

Sir, can I lay it on the Table of the House.

MR. SPEAKER : That is right,

SHRI R. K. KHADILKAR : I lay the statement on the Table of the House.

Statement

According to the information available some barracks in the refugee camp at Moilam were gutted by fire which broke-out at about 1.30 A.M. on the 29th October, 1971, and about 15,000 persons were affected. Three persons died and four were injured. On the same night and on 13-11-1971 and 20-11-1971, three other fires broke-out in the same camp. There had been no loss of life or any significant damage to property in the second fire on 29-10-1971 and that on 13-11-1971. On 20-11-1971, however, 2112 persons were affected and 4 persons died. The cause of the fire is under investigation. The possibility of this being a case of sabotage cannot be ruled out. Security arrangements have been tightened to guard against sabotage activities by Pakistan agents in the border areas.

Those refugees who were affected by the fire were given necessary relief assistance in the shape of ration/free cooked food, wearing apparel, and blankets. Alternative accommodation was also offered to them in some barracks available but the refugees declined to move because they were afraid of Pakistani shelling. Orders have now been issued by the Government of Meghalaya to construct barracks with refugee labour and Government material for those who have been affected.

Clothes and blankets have already been supplied to the refugees, who were needy and deserving, out of donations received from the voluntary organisations.

The Government of Meghalaya, along with other State Governments was authorised to arrange for the purchase and supply of clothes to all the refugees in camps as early as on 2nd September, 1971. The Government of Meghalaya have invited tenders for supply of clothes and tenders are in the process of finalisation. It is expected that distribution of clothes will commence in about a week or 10 days time.

As regards supply of blankets, it is understood that the entire requirement of camp refugees in Meghalaya to the extent of 3.55 lakh blankets has been supplied and distribution of blankets is in progress.

12.06 hrs.

DIPLOMATIC RELATIONS (VIENNA CONVENTION) BILL *

THE MINISTER OF EXTERNAL AFFAIRS (SHRI SWARAN SINGH) : I beg to move for leave to introduce a Bill to give effect to the Vienna Convention on Diplomatic Relations (1961) and to provide for matters connected therewith.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill to give effect to the Vienna Convention on Diplomatic Relations (1961) and to provide for matters connected therewith."

The motion was adopted. *

SHRI SWARAN SINGH : Sir, I introduce† the Bill

12.07 hrs

STATUTORY RESOLUTION RE : RAILWAY PASSENGER FARES ORDINANCE AND RAILWAY PASSENGER FARES BILL --Contd.

MR. SPEAKER The House will now take up further discussion of the following resolution moved by Shri Atal Bihari Vajpavee on the 24th November, 1971, namely :—

"This House disapproves of the Railway Passenger Fares Ordinance, 1971. (Ordinance No. 17 of 1971) promulgated by the President on the 22nd October, 1971."

The House will also take up further consideration of the following motion moved by Shrimati Sushila Rohatgi on the 24th November, 1971, namely :—

"That the Bill to provide for the

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†Introduced with the recommendation of the President,

[Mr. Speaker]

levy of a tax on railway fares, be taken into consideration".

श्री सरजू पांडे (गाजीपुर) : अध्यक्ष महोदय, कल मुझ से पूर्व वक्ताओं ने यह बात साफ़ तौर से कही कि रेलवे भाड़े में वृद्धि करने का जो तरीका इस सरकार ने अपनाया वह बड़ा निन्दनीय था। जब माननीय मंत्री जी बोल रही थीं सदन में तब उन्होंने बतलाया कि आडिनेन्स क्यों लाया गया। उन्होंने यह बतलाया कि चूंकि लोक सभा का अधिवेशन होने वाला नहीं था इसलिए मजबूर होकर हम आडिनेन्स को लाना पड़ा। कम से कम मंत्री जी को यह मालूम होना चाहिये था लोक सभा का सेशन 15 नवम्बर से होने वाला है, और यह टैक्स भी 15 तारीख से ही लगने वाला था। ऐसी दशा में यह बहाना बनाना कि लोक सभा का अधिवेशन होने वाला नहीं था इसलिए वह इस आडिनेन्स को लाई, बिल्कुल अनैतिक और गलत है। इस टैक्स को लगाने के पहले कम से कम लोक सभा को विश्वास में लिया जाना चाहिए था।

सबसे आवश्यकजनक बात यह है कि रेलवे में टैक्स बढ़ाया जा रहा है और यह कहा जा रहा है कि गवर्नरों का सम्मेलन हुआ, मुख्य मंत्रियों का सम्मेलन हुआ और उसमें यह तय किया गया कि बंगला देश के शराणाधियों की समस्या को हल करने के लिए टैक्स लगाना आवश्यक है। मगर उस सम्मेलन में इस बात पर बहस नहीं हुई कि रेलवे में जो भ्रष्टाचार है, जो लगत तरीके से पैसा खर्च किया जाता है उस पर कोई प्रतिबन्ध लगाया जा नहीं। साथ ही इस सम्मेलन में जो लोग आए थे, उन्होंने इस बात पर बहस नहीं की कौन से ऐसे गैर जरूरी खर्च हैं जो घटाये जा सकते हैं। बंगला देश के शराणाधियों के नाम पर मैं नहीं समझता कि सरकार को इस देश की गरीब जनता की जेब काटने का नैतिक या वैधानिक अधिकार है। फिर भी देश की जनता पर

जबर्दस्ती एक बड़ा बोझ लादा जा रहा है। अगर यह सरकार अगर कंडिशनल क्लॉस में चलने वाले यात्रियों पर सरचार्ज लगाती तो यह बात मेरी समझ में आती, लेकिन जिन लोगों को गाड़ियों में बैठने की जगह नहीं मिलती जो आम तौर से तीसरे दर्जे के मुसाफिर हैं और छतों पर चढ़ते हैं या पटरियों पर लटक कर यात्रा करते हैं आज उन पर टैक्स लगाया जा रहा है। इस से न तो आप का उद्देश्य पूरा हो सकता और न इस देश में आप का आदर हो सकता है।

हमारे रेलवे मंत्री जी ने स्वयम् स्वीकार किया था—इस समय रेलवे मंत्री हैं नहीं, उन को यहाँ होना चाहिये था—कि मोगलसराय और दूसरी जगहों में इतनी ज्यादा चोरियां होती हैं कि अगर उनको रोका जाये तो इस देश में और टैक्स लगाने की जरूरत न पड़े। एक तरफ तो हमारे देश में 700 करोड़ रुपया टैक्स बाकी है जो कि बसूल नहीं हो रहा है, दूसरी तरफ 70 करोड़ रुपये के नये टैक्स लगाये जा रहे हैं। मेरी समझ में नहीं आता कि इस का जस्टिफिकेशन क्या है। जो रुपया टैक्स का बाकी है वह इस लिए बसूल नहीं हो रहा है कि बड़े बड़े लोगों के पास है जबकि किराया आम लोगों पर बढ़ाया जा रहा है। हमारे रेलवे बोर्ड के जो बड़े बड़े अफसर हैं, जिनकी तन्ख्याहें साढ़े तीन और चार हजार रुपया मासिक है, उनकी समझ में नहीं आता कि देश की गरीब जनता पर टैक्स लगाना कहाँ का न्याय है।

12.09.

