

Shivnath Singh, Shri
Sinha, Shri R. K.
Sonar, Dr. A. G.
Sunder Lal, Shri
Tewari, Shri Chandra Bhal Mani
Tewari, Shri Shankar
Uikey, Shri M. G.
Unnikrishnan, Shri K. P.
Vekaria, Shri
Yadav, Shri R. P.

NOES

Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhattacharyya, Shri S. P.
Bosu, Shri Jyotirmoy
Chandrappan, Shri C. K.
Chaudhary, Shri Ishwar
Chaudhuri, Shri Tridib
Dandavate, Prof. Madhu
Godfrey, Shrimati M.
Goswami, Shrimati Bibha Ghosh
Gowder, Shri J. M.
Gupta, Shri Indrajit
Kachwai, Shri Hukam Chand
Lalji Bhai, Shri
Manjhi, Shri Bhola
Mayavan, Shri V.
Mehta, Shri P. M.
Mody, Shri Piloo
Mukherjee, Shri Samar
Panda, Shri D. K.
Pandeya, Dr. Laxminarain
Parmar, Shri Bhaljibhai
Patel, Shri H. M.

Ramkanwar, Shri
Rao, Shri M. Satyanarayan
Reddy, Shri B. N.
Reddy, Shri Y. Eswara
Sezhiyan, Shri
Singh, Shri D. N.
Sivasamy, Shri M. S.
Subravelu, Shri
Vajpayee, Shri Atal Bihari.

MR. SPEAKER. The result* of the division is :

Ayes 102; *Noes* 32

The motion was adopted.

SHRI K. R. GANESH. I introduce† the Bill

12.57 hrs.

STATEMENT *Re.* TAX ON POSTAL
ARTICLES ORDINANCE

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH). On behalf of Shri Y. B. Chavan, I beg to lay on the Table a copy of the explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Tax on Postal Articles Ordinance, 1971, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha

RAILWAY PASSENGER FARES BILL‡

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI). Sir, I beg to move for leave to introduce a Bill to provide for the levy of a tax on railway fares.

* The following members also recorded their votes.

Ayes : Sarvashri B. K. Daschowdhury, Sheopujan Shastri and R. V. Swaminathan.

Noes : Sarvashri Birender Singh Rao, Sarjoo Pandey and C. T. Dhandapani.

† Introduced with the recommendation of the President.

‡ Published in Gazette of India Extraordinary, Part II, section 2, dated 22-11-71.

SHRI S. M. BANERJEE (Kanpur) : Sir, I am extremely sorry to oppose the Bill. The hon. Minister also comes from Kanpur, but still I oppose her Bill because she is levying taxes, on poor people Sir, my grounds are the same. Sir, from the notices given by me, you will kindly see that I am opposing item No. 12 and this one. I am not opposed to increase of tax on air travel. I know people who can possibly go by plane can pay more. They don't bother about 5 per cent increase. But here what will happen if you charge higher rates for the third-class passengers, the second-class passengers and the sleepers? I do not mind if they tax only the air conditioned accommodation. They can pay more. There is this particular class of Government servants, getting between Rs. 200 and 300, who are entitled to First Class. They are also affected. I would only request you, Mr. Speaker to ask her to withdraw this Bill. I oppose this Bill lock, Stock and barrel. I hope there will be a chain reaction in the country because of this, which will not be in the interest of the country.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : I oppose this Bill. That they have introduced such a measure shows only the bankruptcy of this Government. The Railways during the last 25 years of Congress rule has been only in doldrums. The increased fares that are charged on passengers who have very limited income are very high. They have introduced again another rise. The Government was apprehensive of the mood of the House. If they had brought it in the shape of a Bill on the 15th November, they could get it through with the vast majority that they enjoy. But they chose to take this line.

13.00 hrs.

In spite of that, they have chosen to bring it in the shape of an ordinance. 13 ordinances have been brought forward in one inter-session period. It is really a record in history. So, I would request you to turn down this Bill and not allow this Bill to go through and not allow that ordinance to be regularised through this forum. So, I oppose this Bill once again.

MR. SPEAKER : Now the hon. Minister.

श्री हुकम चन्द कलबाय (मुरैना) :
अध्यक्ष महोदय . . .

अध्यक्ष महोदय : आपने मुझे लिखकर नहीं भेजा है ।

SHRIMATI SUSHILA ROHATGI :
At the very outset, I would like to clarify a few points.

The first point raised with the greatest emphasis was that the ordinance had been brought into force on the day that parliament was meeting. We quite share the concern and the anxiety of hon. Members, and I would like to tell them that Government under no circumstances would do so unless it be that it was absolutely essential or urgent. It is rather a coincidence that the dates have synchronised. The urgency can be explained by the fact that when the Chief Ministers and the Governors and the Finance Ministers met on the 12th October, it was realised...

