

Statement

The Municipal Corporation of Delhi imposed a tax with effect from 1st July, 1969 on consumption or sale of electricity under section 113(2)(d) of the Delhi Municipal Corporation Act with the prior approval of the Central Government. Thereafter the Municipal Corporation demanded the tax from the New Delhi Municipal Committee on the supplies made to the latter. The New Delhi Municipal Committee challenged the legality of the demand and contended that the bulk supply of electricity made to them under section 284 of the Delhi Municipal Corporation Act did not amount to "sale" of electricity to them.

2. Conflicting opinions have been given on the legal issue by eminent jurists. For resolving the legal issues several meetings were held from time to time and finally at a meeting taken by the then Home Minister on 13th September, 1968, it was suggested that the matter might be referred for arbitration to a retired judge of the Supreme Court. The Delhi Municipal Corporation resisted this suggestion for some time but ultimately passed a resolution to the effect that the dispute be referred to the Government of India for arbitration by a retired Judge of the Supreme Court. On 1st April, 1971 the Commissioner of Delhi Municipal Corporation and the President of the New Delhi Municipal Committee signed an agreement for referring the matter to Shri S. K. Das, a retired Judge of the Supreme Court, for arbitration. The arbitration was to be on the following points:—

- (1) whether Delhi Municipal Corporation is empowered under various provisions of the Delhi Municipal Corporation Act, 1957, to levy tax on the supplies of electricity made to the New Delhi Municipal Committee with effect from 1st July, 1969;

- (2) whether the said tax has been validly levied by the Delhi Municipal Corporation and is binding on the New Delhi Municipal Committee; and

- (3) the amount, if any, payable by the New Delhi Municipal Committee to the Delhi Municipal Corporation or refundable by the Delhi Municipal Corporation to the New Delhi Municipal Committee, as the case may be.

The terms of appointment of Shri Das could not be settled. Therefore, he did not take up the job.

3. The position was reviewed early in 1973 and it was decided that the Lt. Governor, Delhi should make an effort to resolve the dispute. The Lt. Governor, Delhi made such an effort and asked the New Delhi Municipal Committee to pay the amounts due, but the New Delhi Municipal Committee reiterated their earlier view that legally they were not liable to make any payment on this account. The Lt. Governor thereupon suggested that the matter might be referred for arbitration as earlier agreed to by the two local bodies. Government have accepted the suggestion and necessary steps are being taken in this regard. The amount due from the New Delhi Municipal Committee, according to the Delhi Municipal Corporation, was Rs. 4.30 crores upto 30th September, 1973.

14.47 hrs.

ADOPTION OF CHILDREN BILL

**CONCURRENCE IN RECOMMENDATION OF
RAJYA SABHA TO APPOINT A MEMBER TO
JOINT COMMITTEE**

MR. SPEAKER: Item No. 32.
Shri Bedabrata Barua.

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): Sir, I beg to move:

"That this House do concur in the recommendation of Rajya Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Adoption of Children Bill, 1972 in the vacancy of Shri Amar Nath Chawla and do resolve that Dr. (Smt.) Sarojini Mahishi, a member of Lok Sabha, be appointed to the said Joint Committee to fill the vacancy."

MR. SPEAKER: The question is:

"That this House do concur in the recommendation of Rajya Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Adoption of Children Bill, 1972 in the vacancy of Shri Amar Nath Chawla and do resolve that Dr. (Smt.) Sarojini Mahishi, a member of Lok Sabha, be appointed to the said Joint Committee to fill the vacancy."

The motion was adopted

CENTRAL AND OTHER SOCIETIES (REGULATION) BILL

CONCURRENCE IN RECOMMENDATION OF
RAJYA SABHA TO APPOINT A MEMBER TO
JOINT COMMITTEE

MR. SPEAKER: Item No. 33 Shri Bedabrata Barua again.

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA):

Sir, I beg to move:

"That this House do concur in the recommendation of Rajya

Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Central and Other Societies (Regulation) Bill, 1974, in the vacancy caused by the resignation of Shri Nitiraj Singh Chaudhary and do resolve that Dr. (Smt.) Sarojini Mahishi, a member of Lok Sabha, be appointed to the said Joint Committee to fill the vacancy."

MR. SPEAKER: The question is:

"That this House do concur in the recommendation of Rajya Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Central and Other Societies (Regulation) Bill, 1974, in the vacancy caused by the resignation of Shri Nitiraj Singh Chaudhary and do resolve that Dr. (Smt.) Sarojini Mahishi, a member of Lok Sabha, be appointed to the said Joint Committee to fill the vacancy."

The motion was adopted

14.48 hrs.

STATEMENT RE. DEMAND OF BODOS FOR ROMAN SCRIPT

MR. SPEAKER: Item No 33-A.

Shri Raghuramaiah to lay a statement on behalf of the Home Minister

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, on behalf of the Home Minister, I beg to lay a statement regarding the demand of the Bodos for Roman Script.