[SHRI SE HIXAN in the Chair]

मैं कुछ मिसालें रेलवे के भ्रष्टाचार की देना चाहता हूँ। मैं समझता हूँ कि इस टैक्स को लगाने के बजाय अगर आप रेलों के अन्दर ऐसी व्यवस्था कर सकें कि वहाँ पर जो गलत तरीके से पैसा खर्च होता है उसको रोका जा

सके, तो इस टैक्स को लगाने की कोई आवश्यकता नहीं होगी। मैं नार्थ ईस्टर्न रेलवे के बहुत से इलाकों में गया हूँ वहाँ पर बड़ी अव्यवस्था चल रही है। एक ओर कहा जाता है कि रेलवे के पास पैसा नहीं है और छोटे छोटे कर्मचारियों, चौथे दर्जे के कर्मचारियों को रिट्रेव कर दिया गया है जिसके कारण नार्थ ईस्टर्न रेलवे में बड़ा भारी प्रान्गोलन चल रहा है दूसरी ओर ग्रामरों को बड़ी बड़ी तन्त्रवाहे दी जा रही है। गोरखपुर में 52 आदमियों को निवाला दिया गया है क्योंकि रेलवे के पास पैसा नहीं है लेकिन मच्छी बात यह है कि अधिकारी सिर्फ पाकिस्तान के रिफ्यूजियों के नाम पर अपने भ्रष्टाचार को जारी रखना चाहते हैं। यह सरकार कोई भी बुनियादी परिवर्तन करने के लिए तैयार नहीं है, वही पुराना गंग, वही पुराने टैक्स इस सदन में गाते रहते हैं। स्वयं सरकार भी जानती है और हम भी जानते हैं कि अगर सरकार द्वारा मोनोपोली उद्योग अपने हाथ में ले लिए जायें तो हमारे देश में बिना कोई टैक्स लगाये हुए ही शरणार्थियों की समस्या हल हो सकती है। उन की तरफ इनकी निगाहे नहीं हैं। गरीब जनता की जेब काटना इनका पेशा बन गया है। ऊँची ऊँची और बहुत बड़ चढ़ कर बातें की जाती हैं लेकिन सही मानो में उन पर अमल करने की तनिक भी कोशिश नहीं की जाती है। समाजवाद और दुनिया भर की बातें होती हैं। तमाम लोग यह चाहते हैं कि शरणार्थी समस्या हल हो। लेकिन वह हल नहीं हो रही है। अभी तक केंद्रीय सरकार वहाँ को सरकार को रिकगनाइज करने का भी साहस नहीं कर रही है जबकि वहाँ पूरे तौर पर एक लीगल गवर्न-मेंट काम कर रही है। हमारे देश की जनता के ऊपर रिफ्यूजीज का नाम लेकर नए टैक्स लगाने का बहाना यह सरकार कर रही है। किस तरह से फिजूलखर्ची में यह सरकार इब्ज है, इसकी कुछ मिसालें मैं आपके सामने रखना चाहता हूँ।

लखनऊ के पास बंदरिया बास में चार बंगले फर्निश कराए गए हैं और उनको फर्निश कराने पर छह लाख रुपये खर्च किया गया है। मजे की बात यह है कि वे बंगले किराए पर लिए गए थे। क्या कभी इस सरकार ने वहाँ के जनरल मैनेजर से यह पूछा है कि जब देश पर सकट है तो यह छह लाख रुपये बंगलों को फर्निश कराने पर क्यों खर्च किया गया है? इसकी क्या जरूरत थी? क्या मामूली फर्निचर इस्तेमाल वे नहीं कर सकते थे? रेलवे के अधिकारी इस सकट की घड़ी में इस तरह से भ्रष्टाचार खर्च करते हैं उनकी तरफ सरकार की निगाह नहीं जाती है। गरीब जनता पर टैक्स बढ़ाने के लिए वह सरकार सदन में बिल लाने और उनको पास कराने के लिए बहुत उत्सुक रहती है।

बादशाहनगर में जो लखनऊ के पास है एक ओवर ब्रिज बनाया गया है। वहाँ पर 54,000 रुपये एक कांटेक्टर को गलत पेमेंट कर दिया गया। यह इसी 1970-71 में हुआ है। लेकिन किसी के खिलाफ कोई एक्शन वहाँ नहीं हुआ है। कोई पूछने वाला नहीं है कि गलत पेमेंट कैसे किया गया।

रेलवे के अधिकारी इतने बड़े भ्रष्टाचारी हैं कि ये रेलों के सामान से अपनी कारें तक रिफेयर करते हैं। गोरखपुर के डिप्टी डी०सी० एम० ई० की बात मैं आपको बताता हूँ। आजकल जो वहाँ डीजल इंजन का कारखाना है वहाँ मोटर के बहुत से पार्ट मिल जाते हैं, मशीनरी भी तकरीबन सारी मिलती जुलती है। गोरखपुर के डिप्टी डी०सी० एम० ई० कानपुर में अपनी कार बुक कराने के लिए जब ले गये तो वह दस रुपये में कार गोरखपुर से बुक कराना चाहते थे। जब बुकिंग क्लर्क ने दस रुपये में कार बुक करने से मना कर दिया तो उसको कहा गया कि अगर तुम बुक नहीं करो तो तुम्हें मुश्किल कर दिया जायेगा। तीन दिन के बाद कार बुक कराई गई और उस पर वह

[श्री सरजू पांडे]

एसीगेशन लगाया गया कि हमारी कार बुक करने से इसने मना कर दिया। उसके खिलाफ एक्शन लिया गया और आज नतीजा यह है कि वह आदमी पागल होकर पागलखाने में पड़ा हुआ है। जिस कर्मचारी ने साहस का परिचय दिया और जो ईमानदार है वह जेलखाने में है और जिसकी कार पकड़ी गई है और जिसको सी०बी०आई० के भफसरों ने जाकर पकड़ा है और जिन कर्मचारियों ने जाकर बताया कि ये कार ले जा रहे थे वे सारे के सारे ट्रांसफर कर दिये गए हैं या मुअ्तिल कर दिए गए हैं। जो डिप्टी डी०सी०एम०ई० है वह गिरफ्तार नहीं हुआ है वह बंठा हुआ है। यह सारा भ्रष्टाचार का भ्रष्टाड़ा है। भ्रष्टाचारियों को यहां कोई पकड़ने वाला नहीं है।

गोंडा लोको शीड के अन्दर एक लठैतों की जमात है। वहां का जो फोरमैन है वह तमाम गुंडों को इकट्ठा करके रखता है। वहां पर पचास हजार रुपया ऐसे आदमियों को दिया गया, ऐसे लोगों को उसका पेमेंट कर दिया गया जिनके नाम वगैरह तक का पता नहीं है। जिन्होंने काम नहीं किया उनको पचास हजार रुपया गलत तरीके से पेमेंट किया गया है। कोई पूछने वाला नहीं है।