SHRI S. M. BANERJEE : It was a meeting with Governors and no M. Ps. or representatives of the people.

SHRIMATI SUSHILA ROHATGI : I am sorry to oppose Shri S. M. Banerjee because we both happen to come from the same town and it is no pleasure either for me to oppose him. But I would only like to say that the urgency behind this has been stressed by almost all the parties irrespective of their affiliations, namely that the Bangla Desh crisis exists and resources are necessary. As regards the ordinances coming into force on the 15th November, it just happens to be so, and there is nothing political behind it. The fact is that we would be collecting it for one month more only, when throughout the year, we may be collecting nearly Rs. 70 crores; and we need quite a lot of money. Since the money is going for a good object, I do not think that this opposition, lock, stock and barrel, should have come from hon. Members.

SHRI INDRAJIT GUPTA (Alipore) : Why should the rich men's money not be taken for this ?

SHRIMATI SUSHILA ROHATGI : The second point to which I would come was the point raised by Shri Atal Bihari Vajpayee, namely : *पार्लियामेंट की उपेक्षा की जा रही है, उसकी अवहेलना की जा रही है।*

I would only like to remind him that it was the very same Government which brought forward in the last session the Constitution (Twenty-Fourth) Amendment Bill which had raised the prestige of the House to a much higher level and restored to Parliament the right which it possessed.

SHRI JYOTIRMOY BOSU : After giving Rs. 20 lakhs as compensation every month for nationalisation of general insurance.

SHRIMATI SUSHILA ROHATGI : So, how could the same Government be now expected to erode and erode the powers of Parliament ? I do not think, therefore, that he really meant it when he said that. There is no question of treating the House contemptuously whatsoever. It is just a coincidence that 15th happened to be the date on which the ordinance come into force and 15th happened to be the date on which Parliament was also meeting.

Especially when we are dealing with railway passenger fares Bill, hon. Members know that advance reservation can be done 20 days earlier. If people had started their journey by that time and made reservations, then it might have been rather delicate and difficult to realise money at that stage.

So, while Government share the concern on hon. Members that taxation normally should not be resorted to by ordinance, I would like to say that there have been a number of ordinances, issued earlier, but we would not like to repeat that history. It was only because of the extreme urgency of the case that we had to issue the ordinance.

Therefore, I would request hon. Members to withdraw their disapproval of this Bill.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for the levy of a tax on railway fares."

Let the Lobby be cleared.

The Lok Sabha divided :

Division No. 3]

13-08 hrs.

AYES

Agrawal, Shri Shrikrishna
 Ahmed, Shri F. A.
 Ambesh, Shri
 Appalanaidu, Shri
 Arvind Netam, Shri
 Bahuguna, Shri H. N.
 Balakrishaniah, Shri T.
 Banerji, Shrimati Mukul
 Basumatari, Shri D.
 Bhagat, Shri H. K. L.
 Bhuvaram, Shri G.
 Chavan, Shri Yashwantrao
 Chawla, Shri Amar Nath
 Chellachemi, Shri A. M.
 Choudhary, Shri B. E.
 Choudhury, Shri Moinul Haque
 Dalip Singh, Shri
 Darbara Singh, Shri
 Daschowdhury, Shri B. K.
 Deo, Shri S. N. Singh
 Dharia Shri Mohan
 Dhusia, Shri Anant Prasad
 Doda, Shri Hiralal
 Dube, Shri J. P.
 Dumada Shri L. K.
 Dwivedi, Shri Nageshwar
 Gandhi, Shrimati Indira

Ganesh, Shri K. R.
Ganga Devi, Shrimati
Gohain, Shri C. C.
Goswami, Shri Dinesh Chander
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan
Jaggivan Ram, Shri
Jitendra Prasad, Shri
Josh, Shri Popatlal M.
Kader, Shri S. A.
Kaifas Dr.
Kamakshaiah, Shri D.
Kamble, Shri T. D.
Karan Singh, Dr.
Kaul Shrimati Sheila
Kedar Nath Singh, Shri
Krishnan, Shri G. Y.
Lakshmikanthamma, Shrimati T.
Lakshminarayanan, Shri M. R.
Laskar, Shri Nihar
Mahata, Shri Debendra Nath
Malaviy, K. D.
Malhotra, Shri Inder J.
Maurya, Shri B. P.
Mirdha, Shri Nathu Ram
Mishra, Shri Bibhuti
Mishra, Shri G. S.
Mishra, Shri Jagannath
Mohammad Tahir, Shri
Mohammad Yusuf, Shri
Mohapatra, Shri Shyam Sunder
Murthy, Shri B. S.
Nahata, Shri Amrit
Oraon, Shri Tuna
Oza, Shri Ghanshyam
Pahadia, Shri Jagannath
Pandey, Shri Krishna Chandra
Pandey, Shri Narsingh Narain
Pandey, Shri R. S.
Panigrahi, Shri Chintamani
Pant, Shri K. C.
Parashar, Prof. Narain Chand
Partap Singh, Shri

