P. Rajagopal  
 Narayana, Shri K. S.  
 Pai, Shri T. A.  
 Parvati Devi, Shrimati  
 Patel, Shri Dwarikadas

Patil, Shri S. B.  
 Patil, Shri Vijaykumar  
 Poojary, Shri Janardhana  
 Pullaiah, Shri Darur  
 Raju, Shri P. V. G.  
 Ramalingam, Shri N. Kudanthai  
 Ramamurthy, Shri K.  
 Rao, Shrimati B. Radhabai Anand  
 Rao, Shri J. Rameshwar  
 Rao, Shri Jagannath  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. Ankineedu Prasada  
 Rao, Shri P. V. Narasimha  
 Ravi, Shri Vayalar  
 Reddy, Shri G. Narsimha  
 Reddy, Shri M. Ram Gopal  
 Reddy, Shri S. R.  
 Roy, Shri Saugata  
 Sangma, Shri P. A.  
 Sathe, Shri Vasant  
 Sayeed, Shri P. M.  
 Seyid Muhammed, Dr. V. A.  
 Shankar Dev, Shri  
 Shankaranand, Shri B.  
 Shinde, Shri Annasaheb P.  
 Shrangare, Shri T. S.  
 Stephen, Shri C. M.  
 Sudheeran, Shri V. M.  
 Suryanarayana, Shri K.  
 Thakur, Shri Krishnarao  
 Thomas, Shri Skariah  
 Thorat, Shri Bhausahab  
 Tulsiram, Shri V.  
 Unnikrishnan, Shri K. P.  
 Venkataraman, Shri R.  
 - **NOES**  
 Agarwal, Shri Satish  
 Aghan Singh, Shri  
 Alhaj, Shri M. A. Hannan  
 Amat, Shri D.  
 Ananthan, Shri Kumari  
 Anbalagan, Shri P.  
 Bagri, Shri Mani Ram

Bairagi, Shri Jena  
 Bal, Shri Pradyumna  
 Balbir Singh, Chowdhry  
 Baldev Prakash, Dr.  
 Barrow, Shri A. E. T.  
 Bateshwar Hemram, Shri  
 Berwa, Shri Ram Kanwar  
 Bhanwar, Shri Bhagirath  
 Borole, Shri Yashwant  
 Chakravarty, Prof. Dilip  
 Chand Ram, Shri  
 Chandan Singh, Shri  
 Chandra Pal Singh, Shri  
 Chandravati, Shrimati  
 Charan Singh, Chaudhri  
 Chaturbhuj, Shri  
 Chaturvedi, Shri Shambhu Nath  
 Chaudhary, Shri Motibhai R.  
 Chaudhary, Shri Rudra Sen  
 Chauhan, Shri Nawab Singh  
 Chavda, Shri K. S.  
 Chhetri, Shri Chhatra Bahadur  
 Chunder, Dr. Pratap Chandra  
 Dandavate, Prof. Madhu  
 Danve, Shri Pundalik Hari  
 Desgupta, Shri K. N.  
 Dawn, Shri Raj Krishna  
 Desai, Shri Morarji  
 Deshmukh, Shri Nanaji  
 Dhara, Shri Sushil Kumar  
 Dhillon, Shri Iqbal Singh  
 Digal, Shri Sribatcha  
 Digvijoy Narain Singh, Shri  
 Durga Chand, Shri  
 Dutta, Shri Asoke Krishna  
 Fernandes, Shri George  
 Ganga Bhakt Singh, Shri  
 Ganga Singh, Shri  
 Gattani, Shri R. D.  
 Girjanandan Singh, Shri  
 Goyal, Shri Krishna Kumar  
 Gulshan, Shri Dhanna Singh  
 Gupta, Shri Kanwar Lal

Harikesh Bahadur, Shri  
 Hazari, Shri Ram Sewak  
 Hukam Ram, Shri  
 Jain, Shri Kacharulal Hemraj  
 Jain, Shri Kalyan  
 Jain, Shri Nirmal Chandra  
 Jasrotha, Shri Baldev Singh  
 Joshi, Dr. Murli Manohar  
 Kailash Prakash, Shri  
 Kaldaty, Dr. Bapu  
 Kamble, Shri B. C.  
 Kapoor, Shri L. L.  
 Kar, Shri Sarat  
 Kasar, Shri Amrut  
 Kaushik, Shri Purushottam  
 Khalsa, Shri Basant Singh  
 Khan, Shri Ghulam Mohammad  
 Khan, Shri Kanwar Mahmud Ali  
 Kishore Lal, Shri  
 Krishan Kant, Shri  
 Kureel, Shri Jwala Prasad  
 Kureel, Shri R. L.  
 Kushwaha, Shri Ram Naresh  
 Lalji Bhai, Shri  
 Mahala, Shri K. L.  
 Mahi Lal, Shri  
 Malhotra, Shri Vijay Kumar  
 Malik, Shri Mukhtiar Singh  
 Mallick, Shri Rama Chandra  
 Mandal, Shri Dhanik Lal  
 Mangal Deo, Shri  
 Mankar, Shri Laxman Rao  
 Manohar Lal, Shri  
 Meerze, Shri Kazim Ali  
 Mehta, Shri Prasannbhai  
 Mhalgi, Shri R. K.  
 Miri, Shri Govindram  
 Mishra, Shri Janeshwar  
 Mishra, Shri Shyamnandan  
 Mohd. Hayat Ali, Shri  
 Mondal, Dr. Bijoy  
 Multan Singh, Chaudhary  
 Nahar, Shri Bijoy Singh