सोनपुर में और गोंडा में रेलवे हैडक्वार्टर थे। यह फँसला कर दिया गया था 1958 में ही कि जो पुराने डिबिजन हैं उनको तोड़ दिया जाये। उसके बावजूद गोंडा और सोनपुर में 1966 में रेलवे के क्वार्टर बनाए गए और दफ्तर बनाए गये। लगभग दस लाख रुपया उन पर खर्च किया गया। आज भी आप चल कर उन मकानों को देख सकते हैं। 1958 में फ्रँसला हो गया था कि वहां के डिस्ट्रिक्ट हैडक्वार्टर तोड़ दिये जायेंगे लेकिन फिर भी 1966 में वहां क्वार्टर बनाए गए। मत वहां उन सरकारी मकानों में गये बास करते हैं। दस लाख रुपया खर्च करके बैठे हुए हैं, कोई पूछने वाला नहीं है।

गोरखपुर और खपरा के बीच छः करोड़ रुपया खर्च करके स्टैंडर्ड ग्री इंटरसिस्टिम सिस्टम बनाया था। उसके साल भर बाद उस को तोड़ दिया गया और उसकी जगह पर सेंट्रल ट्रेफिक कंट्रोल सिस्टम बनाया गया और उस पर आठ करोड़ रुपया खर्च किया गया। इनको एक साल के बाद यह मालूम हुआ कि गलत काम हुआ है और छः करोड़ रुपया पानी में बह गया। आठ करोड़ रुपया बाद में खर्च करना पड़ा।

जहां रेलवे के अधिकारियों ने इतनी भारी लूट मचा रखी है तो कम से कम आप देश पर तो दया करें। आपने जो मगरमच्छ पाल रखे हैं ये न केवल रेलवे को बल्कि देश को भी खा जायेंगे। रेलों में सारे का सारा घाटा इनकी बजह से हो रहा है। आज हालत कहां तक आ पहुँची है, इसको आप देखें। हम लोग स्टेशनों पर चाय पीने जाते हैं तो वहां पर क्राकरी नहीं मिलती है। मालूम करने पर बताया जाता है कि रेलवे के भफसरों के घर शादी में वह चली गई है।

मजदूरों ने जिस कर्त्तव्य परायणता का परिचय दिया है, इसको आप देखें। चीनी और पाकिस्तानी हमले के वक्त उन्होंने जाग जाग कर रात में गाड़ियां चलाई। जो खलासी थे जो कुली थे, जो तीसरी और चौथी श्रेणी के कर्मचारी थे उन्होंने अपनी जान की बाजी लगा कर देश की रक्षा की। आज वे निकाले जा रहे हैं। ये जो बड़े बड़े मगरमच्छ हैं, रेलवे बोर्ड के बड़े बड़े भफसर हैं, जनरल मैनेजर हैं वे सारे का सारा घन बुरी तरह से रेलों का बरबाद कर रहे हैं।

ऐसी अवस्था में अगर दरभसन आप यह चाहते हैं कि देश का कल्याण हो, लोगों का उस्ताह बना रहे तो आपको इस टैक्स को वापिस ले लेना चाहिये। हम सब लोग इस पक्ष में हैं कि बंगला के शरणाधिकियों की मदद की

जाये। लेकिन यह रास्ता मदद करने का नहीं है। ऐसा करके आप एक और भ्रष्ट खड़ा कर देंगे। स्वामन्वय आप अपोजीशन खड़ी न करें और भ्रष्ट न कराये। पहली बात तो यह है कि टैक्स लगाने का जो रास्ता था वह ही गलत था। आप तो जानते ही थे कि पार्लियामेंट की बैठक पंद्रह नवम्बर से शुरू होने वाली है। आप मोक्ष देते कि पार्लियामेंट सपर वहस वर और तब आप इसको लागू करें। दूसरी बात यह है कि रेल ऐसी कसरत है जो हमेशा मुनाफा दिखानी रही है आज तक। लेकिन पिछले कुछ दिनों से रेलों पर घाटा दिखाया जा रहा है। ये सारे बड़े लोग जो है इन्होंने रेलों में लूट मचा रखी है। इस वास्ते मैं चाहता हूँ कि इस पर आप पुनः विचार करें। कम से कम आप थर्ड क्लास के मुगाफरो पर तो वह टैक्स न लगाये। यह जो सरचार्ज है उनपर इसको नगाना बड़ा अन्यायपूर्ण होगा। अगर आपको लगाना ही है तो एयर कंडिशन कम्पाटमेंट में जो लोग सफर करते हैं उन पर आप लगा दें। बाकी के जो लोग हथकड़ी इस कर को देने की स्थिति में नहीं हैं।

अगर आप इस टैक्स को वापिस ले लें तो सब से अच्छा होगा। वापिस लेकर आप देखें कि रेलों में बड़ा बड़ा इकोनोमी हो सकती है, किस तरह से धन बचाया जा सकता है। एक अच्छा उदाहरण आप देश के सामन रखें। रेलों के बड़े बड़े अधिकारियों ने जो लूट मचा रखी है उनको आप रोकें। यहाँ कहा जाता है कि सामान महंगा हो गया है। मैं आपको एक मिसाल देना चाहता हूँ। गोरखपुर में एक सिगनल का कारखाना है। जो पहले सामान बाहर से आता था वह सारे का सारा अब वहाँ तैयार होता है। आप जानते ही हैं कि पूर्वी उत्तर प्रदेश पिछड़ा हुआ है, वहाँ कोई कारखाना नहीं है। रेलवे के अधिकारी अब इस में इंटरैस्ट है कि वहाँ से भी वह कारखाना हटा कर अन्यत्र किसी प्रान्त में ले जाया जायें। वह एक ही कारखाना है और उसको भी

बरबाद करने की कोशिश की जा रही है। यह दिखाने की कोशिश की जा रही है कि यह कारखाना यहाँ घाटे में चल रहा है इस वास्ते इसको किसी अन्य प्रान्त में ले जाया जाए। यह बड़बुद चल रहा है।

मैं निवेदन करना चाहता हूँ कि हम टैक्स को वापिस ले लिया जाए। यदि आप देश को समाजवाद की ओर ले जाना चाहते हैं तो इस को वापिस लेना अनिवार्य है। मुझे कल एक सज्जन मिले। कहने लगे कि बताइये कि लड़ाई होगी या नहीं। हमने कहा आपको इसमें क्या इंटरैस्ट है, वह कहने लगे कि मैंने कम्बल मप्लाई करने का टैरा ले रखा है। उनका मतलब क्या था? यह था कि अगर लड़ाई होगी तो एक रुपये का कम्बल सौ रुपये में बिके यह देश की टेडेसी है। मुनाफाखोरो की यह मनोवृत्ति है। जो बड़े बड़े मोनोपोली घराने हैं इनको आप पकड़िये। इन से धन लीजिये। हम आपके साथ हैं। गरीब जनता की जेब आप न काटिये। इससे देश की समस्या और बंगला विस्थापितों की समस्या हल नहीं होगी। इससे देश के लोग आन्दोलित होंगे। जो टैक्स देने की स्थिति में नहीं हैं उनको आप टैक्स देने के लिये मजबूर करेंगे तो देश के लिए यह अच्छा उदाहरण नहीं होगा। इस वास्ते इस बिल को आप वापिस ले लें। देश में एक नई परम्परा आप चलायें। एक बार ऐसा हुआ था कि इस सदन में सभी और में जब एक विधेयक का विरोध हुआ था तो उसको मन्त्री जी ने वापिस ले लिया था। श्रीमती सुशीला रोहतगी बैठी हुई हैं। उनसे मैं प्रार्थना करता हूँ कि गलत तरीके से वह जो टैक्स लगा रही हैं, ऐसा न करके और इसको वापिस लेकर कम से कम वह उत्तर प्रदेश का नाम ऊँचा करें।

SHRI HUKAM CHAND KACHWAI
 (Morena) Sir, there is no quorum.