Parthasarathy, Shri P.
Patel Shri Ramubhai
Patil, Shri Krishnarao
Qureshi, Shri Mohd. Shafi
Raghu Ramalah, Shri K.
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Rajdeo Singh, Shri
Ram Swarup, Shri
Ramshekhari Prasad Singh, Shri
Rao, Shri P. Ankincedu Parasada
Rathia, Shri Umed Singh
Richhariya, Dr. Govind Das
Rohatgi, Shrimati Sushila
Sarkar, Shri Sakti Kumar
Satpathy, Shri Devendra
Sethi, Shri P. C.
Shambhu Nath, Shri
Sharma, Shri Nawal Kishore
Sharma, Dr. Shankar Dayal
Shastri, Shri Biswanarayan
Shastri, Shri Sheopujan
Sher Singh, Prof.
Shivnath, Singh Shri
Sokhi, Shri Swaran Singh
Sonar, Dr. A. G
Sunder Lal, Shri
Swaminathan, Shri R. V.
Tewari, Shri Chandra Bhal Mani
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Uikey, Shri M. G.
Unnikrishnan, Shri K. P.
Vekaria, Shri
Yadava, Prof. D. P.

NOES

Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhattacharyya, Shri S. P.
Birender Singh Rao, Shri
Bosu, Shri Jyotirmoy

Chandrappan, Shri C K.
 Chaudhary, Shri Ishwar
 Dandavate, Prof. Madhu
 Dhandapani, Shri C T
 Godfrey, Shrimati M.
 Goswami, Shrimati Bibha Ghosh
 Gowder, Shri J. M.
 Gupta, Shri Indrajit
 Kachwal, Shri Hukam Chand

Lalji Bhai, Shri
 Mayavan, Shri V
 Mehta, Shri P. M.
 Mukherjee, Shri Samar
 Nayak, Shri Baksi
 Pandey, Shri Sarjoo
 Pandeya, Dr. Laxminarain
 Parmar, Shri Bhaljibhai
 Patel, Shri H M.
 Ramkanwar, Shri
 Rao, Shri M Satyanarayan
 Reddy, Shri B N.
 Subravelu, Shri
 Vajpayee, Shri Atal Bihari

MR. SPEAKER The result* of the division is .

Ayes : 105 Noes 28

The Motion was adopted.

SHRIMATI SUSHILA ROHATGI .
 I introduce† the Bill.

13-07 hrs.

STATEMENT *Re.* RAILWAY PAS-
 Senger FARES ORDINANCE

THE DEPUTY MINISTER IN THE
 MINISTRY OF FINANCE (SHRIMATI
 SUSHILA ROHATGI) On behalf of Shri
 Y B Chavan, I beg to lay on the table...

SHRI ATAL BIHARI VAJPAYEE
 (Gwalior) This is not proper The hon
 Minister Shri Yeshwantrao Chavan is
 himself present here So, he should lay it
 on the Table

MR SPEAKER What has happened is
 that I have already received intimation
 that the Deputy Minister would be laying
 it on the Table of the House

THE MINISTER OF FINANCE
 (SHRI YESHWANTRAO CHAVAN)
 It is just because of the division that I
 happen to be here

श्री अटल बिहारी वाजपेयी अध्यक्ष
 महोदय, हम डिप्टी मिनिस्टर को श्री चव्हाण
 की उपेक्षा नहीं करने देगे। वह इस सदन में
 सशरीर मौजूद है।

SHRI YESHWANTRAO CHAVAN :
 I beg to lay on the Table a copy of the
 explanatory statement (Hindi and English
 versions) giving reasons for immediate
 legislation by the Railway Passenger Fares
 Ordinance, 1971, as required under rule
 71 (1) of the Rules of Procedure and
 Conduct of Business in Lok Sabha.

* The following members also recorded their votes.

Ayes Sarvashri Y. S. Mahajan, T. Sohan Lal and M. Bheeshmadev.

Noes Sarvashri Lambodar Baityar, M. S. Purty and M. S. Sivasamy.

† Introduced with the recommendation of the President.