Nathuni Ram, Shri	Saini, Shri Manohar Lal
Nathwani, Shri Narendra P.	Samantasinhar, Shri Padmacharan
Negi, Shri T. S.	Saran, Shri Daulat Ram
Pandey, Shri Ambika Prasad	Sarangi, Shri R. P.
Pandit, Dr. Vasant Kumar	Sarda, Shri S. K.
Parmai Lal, Shri	Sarkar, Shri Sakti Kumar
Parulekar, Shri Bapusaheb	Sarsonia, Shri Shiv Narain
Paswan, Shri Ram Vilas	Satapathy, Shri Devendra
Patel, Shri H. M.	Shah, Shri Surath Bahadur
Patel, Km. Maniben Vallabhbat	Shaiza, Shrimati Rano M.
Patil, Shri Chandrakant	Shanti Devi, Shrimati
Patil, Shri Sonu Singh	Sharma, Shri Yagya Datt
Patnaik, Shri Biju	Shastri, Shri Bhanu Kumar
Patwary, Shri H. L.	Sheo Narain, Shri
Phirangi Prasad, Shri	Sher Singh, Prof.
Pradhan, Shri Gananath	Shrikrishna Singh, Shri
Pradhan, Shri Pabitra Mohan	Sikander Bakht, Shri
Reghavendra Singh, Shri	Singh, Dr. B. N.
Raghavji, Shri	Sinha, Shri C. M.
Rahi, Shri Ram Lal	Sinha, Shri Purna
Rai, Shri Gauri Shankar	Sinha, Shri Satyendra Narayan
Rai, Shri Shiv Ram	Somani, Shri S. S.
Rajda, Shri Ratansinh	Suman, Shri Ramji Lal
Ram Awadhesh Singh, Shri	Suraj Bhan, Shri
Ram Charan, Shri	Talwandi, Shri Jagdev Singh
Ram Dhan, Shri	Tej Pratap Singh, Shri
Ram Gopal Singh, Choudhary	Tiwari, Shri Brij Bhushan
Ram Kinkar, Shri	Tiwary, Shri D. N.
Ram Murti, Shri	Tohra, Shri G. S.
Ram Sagar, Shri	Tripathi, Shri Madhav Prasad
Ramachandran, Shri P.	Tyagi, Shri Om Prakash
Ramdas Singh, Shri	Ugrasen, Shri
Ramapati Singh, Shri	Varma, Shri Brij Lal
Ramji Singh, Dr.	Varma, Shri Ravindra
Ramjiwan Singh, Shri	Vasisht, Shri Dharma Vir
Rao, Shri Raje Vishveshvar	Verma, Shri Hargovind
Rashid Masood, Shri	Verma, Shri Raghunath Singh
Rathor, Dr. Bhagwan Dass	Verma, Shri Sukhdeo Prasad
Ravindra Pratap Singh, Shri	Yadav, Shri Hukmdeo Narain
Rodrigues, Shri Rudolph	Yadav, Shri Narsingh
Saeed Murtaza, Shri	Yadav, Shri Ramji Lal
Sahoo, Shri Ainthu	Yadav, Shri Vinayak Prasad
Sai, Shri Narhari Prasad	

Yadava, Shri Roop Nath Singh  
Yadvender Dutt, Shri  
Zulfiquarulla, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is Ayes 87, Noes 181.

*The motion was negatived.*

MR. DEPUTY-SPEAKER: The question is:

"Clause 21

"(5) That at pages 16-17, clause 21 be omitted."