MR., CHAIRMAN Let the quorum bell be rung—Now, there is quorum. Shri Chittibabu.

*SHRI C CHITTIBABU (Chingleput)
Mr Chairman, Sir, I am thankful to you for giving me an opportunity to participate in the discussion on the Railway Passenger Fares Bill, which is before the House to replace the Ordinance promulgated by the President on the 22nd October, 1971. The Bill provides for the levy of a tax on railway fares to meet the growing expenditure on the maintenance of 10 million Bangla Desh refugees. All our countrymen from Himalayas to Cape Camorin are behind the Government in their humane endeavour and there is no doubt that they will unanimously extend their whole hearted cooperation to the Government in their effort to tide over the unprecedented and huge economic burden cast on the country. But, I would like to know whether this kind of levy will be extended from year to year or it is just a temporary measure to prevent our economy from being completely disrupted by the unending influx of refugees from Bangla Desh. I do appreciate that it is a laudable objective based on humanitarian considerations to give succour to the suffering refugees. At the same time I would like to know by what time they are likely to return to their country. I ask this question because our Prime Minister has not informed this House about the time by which these refugees are likely to go back. In Pakistan national emergency has been declared and the people of Pakistan are being prepared to face an eventual war with India. In fact there is war hysteria throughout Pakistan. On the other hand the countries of the world have appreciated the restraint shown by India at this critical juncture.

I would like to point out here that this is the first time in the independent history of our country recourse has been taken by the Government to promulgate taxation proposals through presidential Ordinances. When the late Lal Bahadur Shastri was the Prime Minister this procedure was not adopted. At the time when Jawaharlal was the Prime Minister, the then Speaker of Lok Sabha, Shri Mavalankar objected to the procedure of issuing taxation ordinances during inter session. Even our present Speaker pointed out that just a few days before the Lok Sabha met such Ordinances involving taxation proposals should not have been promulgated. I

would only say that the issuance of taxation ordinances during inter-session, especially just a few days before the Parliament is to meet is not conducive to sound parliamentary conventions.

Sir the Government, instead of issuing so many Ordinances, could have as well presented a Supplementary Budget during this session so that the people would have known the taxation burden in its entirety. It is also not clear whether these taxes have been imposed temporarily or on a permanent basis. It is also not clear as to the amount of revenue the Government will be getting from this levy. I have been hearing the plea of the Ministers in support of these ordinances that the Departmental machinery and the officials have to be given time for working out the taxation proposals and that is why these ordinances were issued. I would like to ask have the departments not worked out earlier such taxation proposals? Are the officials so inexperienced as to require time for working out the details of taxation proposals? Year after year in every Budget taxes have been levied and the Departments have been implementing them. I am not able to appreciate the explanation given by the Ministers in this regard.

At the behest of the Centre, the Governors have also issued such ordinances levying taxes. This only shows that the Centre has also tried to curb the powers of the State Legislatures. I would only say that, however laudable the objective may be, the Government should not set up precedents which go against the spirit of democratic functioning.

From these taxes, it is estimated that a sum of Rs 30 crores will be collected by 31-3-1972. What is the income from the passenger fare tax? Just before the parliamentary elections, the country was inundated by the slogan of *Garibi hato* from the ruling party. But, after the Bangla Desh crisis this slogan has been given a go by. In fact, it is known to everyone that poverty in the country has increased and it is more widespread now. None can dispute the fact that of the total railway passengers, nearly 90% belongs to the category travelling in III class. I would not have minded if taxes had been levied on passengers travelling in I Class and in

*The original speech was delivered in Tamil.

Air conditioned Class. I do not also object to the tax on inland air fare tax. But the taxes on railway fare and postal articles are against the professed sympathy of the ruling party to the poor people of the country. Are they going to create a socialistic State with this approach to common people and to their problems?

In reply to my unstarred question No. 1354 on 23.11.71 the hon. Railway Minister has stated that during the first six months of this year, the railway earnings have gone up by Rs. 7 crores more than the budgeted estimate, while the working expenses of the Railway have also gone up by Rs. 24 crores as compared to the anticipated expenditure in the Budget. If the administrative expenses go up by Rs. 17 crores in six months I do not know how the Railway Ministry is going to achieve its target of development. I would like to request the hon. Railway Minister to explain this point.

Are there no alternatives at all for the Department to raise the requirement amount of revenue? It is estimated that the thefts on the Railway come to Rs. 17 crores in a year. The amount of compensation paid for pilferages also comes to Rs. 20 crores a year. If the Railway Administration gears up its machinery to check and control the thefts and pilferages, they would get Rs. 37 crores a year, instead of the paltry sum of Rs. 5 crores which they are likely to get through this levy on passenger fare. I would request my hon. friend, Shri Shafi Qureshi, to explain the steps taken by the Railways to eradicate this evil.

It is estimated that the population of the country increases by 2 crores and 40 lakhs a year. During the past 24 years, approximately the population would have gone up by 25 crores. This would naturally have resulted in increased travelling public and the income of the railways would have gone up considerably. It might be argued that due to rapid increase in the cost of industrial raw materials, the expenditure on the Railways has gone up. It is not that the Railways alone have been afflicted by the price rise. In fact, 55 crores of our people have been suffering untold miseries on account of the rising cost of living. It is also estimated that by the end of 1972 the number of unemployed in the country would be 4 crores and 20 lakhs. What steps have been taken by the Government

to create employment opportunities for these young men? I would appeal to the Minister, not as a member belonging to the Opposition party but on behalf of the poor people of the country, that the taxes to be levied on passenger fare and on postal articles should be withdrawn.

I would refer to the fact that in the matter of railway development Tamil Nadu has been completely neglected. We have been demanding for decades for a railway line between Trivandrum and Cape Comorin which will connect Nagercoil also. Similarly, we have been pleading for Chinnai Salem-Chingleput railway line. But the stock reply of the Railway Ministry is that they have not got adequate funds to undertake these schemes. There is no double track at all in Tamil Nadu. The people of Tamil Nadu have been asking for a double track for a distance of 18 miles from Tambaram to Chingleput, but they are told that electric trains are running on this track. There is another long standing demand of the people of Tamil Nadu. There is broadgauge line up to Arkonam and they have been asking that this broadgauge line should be extended upto Chingleput via Conjeevaram. It is a distance of only 30 miles. It need not be a double track, but only the extension of broadgauge line from Arkonam upto Chingleput. If this is done there will be broadgauge connection at Chingleput. But no attention has been paid to this problem by the Railway Ministry. How are they going to lift the lignite from Neiveli to Salem, where steel plant is coming up? In spite of repeated requests from the Tamil Nadu Government that there should be double track between Neiveli and Salem if the Steel Plant is to come up within the targeted date no action has been taken so far. I am unable to understand the negligence shown by the railways so far as development of railway system in Tamil Nadu is concerned.