*The Lok Sabha divided:*

**Division No. 14] AYES [16.35 hrs.**

Ahmed Hussain, Shri  
Alluri, Shri Subhash Chandra Bose  
Austin, Dr. Henry  
Avari, Shri Gev M.  
Bagri, Shri Mani Ram  
Balakrishniah, Shri T.  
Barua, Shri Bedabrata  
Barve, Shri J. C.  
Basu, Shri Dhirendranath  
Bonde, Shri Nanasahib  
Chavan, Shri Yeshwantrao  
Chettri, Shri K. B.  
Chikkalingiah, Shri K.  
Choudhari, Shri K. B.  
Choudhury, Shrimati Rashida Haque  
Deo, Shri V. Kishore Chandra S.  
Desai, Shri Hitendra

Devarajan, Shri B.  
Doley, Shri L. K.  
Engti, Shri Biren  
Faleiro, Shri Eduardo  
Gamit, Shri Chhitubhai  
George, Shri A. C.  
Gode, Shri Santoshrao  
Gogoi, Shri Tarun  
Gomango, Shri Giridhar  
Gopal, Shri K.  
Gotkhinde, Shri Annasaheb  
Jawade, Shri Shridhar Rao  
Jeyalakshmi, Shrimati V.  
Kadam, Shri B. P.  
Kadannappalli, Shri Ramachandran  
Karan Singh, Dr.  
Khan, Shri Ismail Hossain  
Kolur, Shri Rajshekhar  
Kosalram, Shri K. T.  
Krishnappa, Shri M. V.  
Kuntrambu, Shri K.  
Lakkappa, Shri K.  
Laskar, Shri Nihar  
Magar, Shri Annasaheb  
Mallanna, Shri K.  
Mathew, Shri George  
Meduri, Shri Nageswara Rao  
Mirdha, Shri Nathu Ram  
Murthy, Shri K. K.  
Naidu, Shri P. Rajagopal  
Narayana, Shri K. S.  
Parvati Devi, Shrimati  
Patel, Shri Dwarikadas  
Patil, Shri S. B.  
Patil, Shri Vijaykumar  
Poojary, Shri Janardhana  
Pullaiah, Shri Darur

\*The following Members also recorded their votes:

AYES: Shri Shridhar Rao Jawade and Shri K. Obul Reddy.

NOES: Sarvshri Bashir Ahmed, S. S. Das, Mahmud Hasan Khan, Prof. R. K. Amin, Raghubir Singh Machhand, Harishankar Mahale, S. Najasha Gowda, Mohd. Samsul Hasan Khan, Surendra Bikram, Jagannath Sharma and Charan Narzary.

Rachaiah, Shri B.  
 Raju, Shri P. V. G.  
 Ramalingam, Shri N. Kudanthai  
 Ramamurthy, Shri K.  
 Rao, Shrimati B. Radhabai Ananda  
 Rao, Shri J. Rameshwar  
 Rao, Shri Jagannath  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. Ankineedu Prasada  
 Rao, Shri P. V. Narasimha  
 Ravi, Shri Vayalar  
 Reddy, Shri G. Narsimha  
 Reddy, Shri K. Obul  
 Reddy, Shri M. Ram Gopal  
 Reddy, Shri S. R.  
 Roy, Shri A. K.  
 Roy, Shri Saugata  
 Sangma, Shri P. A.  
 Sathe, Shri Vasant  
 Sayeed, Shri P. M.  
 Seyid Muhammed, Dr. V. A.  
 Shankar Dev, Shri  
 Shankaranand, Shri B.  
 Shinde, Shri Annasaheb P.  
 Shrangare, Shri T. S.  
 Stephen, Shri C. M.  
 Sudheeran, Shri V. M.  
 Suryanarayana, Shri K.  
 Thakur, Shri Krishnarao  
 Thomas, Shri Skariah  
 Thorat, Shri Bhausahab  
 Tulsiram, Shri V.  
 Unnikrishnan, Shri K. P.  
 Venkataraman, Shri R.

## NOES

Agarwal, Shri Satish  
 Aghan Singh, Shri  
 Amat, Shri D.  
 Amin, Prof. R. K.  
 Ananthan, Shri Kumari  
 Anbalagan, Shri P.

Bagri, Shri Mani Ram  
 Bairagi, Shri Jena  
 Bal, Shri Pradyumna  
 Balbir Singh, Chowdhry  
 Baldev Prakash, Dr.  
 Bashir Ahmad, Shri  
 Bateshwar Hemram, Shri  
 Berwa, Shri Ram Kanwar  
 Bhanwar, Shri Bhagirath  
 Borole, Shri Yashwant  
 Chakravarty, Prof. Dilip  
 Chand Ram, Shri  
 Chandan Singh, Shri  
 Chandra Pal Singh, Shri  
 Chandravati, Shrimati  
 Charan, Narzary, Shri  
 Charan Singh, Chaudhuri  
 Chaturbhuj, Shri  
 Chaturvedi, Shri Shambhu Nath  
 Chaudhary, Shri Motibhai R.  
 Chaudhary, Shri Rudra Sen  
 Chauhan, Shri Nawab Singh  
 Chavda, Shri K. S.  
 Chhetri, Shri Chhatra Bahadur  
 Chunder, Dr. Pratap Chandra  
 Dandavate, Prof. Madhu  
 Dasgupta, Shri K. N.  
 Dawn, Shri Raj Krishna  
 Desai, Shri Morarji  
 Dhara, Shri Sushil Kumar  
 Dhillon, Shri Iqbal Singh  
 Digal, Shri Sribatcha  
 Digvijoy Narain Singh, Shri  
 Durga Chand, Shri  
 Dutt, Shri Asoke Krishna  
 Fernandes, Shri George  
 Ganga Bhakt Singh, Shri  
 Ganga Singh, Shri  
 Gattani, Shri R. D.  
 Gowda, Shri S. Nanjeshu  
 Goyal, Shri Krishna Kumar  
 Gulshan, Shri Dhanna Singh  
 Gupta, Shri Kanwar Lal

Harikesh Bahadur, Shri  
 Hazari, Shri Ram Sewak  
 Hukam Ram, Shri  
 Jain, Shri Kacharulal Hemraj  
 Jain, Shri Kalyan  
 Jasrotha, Shri Baldev Singh  
 Joshi, Dr. Murli Manohar  
 Kailash Prakash, Shri  
 Kaldaty, Dr. Babu  
 Kamble, Shri B. C.  
 Kapoor, Shri L. L.  
 Kar, Shri Sarat  
 Kasar, Shri Amrut  
 Kaushik, Shri Purushottam  
 Khalsa, Shri Basant Singh  
 Khan, Shri Ghulam Mohammad  
 Khan, Shri Kanwar Mahmud Ali  
 Khan, Shri Mohd. Shamsul Hasan  
 Kishore Lal, Shri  
 Krishan Kant, Shri  
 Kureel, Shri Jwala Prasad  
 Kureel, Shri R. L.  
 Kushwaha, Shri Ram Naresh  
 Machhand, Shri Raghubir Singh  
 Mahala, Shri K. L.  
 Mahi Lal, Shri  
 Malhotra, Shri Vijay Kumar  
 Malik, Shri Mukhtiar Singh  
 Mallick, Shri Rama Chandra  
 Mandal, Shri Dhanik Lal  
 Mangal Deo, Shri  
 Mankar, Shri Laxman Rao  
 Manohar Lal, Shri  
 Meerza, Shri Kazim Ali  
 Mehta, Shri Prasannbhai  
 Mhalgi, Shri R. K.  
 Miri, Shri Govindram  
 Mishra, Shri Janeshwar  
 Mishra, Shri Shyamandan  
 Multan Singh, Chaudhary  
 Nahar, Shri Bijoy Singh  
 Nathuni Ram, Shri  
 Nathwani, Shri Narendra P.

Negi, Shri T. S.  
 Pandey, Shri Ambika Prasad  
 Pandit, Dr. Vasant Kumar  
 Parmai Lal, Shri  
 Parulekar, Shri Bapusaheb  
 Paswan, Shri Ram Vilas  
 Patel, Shri H. M.  
 Patel, Km. Maniben Vallabhbbhai  
 Patil, Shri Chandrakant  
 Patil, Shri Sonu Singh  
 Patnaik, Shri Biju  
 Patwary, Shri H. L.  
 Phirangi Prasad, Shri  
 Pradhan, Shri Gananath  
 Pradhan, Shri Pabitra Mohan  
 Raghavendra Singh, Shri  
 Raghavji, Shri  
 Rahi, Shri Ram Lal  
 Rai, Shri Gauri Shankar  
 Rai, Shri Shiv Ram  
 Rajda, Shri Ratansinh  
 Ram Awadhesh Singh, Shri  
 Ram Charan, Shri  
 Ram Dhan, Shri  
 Ram Gopal Singh, Choudhary  
 Ram Kinkar, Shri  
 Ram Murti, Shri  
 Ram Sagar, Shri  
 Ramachandran, Shri P.  
 Ramdas Singh, Shri  
 Ramapati Singh, Shri  
 Ramji Singh, Dr.  
 Ramjiwan Singh, Shri  
 Rao, Shri Raje Vishveshvar  
 Rashid Masood, Shri  
 Rathor, Dr. Bhagwan Dass  
 Ravindra Pratap Singh, Shri  
 Rodrigues, Shri Rudolph  
 Saeed Murtaza, Shri  
 Sahoo, Shri Anithu  
 Sai, Shri Narhari Prasad  
 Saini, Shri Manohar Lal  
 Samantashinhar, Shri Padmacharan