I would also request the hon. Deputy Minister of railways to pay some attention to the type of food served by the railway catering department, since he has himself personally seen at the Central Station what kind of food is served to the passengers. The running staff of the catering department has not been provided with winter clothing. The Members of Parliament from Tamil Nadu have been appealing for years to the Ministry that the running staff coming to

[Shri C Chittibabu]

North should be provided with winter clothing, but so far our request has gone unheeded

I would urge that in the interest of the poor people travelling in III class the passenger fare tax should be withdrawn. Instead of creating new posts of General Managers, for the time being the administrative expenses of the Railways could be considerably reduced. If this is done, there will be no need to levy this additional tax at all.

It is stated that a sum of Rs 3 crores is being spent every day on the Bangla Desh refugees. When is it going to end? Before this session comes to a close the Prime Minister should inform the house by what time they will be going back to their country. If our people are not given a definite idea about this, they will lose their faith in the present Government and quite likely they will start violent agitations. I came across a report of the Reserve Bank that thousand crore have been taken by the Centre and the State Government as overdraft. I would like to know the steps taken by the Government here to clear such huge overdrafts and how the enormous amounts of loans are going to be repaid. If this is not done, the country's economy will be beyond redemption. If the Government take recourse to the issuance of presidential ordinances to collect new taxes then the people rise in revolt and it may not be surprising that the entire country may become a bloody garden of revolution. I would request the Government to see the writing on the wall and withdraw the tax on the passenger fare affecting the common travelling public in III class.

I thank you for giving me an opportunity to participate in the debate.

SHRI P VENKATASUBBAIAH (Nandyal) Mr Chairman, Sir, this is another Bill, replacing an ordinance that has been formally promulgated by the President. The main object of the Ordinance and the Bill is to collect additional revenue as railway fare to meet the increased expenditure on account of the problem created by the influx of a large number of refugees from Bangla Desh. When a Bill of this nature is being discussed in this House it is but natural that the members who participate in the debate will bring in

all types of issues which may not be directly connected with the present Bill but which have a bearing on the working of the railway system as a whole.

The railways have been working at a loss for the last few years and specially for the last three or four years the budget of the railways has been showing a gap between revenue and expenditure. But, on some pretext or another, direct increase in freights and fares was postponed and only indirect taxes were levied which will not attract the attention of the Members of Parliament. I personally feel that if only the entire system is overhauled and put on proper gear there is no need for the Ministry to come forward with a Bill of this nature because they can economise in expenditure in several directions.

I know that our country is facing a stupendous problem of feeding millions of refugees. Though we have allotted Rs 60 crores in our Central budget for rehabilitation of refugees, the expenditure is mounting up and the figure has already gone up to Rs 200 crores. Government have devised various measures to make up this huge deficit. But I doubt the wisdom of collecting small amounts by piecemeal legislation here and there are taxes on a large number of items. In some cases it may even result in the expenditure on collection of tax being much more than the tax collected. So, it would have been better if they had come forward with one comprehensive Bill to collect increased revenues. It is true that if they resort to deficit financing it may have repercussions on the economy of the country but there are certain avenues which can be tapped for taxation. So, they could have resorted to direct taxes and appealed to the sentiments and patriotism of the people for collection of those taxes.

In the present case, the States have also been brought into the picture. I do not know how it will be apportioned between the States the growing expenditure of refugee rehabilitation.

How are the States going to play their role in the overall matter? I do not know. In the Statement of Objects and Reasons, it has been stated

"In order to meet the expenditure on the relief of Bangla Desh refugees, it

was agreed at the meeting of the Governors and Chief Ministers of States held at New Delhi on the 12th October, 1971 that both the Centre and the States would levy such additional taxes as would be necessary and that the revenues so realised by States would be placed by the States at the disposal of the Centre for the said purpose "

Now, the State Governments have started levying additional taxes. The Andhra Pradesh Government also are intending to levy certain additional taxes. Other States will also follow and resort to additional taxation. In addition, the Central Government will come forward with additional taxation proposals. The sum-total of it will be that it will adversely affect the living of common man and it will also have an adverse effect on the economy of the nation.

When we talk of the railway administration and railway fares, I do not know whether the Railway Minister particularly and the Finance Minister have thought out a sort of comprehensive plan to see that the common man is taxed to the barest minimum, and simultaneously, the efficiency of the railways will go up. A passenger or a person who sends parcels or some such things will willingly pay if he feels that the railways are discharging an efficient service to the common man. In the absence of that, I feel, this will prove an additional burden and the people will not be happy to pay these additional taxes.

Soon after Shri Hanumanthaiya took over the charge as the Railway Minister, he said that every effort will be made to improve the revenues and that he will be in a position to present a surplus budget for the Railways. I have yet to see whether any such efforts are being made in this regard.

Several other factors that have been mentioned by my hon. friends who have preceded me with regard to the facilities that are to be provided to the travelling public must be taken into consideration. All these factors must be taken into consideration whenever the Government comes forward with such tax measures. I hope the hon. Minister will look into it and have a comprehensive examination of all matters and see that the travelling public and the common man will feel not only his patriotic duty to bear the addi-

nal burden but will also feel that the railways deserve to be paid more.

I appeal to the hon. Minister to take all this into consideration whenever he comes forward with such measures.

श्री धनशाह प्रधान (गुहडोल) : सभापति महोदय, रेलवे के वित्त में निरंतर गिरावट होती चली जा रही है। आज 10 वर्षों से रेलवे में घाटा हो रहा है, यह वास्तव में बड़ी चिन्ता की बात है। रेलवे के टम घाटे को पूरा करने के लिए सभी पिछले बजट पर किराये बढ़ाये गये, अभी 4 महीने भी नहीं बीते कि फिर दोबारा बड़ा जबरदस्त भार जनता पर डाल दिया गया। इस प्रकार से यह गरीब जनता के साथ अन्याय हो रहा है। बंगला देश से आगे श्रमगार्थियों के व्यय के लिये रेल मंत्रालय जिस तरह से किराया बढ़ा रहा है, यह देश की जनता के प्रति अनुचित कदम है और मैं इसका घोर विरोध करता हूँ।

क्या मैं रेल मंत्रालय में जान सकता हूँ कि विश्व में ऐसा कौन-सा देश है जिसकी सरकार इस तरह में प्रचिक में अचिक कर अपनी जनता पर लगा रहा हो। मैं यह भी जानना चाहता हूँ कि जो कर आप लगा रहे हैं, उसके बारे में आप ने क्या अनुमान लगाया है, ताकि जनता को मालूम हो सके कि किस हद तक हम बंगला देश के श्रमगार्थियों की सहायता कर सकते हैं। जब यह सरकार बंगला देश को सहायता नहीं देती है, तो उसको कोई हक नहीं है कि उनकी सहायता के लिये रेलवे या डाक-तार विभाग के द्वारा इस तरह से कसर तोड़ कर लगाये। आज हमारे देश पर एक जबरदस्त सिकट आया हुआ है, और इसपर हमारे देश की जनता को विभिन्न प्रकार के टैक्स लगा कर हर तरह से परेशान करने की व्यवस्था की जा रही है।

आज जहाँ पर रेलों की व्यवस्था नहीं है, वहाँ पर रेलों की व्यवस्था करने की तरफ आपका कोई ध्यान नहीं है। मेरे क्षेत्र में

[श्री घनशाह प्रधान]