Saran, Shri Daulat Ram  
 Sarangi, Shri R. P.  
 Sarkar, Shri Sakti Kumar  
 Sarsonia, Shri Shiv Narain  
 Satapathy, Shri Devendra  
 Shah, Shri Surath Bahadur  
 Shaiza, Shrimati Rano M.  
 Shanti Devi, Shrimati  
 Sharma, Shri Jagannath  
 Sharma, Shri Yagya Datt  
 Shastri, Shri Bhanu Kumar  
 Sheo Narain, Shri  
 Sher Singh, Prof.  
 Shrikrishna Singh, Shri  
 Sikander Bakht, Shri  
 Singh, Dr. B. N.  
 Sinha, Shri C. M.  
 Sinha, Shri Purna  
 Sinha, Shri Satyendra Narayan  
 Somani, Shri S. S.  
 Suman, Shri Ramji Lal  
 Suraj Bhan, Shri  
 Surendra Bikram, Shri  
 Talwandi, Shri Jagdev Singh  
 Tej Pratap Singh, Shri  
 Tiwari, Shri Brij Bhushan  
 Tiwary, Shri D. N.  
 Tohra, Shri G. S.  
 Tripathi, Shri Madhav Prasad  
 Tyagi, Shri Om Prakash  
 Ugrasen, Shri  
 Varma, Shri Brij Lal  
 Varma, Shri Ravindra  
 Vasisht, Shri Dharma Vir  
 Verma, Shri Hargovind  
 Verma, Shri Raghunath Singh  
 Verma, Shri Sukhdeo Prasad

Yadav, Shri Hukmdeo Narain  
 Yadav, Shri Narsingh  
 Yadav, Shri Ramji Lal  
 Yadav, Shri Vinayak Prasad  
 Yadava, Shri Roop Nath Singh  
 Yadvender Dutt, Shri  
 Zulfiquarulla, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is: Ayes 88; Noes—179.

*The motion was negatived.*

MR. DEPUTY-SPEAKER: The question is:

#### THE THIRD SCHEDULE

“(6) That at page 45,—

(i) line 15, the brackets, figures and letters “(3) (i), (3) (ii)” be omitted; and

(ii) lines 17—19, the words “Four rupees and sixty paise per thousand.”, “One rupee and sixty paise per thousand be omitted.”

*The Lok Sabha divided:*

**Division No. 15 AYES 16.38 hrs.**

Ahmed Hussain, Shri  
 Alluri, Shri Subhash Chandra Bose  
 Arunachalam, Shri V.  
 Austin, Dr. Henry  
 Badri Narayan, Shri A. R.  
 Balakrishniah, Shri T.  
 Barman, Shri Palas  
 Barua, Shri Bedabrata  
 Barrow, Shri A. E. T.  
 Barve, Shri J. C.

\*The following Members also recorded their votes:

**AYES:** Sarvshri Dajiba Desai and Ajitsinh Dabhi

**NOES:** Sarvashri Lalji Bhai, S. S. Das, Mahmud Hasan Khan, Hari-shankar Mahale, Pundalik Hari Danwe, S. K. Sarda, M.A. Hannan Alhaj, Mohd. Hayat Ali and Dr. Bijoy Mondal

Basu, Shri Chitta  
 Basu, Shri Dhirendranath  
 Bhattacharya, Shri Dinen  
 Bhattacharyya, Shri Shyamaprasanna  
 Bonde, Shri Nanasaheb  
 Burande, Shri Gangadhar Appa  
 Chavan, Shri Yeshwantrao  
 Chettri, Shri K. B.  
 Choudhari, Shri K. B.  
 Choudhury, Shrimati Rashida Haque  
 Dabhi, Shri Ajitsinh  
 Deo, Shri V. Kishore Chandra S.  
 Desai, Shri D. D.  
 Desai, Shri Hitendra  
 Devarajan, Shri B.  
 Dhondge, Shri Keshavrao  
 Doley, Shri L. K.  
 Engti, Shri Biren  
 Faleiro, Shri Eduardo  
 Gamit, Shri Chhitubhai  
 George, Shri A. C.  
 Gode, Shri Santoshrao  
 Gogoi, Shri Tarun  
 Gomango, Shri Giridhar  
 Gopal, Shri K.  
 Goswami, Shrimati Bibha Ghosh  
 Gotkhinde, Shri Annasaheb  
 Jawade, Shri Shridhar Rao  
 Jeyalakshmi, Shrimati V.  
 Joarder, Shri Dinesh  
 Kadam, Shri B. P.  
 Kadannappalli, Shri Ramachandran  
 Karan Singh, Dr.  
 Kasar, Shri Amrut  
 Khan, Shri Ismail Hossain  
 Kodiyar, Shri P. K.  
 Kolur, Shri Rajshekhar  
 Kosalram, Shri K. T.  
 Krishnan, Shrimati Parvathi  
 Krishnappa, Shri M. V.  
 Kunhambu, Shri K.  
 Lahanu Shidava, Shri