इंडोल से कोरबा तक बाया बिलामपुर एक छी चलती है, एक दूसरी गाडी कटनी से इंडोल तक जाती है, ये दोनों गाडिया सात-सोठ तक खडी रहती है, इन दोनों गाडियो १ चिगमिरी तक ले जाया जा सकता है।

चाहना है कि सरकार इस तरफ शीघ्र गान दे।

आपके टिकट चैक्स ने घाघली मचा गयी लोगो पर अलग से टैक्स लगा रखा है इसके बारे में लोग कुछ भी नहीं जानते हैं। नको हर तरफ में परेशान किया जाता है।

आज रेलवे संचालन का खर्च बढ़ता चला रहा है। यदि रेलवे विभाग ध्यान में रखने की चेष्टा करे तो वर्तमान दरों को बढ़ाने में जरूरत न पड़े और आपके घाटे की पूर्ति हो सकती है। आपके रेलवे की कर-वस्था में काफी खामिया है भ्रष्टाचार होता जा रहा है। मैं माननीय रेल मंत्री से माग करता हूँ कि आपने जो रेलवे कर लगाया है, इसे वापस ले, अन्यथा भारत की उता गलन रास्ता अपना सकती है।

श्री हुकम चन्द कछवाय सभापति गेदय मुझे भी पांच मिनट के लिये बोलने का जाये।

MR CHAIRMAN No, Please One member from your Party has already spoken

Mr Shibban Lal Saxena

PROF S I SAKSANA (Maharaj-udh) During the last thirty-five years of my parliamentary life, I have never seen such a large number of ordinances passed in such a short time. The lightness with which the Government passes the ordinances was shown yesterday when the all India Finance Bill was being passed. There was no necessity for it. Even then, an ordinance was passed for it. I hope, Sir, the Government will consider the observations of the late Shri Mavalankarji, when he said that ordinances are a denial of

democracy and they should not be resorted to on such flimsy pretexts. This is one of the things which, I hope, the Government will take to heart and will not insult this House in this manner in future.

It is most objectionable to pass ordinances for taxation purposes. It has never been done before. It is for the first time that we see so many ordinances passed for purposes of taxation. These ordinances are taxing the poorest of the poor. They have taxed all the essential commodities of public use. They have taxed Railways which everybody uses. Everybody who pays more than Re 1 as railway fare is taxed. Similarly, in regard to postage stamps and in regard to newspapers, these taxes will hit the poor. If this is socialism, what kind and variety of socialism is this? Is this the way to remove poverty?

Therefore Sir I hope that Government will try to see that these taxes are replaced by other taxes which can be levied on the rich people who can afford to pay. If they want, let them tax air-conditioned travel, air-travel etc. or those who can afford to pay. They are taxing everybody who pays more than Re 1 railway fare and this is something preposterous. This amount of Rs. 70 crores could have been collected by savings in the various departments.

I hope Government will try to see that these taxes are replaced by some other measures to get this much money by saving and by taxing the rich.

It is most surprising that the Bangla Desh refugees should have been selected as the reason for the promulgation of these ordinances. The whole country is one in trying to help them, but we should not tax the people on their account. We are spending from the general revenues for their upkeep. Why should we say that we are taxing for their sake? This is something which is not in good taste.

I would have agreed to pay taxes if there had been a war. Even though Pakistan is trying every day to provoke us, still, we have not declared war. We should go out for all-out war and liberate Bangla Desh in a week's time and liberate occupied Kashmir and teach Pakistan a lesson for ever. In that case I will support any amount of taxes for meeting the war expenditure. The problem of refugees has

been created by your wrong policies. If you decide to wage war, the whole House would have been ready to vote any amount of money for meeting the expenditure of the war. Everybody would tighten his belt to pay these taxes. Today there is no war and these taxes on the poor cannot be justified.

I hope the Government will take heed of my warnings and withdraw these taxes which are hitting the poor. Thank you.

श्री रामकवर (टोक) सभापति महोदय, रेलों के किराये में जो बढ़ोत्तरी की गई है बंगला देश के विषय में, उसका विरोध करने के लिये खड़ा हुआ हूँ। खास तौर से जहाँ तक तीसरे दर्ज के यात्रियों का संबंध है मैं अच्छी तरह से देखता आ रहा हूँ क्योंकि तीसरे दर्ज के यात्रियों में मेरा विशेष संबंध रहता है कि जो थोड़ी सी बोगिया तीसरे दर्ज की रहती है उनमें एक एक में 50-50 और 60-60 यात्री भर जाते हैं लेकिन आज तक सरकार ने उनकी तरफ कोई भी ध्यान नहीं दिया है। सरकार का उन तीसरे दर्ज के यात्रियों की तकलीफों का कोई जवाब नहीं है। जो मेल ट्रेम चलती है उनमें सुरिन्गल में या दो डिब्बे तीसरे दर्ज के लगाए जाते हैं जिसमें उन यात्रियों की बड़ी कठिनाई का सामना करना पड़ता है।

इसके अतिरिक्त रेलवे के चतुर्थ श्रेणी के जो कर्मचारी हैं उनके संबंध में भी मैं कुछ निवेदन करना चाहता हूँ। अभी में मध्य प्रदेश में रतलाम गार इंदौर गया या बदायूं पर रेलवे के जो बड़े कर्मचारी हैं वे इन कर्मचारियों का बड़ा शोषण करते हैं। इन कर्मचारियों को नाजायज तौर पर दबाया जाता है और मांग बढ़ने का मौना नहीं दिया जाता है। इसी प्रकार की स्थिति राजस्थान में जयपुर में भी है। इन कर्मचारियों की बात का कोई भी सुनने वाला नहीं है। इनकी सही बात को भी कोई मानने के लिए तैयार नहीं होता है। यदि कुछ लोग जागृक होने की कोशिश करते हैं तो उनको दबा दिया जाता है।

सभापति जी, मेरे निर्वाचन क्षेत्र टोक एक तीस-चालीस मील का टुकड़ा है जहाँ रेल लाइन का निर्माण करने के लिए सन 195 में वहाँ के जनप्रतिनिधि मांग करते आ रहे लेकिन उसपर सरकार कोई भी ध्यान नहीं रही है। पिछली लोक सभा में जब बाबू जगजीवन राम जी रेल मंत्री थे तो उन्होंने टोक में जाकर वहाँ की जनता को आश्वासन दिया था लेकिन उनको आज तक पूरा नहीं किया गया। मैं मंत्री महोदय से प्रार्थना करूँगा कि मेरे निर्वाचन क्षेत्र टोक में रेलवे लाइन का निर्माण शीघ्र करवाया जाये क्योंकि इस अभाव में वहाँ की पाँच लाख जनता बड़ी कठिनाई में है।

सभापति महोदय, रेलवे स्टेशन पर गरीब जनपद भोली-भाली जनता टिकट खरीदने के लिए जब पाँच या दस रुपये का नोट देती तो उसमें यह कह दिया जाता है कि तुम रुपये का नोट दिया है। प्रक्सर इस प्रकार वाक्य रखने में आते हैं। इसलिए मैं निवेदन करूँगा कि स्टेशन पर टिकट देने वाले बाबू की सही प्रवृत्ति से आचरण करने के लिए कहा जाय। उनको आदेश दिये जाय कि इस प्रकार से भोली-भाली जनता का शोषण बंद किया जाय। साथ ही मैं निवेदन करूँगा कि तीसरे दर्ज के यात्रियों पर जो कर बढ़ाया गया उसको वापिस लिया जाय। इन शब्दों के साथ मैं अपना भाषण समाप्त करता हूँ।

SHRI BISWANARAYAN SHASTI (Lakhimpur) I rise to support this Bill which seeks to levy certain taxes on railway passengers. We must distinguish these taxes from increases in railway fares. This is not an increase in railway fares, it is simply a tax temporarily imposed on railway passengers, which will go for the benefit and the welfare of the crore of people who have come to our country from Bangla Desh.