Lakkappa, Shri K.  
 Laskar, Shri Nihar  
 Magar, Shri Annasaheb  
 Mahata, Shri C. R.  
 Malianna, Shri K.  
 Mathew, Shri George  
 Meduri, Shri Nageshwara Rao  
 Mirdha, Shri Nathu Ram  
 Modak, Shri Bijoy  
 Mukherjee, Shri Samar  
 Murthy, Shri K. K.  
 Murugaiyan, Shri S. G.  
 Naidu, Shri P. Rajagopal  
 Nair, Shri M. N. Govindan  
 Narayana, Shri K. S.  
 Pai, Shri T. A.  
 Pajanor, Shri A. Bala  
 Parvati Devi, Shrimati  
 Patel, Shri Dwarikadas  
 Patil, Shri D. B.  
 Patil, Shri S. B.  
 Patil, Shri Vijaykumar  
 Poojary, Shri Janardhana  
 Pradhan, Shri Amar Roy  
 Pullaiah, Shri Darur  
 Rachaiah, Shri B.  
 Rajan, Shri K. A.  
 Raju, Shri P. V. G.  
 Ramalingam, Shri N. Kundanthai  
 Ramamurthy, Shri K.  
 Rangnekar, Shrimati Ahilya P.  
 Rao, Shrimati B. Radhabai Ananda  
 Rao, Shri J. Rameshwar  
 Rao, Shri Jagannath  
 Rao, Shri M. Satyanarayan  
 Rao, Shri P. Ankineedu Prasada  
 Rao, Shri P. V. Narasimha  
 Ravi, Shri Vayalar  
 Reddy, Shri G. Narsimha  
 Reddy, Shri K. Obul  
 Reddy, Shri M. Ram Gopal  
 Reddy, Shri S. R.

Roy, Shri A. K.  
 Roy, Dr. Saradish  
 Roy, Shri Saugata  
 Saha, Shri A. K.  
 Saha, Shri Gadadhar  
 Sait, Shri Ebrahim Sulaiman  
 Sangma, Shri P. A.  
 Sathe, Shri Vasant  
 Sayeed, Shri P. M.  
 Seyid Muhammed, Dr. V. A.  
 Shankar Dev, Shri  
 Shankaranand, Shri B.  
 Sharngare, Shri T. S.  
 Somasundaram, Shri S. D.  
 Stephen, Shri C. M.  
 Sudheeran, Shri V. M.  
 Suryanarayana, Shri K.  
 Thakur, Shri Krishnarao  
 Thomas, Shri Skariah  
 Thorat, Shri Bhausahab  
 Tirkey, Shri Pius  
 Tulsiram, Shri V.  
 Unnikrishnan, Shri K. P.  
 Venkataraman, Shri R.

#### NOES

Agarwal, Shri Satish  
 Aghan Singh, Shri  
 Alhaj, Shri M. A. Hannan  
 Amat, Shri D.  
 Amin, Prof. R. K.  
 Ananthan, Shri Kumari  
 Anbalagan, Shri P.  
 Bairagi, Shri Jena  
 Bal, Shri Pradyumna  
 Balbir Singh, Chowdhry  
 Baldev Prakash, Dr.  
 Bashir Ahmad, Shri  
 Bateshwar Hemram, Shri  
 Berwa, Shri Ram Kanwar  
 Bhanwar, Shri Bhagirath  
 Borole, Shri Yeshwant  
 Chakravarty, Prof. Dilip

Chand Ram, Shri  
 Chandan Singh, Shri  
 Chandravati, Shrimati  
 Charan Narzary, Shri  
 Charan Singh, Chaudhuri  
 Chaturbhuj, Shri  
 Chaturvedi, Shri Shambhu Nath  
 Chaudhray, Shri Motibhai R.  
 Chaudhary, Shri Rudra Sen  
 Chauhan, Shri Nawab Singh  
 Chavda, Shri K. S.  
 Chhetri, Shri Chhatra Bahadur  
 Chunder, Dr. Pratap Chandra  
 Dandvate, Prof. Madhu  
 Danve, Shri Pundalik Hari  
 Das, Shri S. S.  
 Dasgupta, Shri K. N.  
 Dawn, Shri Raj Krishna  
 Desai, Shri Morarji  
 Deshmukh, Shri Nanaji  
 Dhara, Shri Sushil Kumar  
 Dhillon, Shri Iqbal Singh  
 Digal, Shri Sribatcha  
 Digvijoy Narain Singh, Shri  
 Durga Chand, Shri  
 Dutt, Shri Asoke Krishna  
 Fernandes, Shri George  
 Ganga Bhakt Singh, Shri  
 Ganga Singh, Shri  
 Gattani, Shri R. D.  
 Gawai, Shri D. G.  
 Gowda, Shri S. Nanjesha  
 Goyal, Shri Krishna Kumar  
 Gulshan, Shri Dhanna Singh  
 Gupta, Shri Kanwar Lal  
 Harikesh Bahadur, Shri  
 Hazari, Shri Ram Sewak  
 Hukam Ram, Shri  
 Jain, Shri Kacharulal Hemraj  
 Jain, Shri Kalyan  
 Jasrotha, Shri Baldev Singh  
 Joshi, Dr. Murli Manohar  
 Kamble, Shri B. C.