I am surprised that those who used shed tears for these unfortunate men and women children and mothers who have suffered a lot, who have been uprooted, who

[Shri Biswanarayan Shastri]

have left their country and come to our country in great Panic and to whom we are giving shelter, are now opposing this measure which seeks to give them some help. I see no point in protesting against or opposing these measures.

It has been argued that even the third class passengers are made to pay some tax. I must say that in such are near emergency which prevails in our country, the entire population should feel that they are paying something for the cause of the nation and for the welfare of the one crore of uprooted people. Therefore, there is nothing in the nature of any injustice if the Bill makes even the third class passengers pay 5 per cent more on their travelling expenses: On the other hand, those who can afford to travel in third class by paying some amount are surely better off than the thousands of others who cannot afford even to travel by train. Therefore, there is no irregularity and no justice and no indiscrimination if these richer passengers are made to pay for the benefit of those uprooted and unfortunate people who have been forced to leave their territory and come to our country.

In this connection, I take this opportunity to ventilate some of the grievances of my State.

MR. CHAIRMAN : He may continue after the lunch recess.

13.00 hrs,

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

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

[MR. DEPUTY-SPEAKER in the Chair]

SHRI SAMAR GUHA (Contai) : Sir, I want to draw your attention to a very important incident of tempering with the loyalty of a patriotic Indian by the wife of the High Commissioner of Pakistan. Recently, there was a special prayer held in the shrine of Nizamuddin Aulia for the success of the freedom movement in Bangla Desh. But then, the wife of the High Commissioner of Pakistan who went there,

abused the Chief Imam there, remonstrated and insulted him saying that "you have done wrong and you have acted as a traitor to our country and you should not have done this." The Government should make a statement whether it is permissible to do this to a patriotic Indian, whether his loyalty could be tampered with and he can be threatened and abused in this way. I wish to draw the attention of the Minister of Parliamentary Affairs to make a statement in the matter, whether it is permissible.

MR. DEPUTY-SPEAKER : Order, order. Shri Biswanarayan Shastri.

14.4½ hrs.

STATUTORY RESOLUTION RE: RAILWAY PASSENGER FARES ORDINANCE AND RAILWAY PASSENGER FARES
BILL—Contd.

SHRI BISWANARAYAN SHASTRI : Mr. Deputy-speaker, Sir, as I have said before, I take this opportunity to mention some to the urgent needs of my State so far as railways are concerned. Not only the industrial development of Assam depends on the importance of the railway system but the safety and security of the entire Northeastern region depends on it. Therefore, I hope the Railway Minister will pay his attention while collecting tax from the passengers which is levied by this Bill.

The people of the north-eastern region are destined to live in a peculiar geopolitical situation. That condition is not our creation. We are destined to live in such a condition. The link of that region with the rest of the country is by a narrow corridor which is less than 40 miles. By that corridor run our national highway, the broad gauge and metre gauge railway lines and the crude pipeline which brings crude oil from Assam

MR. DEPUTY-SPEAKER : What has it got to do with the present Bill ?

SHRI BISWANARAYAN SHASTRI : I am taking this opportunity to urge upon the Government that adequate attention should be paid to this aspect as there is acute scarcity of steel, cement and other things in Assam.

MR. DEPUTY-SPEAKER : Please be relevant to the Bill. It relates only to the levy of tax on fares ; it has nothing to do with the problems in those areas which you are referring to. Kindly be relevant.

SHRI BISWANARAYAN SHASTRI : This aspect cannot be ignored. The recent opening of the Farraka barrage had lessened the mileage and the time but it does not solve the problem because transshipment takes place.

Having said that I must say that this Bill provides for the levy of taxation for the benefit of the unfortunate people who have come to our country and keeping the abnormal situation in view I hope this House will accord its unanimous approval to this Bill.

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATAGI) : I should like to thank the hon. Members of the House for the valuable suggestions and I am sure that many of the suggestions extended by them would be of use to the Government in course of time when it could devise means to include some of them at the time when the budget comes into operation. But the fact remains that the entire opposition has united, and I can understand their point also, against taxation by ordinance. I would like to allay their fears as far as possible by explaining the extenuating factors which may or may not meet their charges.

I would like to draw attention to article 123 of the Constitution which lays down :

"If at any time, except when both House of Parliament are in session, the President is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require."

I do not think that the country has to be told or the hon. Members have to be told that the circumstances were such and the compulsions behind these exigencies were such that Government thought it necessary to promulgate the ordinance.

They have quoted the ruling of the late revered Speaker, Shri Mavalankar, and the reply given by Pandit Jawaharlal Nehru. While they gave one side of the picture, I may be permitted to present the other side.

This is what the late Pandit Nehru said on 13th December, 1950 :

"I think all of my colleagues will agree with you that the issue of Ordinances is normally not desirable and should be avoided except on special and urgent occasions."

We are all of the same view so far as this matter is concerned.

"As to when such an occasion may or may not arise, it is a matter of judgment."

That is where we differ, whether it should have been issued or not.

In his letter of 19th July, 1954, the late Prime Minister Shri Jawaharlal Nehru again said :

"We have been reluctant to issue Ordinances and it is only when we have felt compelled to do so by circumstances that we have issued them. You will appreciate that it is the responsibility of the Government to decide what steps should be taken in a particular contingency."

I hope there are no two views on the issue that there is a contingency now.

"I am myself unable to see why this should be considered undemocratic. Of course, this power, like any other power, may be abused and Parliament will be the ultimate judge as to whether the use of this power has been right or wrong."

So, that shows the reluctance of the Government, whether that Government or this Government today, to issue Ordinances in normal times, which is healthy convention. It is only the particular contingency and the compulsions behind it that have made Government resort to this Ordinance.

It has been said that in the past there has been no taxation by Ordinances, but the history is otherwise. Just for putting the record straight I may point out that earlier there have been some Ordinances where taxation has been levied, for instance. The Mineral Oil (Additional Duties of Excise and Customs) Ordinance, 1958, the Sugar (Special Excise Duty) Ordinance, 1959, The Indian Tariff (Amendment) Ordinance, 1965, The Indian Tariff (Amendment) Ordinance, 1966, The Mineral Oil (Additional Duties of Excise and Customs) Amendment Ordinance, 1966 and the Taxation Laws (Amendment)

[Shrimati Sushila Rohatgi]

Ordinance, 1967. I am not trying to justify taxation by Ordinance but only pointing out that there have been instances in the past where there must have been similar circumstances and compulsions behind them. (Interruption) We abide by the convention laid down by the ruling of the hon. Speaker, we also share that feeling, but in particular circumstances such measures have to be taken though in normal times they may not be necessary.