Kapoor, Shri L. L.

Kar, Shri Sarat

Kaushik, Shri Purushottam

Khalsa, Shri Basant Singh

Khan, Shri Ghulam Mohammad

Khan, Shri Kanwar Mahmud Ali

Khan, Shri Mohd. Shamsul Hasan

Kishore Lal, Shri

Krishan Kant, Shri

Kureel, Shri Jwala Prasad

Kureel, Shri R. L.

Kushwaha, Shri Ram Naresh

Mahala, Shri K. L.

Mahj Lal, Shri

Malhotra, Shri Vijaya Kumar

Malik, Shri Mukhtiar Singh

Mallick, Shri Rama Chandra

Mandal, Shri Dhanik Lal

Mangal Deo, Shri

Mankar, Shri Laxman Rao

Manohar Lal, Shri

Meerza, Shri Kazim Ali

Mehta, Shri Prasannbhai

Mhalgi, Shri R. K.

Miri, Shri Govindram

Mishra, Shri Janeshwar

Mishra, Shri Shyamnandan

Mohd. Hayat All, Shri

Mondal, Dr. Bijoy

Multan Singh, Chaudhary

Nahar, Shri Bijoy Singh

Nathuni Ram, Shri

Nathwani, Shri Narendra P.

Negi, Shri T. S.

Pandey, Shri Ambika Prasad

Pandit, Dr. Vasant Kumar

Parmal Lal Shri

Parulekar, Shri Bapusaheb

Paswan, Shri Ram Vilas

Patel, Shri H. M.

Patel, Km. Maniben Vallabhbai

Patel, Shri Meetha Lal

Patil, Shri Chandrakant

Patil, Shri Sonu Singh

Patnaik, Shri Biju

Patwary, Shri H. L.

Phirangi Prasad, Shri

Pradhan, Shri Gananath

Pradhan, Shri Pabitra Mohan

Raghavendra Singh, Shri

Raghavji, Shri

Rai, Shri Shiv Ram

Rajda, Shri Ratansinh

Ram Awadhesh Singh, Shri

Ram Charan, Shri

Ram Dhan, Shri

Ram Gopal Singh, Choudhary

Ram Kinkar, Shri

Ram Murti, Shri

Ram Sagar, Shri

Ramachandran, Shri P.

Ramdas Singh, Shri

Ramapatj Singh, Shri

Ramji Singh, Dr.

Ramjiwan Singh, Shri

Rashid Masood, Shri

Rathor, Dr. Bhagwan Dass

Ravindra Pratap Singh, Shri

Rodrique, Shri Rudolph

Rothuama, Dr. R.

Saeed Murtaza, Shri

Sahoo, Shri Ainthu

Sai, Shri Narhari Prasad

Saini, Shri Manohar Lal

Samantasinhar, Shri Padmacharan

Saran, Shri Daulat Ram

Sarangi, Shri R. P.

Sarkar, Shri Sakti Kumar

Sarsonia, Shri Shiv Narain

Satapathy, Shri Devendra

Shah, Shri Surath Bahadur

Shaiza, Shrimati Rano M.

Shanti Devi, Shrimati

Sharma, Shri Jagannath

Sharma, Shri Yagya Datt  
 Shastri, Shri Bhanu Kumar  
 Sheo Narain, Shri  
 Sher Singh, Prof.  
 Shrikrishna Singh, Shri  
 Sikander Bakht, Shri  
 Singh, Dr. B. N.  
 Sinha, Shri C. M.  
 Sinha, Shri Purna  
 Sinha, Shri Satyendra Narayan  
 Somani, Shri S. S.  
 Suman, Shri Ramji Lal  
 Suraj Bhan, Shri  
 Surendra Bikram, Shri  
 Talwandi, Shri Jagdev Singh  
 Tej Pratap Singh, Shri  
 Tiwari, Shri Brij Bhushan  
 Tiwary, Shri D. N.  
 Tohra, Shri G. S.  
 Tripathi, Shri Madhav Prasad  
 Tyagi, Shri Om Prakash  
 Ugrasen, Shri  
 Varma, Shri Brij Lal  
 Varma, Shri Ravindra  
 Vasisht, Shri Dharma Vir  
 Verma, Shri Hargovind  
 Verma, Shri Raghunath Singh  
 Verma, Shri Sukhdeo Prasad  
 Yadav, Shri Hukmdeo Narain  
 Yadav, Shri Narsingh  
 Yadav, Shri Ramji Lal  
 Yadav, Shri Vinayak Prasad  
 Yadava, Shri Roop Nath Singh  
 Yadvender Dutt, Shri  
 Zulfiquarulla, Shri

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is: Ayes 118, Noes 179.

*The motion was negatived.*

MR. DEPUTY-SPEAKER: The question is:

“(b) that the recommendations made by Rajya Sabha be rejected.”

*The motion was adopted.*

MR. DEPUTY-SPEAKER: Now we take up the next item of business.

SHRI VAYALAR RAVI (Chirayinkil): Sir, I am on a point of order. It relates to reporting. It is under rule 376 i.e. ‘point of order during the interval between two items of business’. I am raising it in the matter of reporting the proceedings of this House. I want a clarification from you.

Here, on the 28th of last month, i.e. during last week, there was a Half-an-Hour Discussion on the Vijaya Bank and it relating to one of the answers given to this House. One of the hon. Members of the House Mr. Lakkappa, raised a discussion on Vijaya Bank; and drew the attention of the Minister as well as of the House to the many corrupt practices of the chairman of the bank; and with documentary evidence, he could establish a case. And it has been reported—and very well reported. It has been reported in the Proceedings also. I do not want to quote from the report, as to what happened.

MR. DEPUTY-SPEAKER: Please come to the point of order.

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\*The following Members also recorded their votes:

**AYES:** Prof. P. G. Mavalankar, Sarvashri Bhagat Ram, Gev. M. Avari and Annasaheb P. Shinde.

**NOES:** Sarvashri Lalji Bhai, Kailash Prakash, Ram Deo Singh, Raghubir Singh Machhand, Harishankar Mahale, Raje Veshveshvar Rao, Chandra Pal Singh, S. K. Sarda, Ram Lal Rahi, Gauri Shankar Rai and Dr. Bapu Kaldaty.

**SHRI VAYALAR RAVI:** It is very clear from all those proceedings recorded here. The whole case of the functioning of the Vijaya Bank has been brought forward; and Mr. Unnikrishnan, it is very clear, has quoted from the documents; and he made the Minister concede that new things have come to his notice.

Next day, the newspapers have carried the report given by Samachar. I quote:

"The Finance Minister, Mr. H. M. Patel, announced in the Lok Sabha today the government's decision to enquire into the working of the Vijaya Bank."

On the second day, there is a correction given. It is also from Samachar. I am making two points. In the correction it is stated:

"It had been erroneously reported that Mr. Patel announced the Government's decision to enquire into the working of the Vijaya Bank."

Now about the proceedings. In the last paragraph it says:

"The various points that have been made, the various information which I now possess regarding the Vijaya Bank does convince me and does satisfy me that it is necessary to go into all the facts relating to the Vijaya Bank. This is what I propose to do."

This is what the hon. Minister said here. The meaning of the word 'probe', according to the dictionary used in Parliament, is simple. 'Probe' means "examine thoroughly". The first report uses the word 'probe'. The second report says that the Minister has said that he will go into all the facts that have come to him.

Who has given this correction? Who was the authority? Who has got the authority to make a correction in the report of what happened in the House? Is it the Speaker or the Deputy Speaker who has the autho-

rity, or is it the Secretary? Who made the correction? A report has been made that it was 'erroneously reported'. What is 'erroneous', who has got the authority to correct any report? Was it done by the Minister? If so, the Minister can clarify.

**MR. DEPUTY-SPEAKER:** I think the Minister will take note of this. We cannot debate on this. We are now proceeding with the discussion of the Reports on Scheduled Castes.

16.45 hrs.

**MOTION RE: TWENTIETH, TWENTY-FIRST AND TWENTY-SECOND REPORTS OF THE COMMISSIONER OF SCHEDULED CASTES AND SCHEDULED TRIBES—contd.**

**श्री हुकम देव नारायण यादव (मधुबनी):**  
उपाध्यक्ष महोदय कल मैं यह बता रहा था कि हरिजन और आदिवासियों पर जो अत्याचार होते हैं देश के अन्दर या सरकारी नौकरियों में उन को स्थान नहीं दिए जाते हैं। इसके लिए हिन्दुस्तान की जो वर्ण-व्यवस्था है वह अपराधी है। कल मैं ने यह भी बतलाया था कि बिहार के बेलची कांड को लेकर सारे देश में विपक्ष के लोग बहुत जोरों से हंगामा मचाते हैं लेकिन मैं उन से एक सीधा सवाल पूछना चाहूंगा। मैं भी मानता हूँ कि बेलची में जो घटना घटी है सांसाजिक रूप में हो या जिस किसी भी रूप में हो यह घिनौना काम है। लेकिन सन् 1969-70 में बिहार प्रदेश के पूर्णिया जिले के रूपसपुर गांव में, आदिवासियों के पूरे गांव को घेरकर उसे आग में फूँक दिया गया। किसी तरह से टट्टी तोड़ तोड़ कर बे गरीब जब भाग रहे थे तो उन के बच्चों को पकड़ पकड़ कर आग में में फेंक दिया गया। उस समय ये कांग्रेस वाले क्या कर रहे थे? उसी बिहार के अन्दर