Thirdly, they say that the burden will fall upon the third class passengers, that the common man should not have been troubled. They accuse the Government of preaching a socialistic pattern of society and indulging in various slogans, but of hitting the common man in practice. With reference to this particular Ordinance and Bill I will only say that this theory of the common man also has to be exploded. Let us realise that we are a poor country and 75 to 80 per cent of the people constitute the common man, no matter from which walk of life they come. It is a common man's country consisting primarily of people not subjected to luxuries. This myth of the common man has to be exploded once and for all. May I ask hon. members, when the refugees who have been rendered homeless and have been forced by circumstances to take shelter in our country in Assam, Meghalaya, West Bengal and Tripura—in Tripura the influx of refugees is as much as the local population itself—is not the common man already sharing the burden so far as daily food, shelter, etc., are concerned? Is not the common man already bearing these burdens willingly also? Why should we say things here which may directly or indirectly hurt the morale of the people? In Tripura and other States, the local people have been so generous and understanding that they have even sacrificed their wages of labour in order to accommodate the refugees who have been forced to leave their hearth and home. So, the common man is already sharing the burden, whether it is rise in prices, ration, etc. He has never grumbled. Not even the tribals, who may have the apprehension that the refugees may stay on for some time, have objected to it. I do not know how the cultured, educated, highly qualified members of this House, fear that the common man is objecting to that.

SHRI JYOTIRMOY BOSU (Diamond

Harbour): Why is it that you are not collecting the arrears of taxes to the tune of Rs. 862 crores, 92 per cent of them being due from the corporate sector?

SHRIMATI SUSHILA ROHATGI:

I do concede that there are various spheres in which the Government machinery has to be geared up and there has to be streamlining. I think we need the advice and suggestions of hon. members in our efforts. That is where we are united. But let me finish the common man's ideology before I go to the rich man and the tax arrears. So far as this railway tax is concerned, it will affect the people in this way. Not that the Government wanted to hit the common man, but how far it will hit will be illustrated by the following:

So far as the ordinary third class fare is concerned, upto 100 KM, on a fare of Rs. 2.65, the increase will be upto 15 paise. Upto 500 KM, on a fare of Rs. 12.50, the increase will be upto 65 paise. Upto 1000 KM, on a fare of Rs. 22, increase will be Rs. 1.10. Upto 4000 KM, in which a person can travel throughout the length and breadth of the country, on a fare of Rs. 72.95, the increase is Rs. 3.65. This is how the third-class ordinary fare will be affected. Those who pay less than one rupee as fare will not be subject to any tax levy whatsoever.

Coming to third-class mail trains, for a fare of Rs. 3.50 up to a distance 100 kilometres the increase would be 20 paise, for a fare of 16.30 for a distance of 500 kilometres the increase would be 80 paise and on 1,000 kilometres or a fare of Rs. 28.50 it would be Rs. 1.45. On a distance of 4,000 kilometres or a fare of Rs. 85.45 the increase would be Rs. 4.25. I wonder how many people undertake a journey of a distance of 4,000 kilometres in our country.

So far as air conditioned class is concerned, it has been suggested rightly which I corroborate, that the people who travel by this class are in a position to pay more. Naturally, in their case the gradation of tax is a little higher, going up to Rs. 32.75 for the longest journey of 4,000 kilometres.

This will show that the charge that this levy is hitting the common man is something which is not borne out by facts. It does not stand to reason. Yet, it has been advocated by the hon. Member,

SHRI JYOTIRMOY BOSU : If you take care of the penny, the pound will take care of itself. Don't say that a small increase may not mean anything. You do it three times or four times every year.

SHRIMATI SUSHILA ROHATGI : We will take care of both penny and pound. But will the hon. Member take care of either of them ? I want to fight logic with logic.

SHRI JYOTIRMOY BOSU : I am also willing to fight.

SHRIMATI SUSHILA ROHATGI : So, the charge that why do not we have our sympathies for the common man and that is why we have imposed this levy is not substantiated.

Further, this would exempt 53.8 per cent of the passengers from the tax. As such, this tax does not hurt the common man. Because, the earnings from the third-class itself comes to about 80 to 88 per cent of the earnings. As such, 77 per cent will be exempted from this. Therefore, that argument of the hon. Member falls.

Then a suggestion was made that the third class fare should be exempted from this levy. Let us be realistic. Apart from the calamities like flood havoc and cyclone and the consequent increased expenditure, we are in a developing stage and our plans have to be fulfilled. So, increased taxes are unavoidable. If the tax is not levied on railway fares then the alternative would be to levy it on such articles and instruments which would vitally affect the production. At a time when increased production is the need of the hour and a determined attempt is made by some of the parties to dislocate production by strikes and gherrao, we do not want to impose any additional tax which would affect production in vital sectors of our economy. Therefore, even though we need increased revenue by way of taxes, we do not want the production to suffer. On the other hand, we want production and economic growth to be accelerated in the face of the new challenge we are facing on the borders. We do not want production to suffer by levying taxes on some of the items suggested by some of the hon. Members.

Then on the question why the Ordinance did not come into operation from the date of promulgation, I said that its coming into

force on a particular date was coincidental. It was not the intention of government to either by-pass or ignore or treat with contempt Parliament. It is a sovereign elected body and the question of contempt does not arise.

I think, the very nation itself is rather repugnant and they should have no fear on that. But the fact is that we badly need resources to meet Bangla Desh problem.

I have some of the figures of amounts expected to be collected from various levies and I would like to place them for the benefit of the hon. Members. These are the daily revenues collected from each of the lives imposed under these Ordinances. From the Postal articles, excluding Sundays and Holidays, it comes to Rs. 3,58,000 per day ; from excise on newspapers, excluding five National Holidays, it comes to Rs. 1.4 lakhs ; from Stamps, it comes to Rs. 5.75 lakhs ; from Inland Air Travel, it comes to about Rs. 70,000. The total revenue collected per day so far has been to the tune of about Rs. 11.55 lakhs, or nearly Rs. 12 lakhs. That is an estimate of daily revenue.

Now, the Bill has to be passed by both the House of Parliament and, after that, it will have to receive the assent of the President. After that, certain preparatory steps have to be taken. In the case of each of the Ordinances, as you have seen, that is implied and certain preparatory steps are required. In the case of stamp collections, we require about 70 crores of additional stamps which are necessary and, unless these stamps are printed at the Printing Press at Nasik, I do not think we will be in a position to supply all the stamps wherever they are required. Specially, all the treasuries will be requiring stamps without which the work of the treasuries will be dislocated and the common man will be subjected to a lot of inconvenience. I think, the concern of the common man should be shared by the Opposition parties.

So far as the newspaper levy is concerned, if the newspapers were published and they did not complete all the formalities. . .

MR. DEPUTY SPEAKER : That is coming in the next Bill.

SHRIMATI SUSHILA ROHATGI : Yes. The total effect is that certain practical

[Shrimati Sushila Rohatgi]

steps would also be required before they come into operation and, as such mere passage of the Bill alone would not be sufficient and in the public interest, from the point of view of execution, from the point of view of practicality and from the point of view of operation a certain time factor was required. If each day we were to lose Rs 12 lakhs, in a month it will come to about a crore of rupees. I think, it is quite a big amount to be lost in the present contingency.

About the railways I can only say this. One reason why this is also necessary is that we have one of the biggest railways in the world. I am not trying to exonerate the railways on any of the charges that my non friends made. We also know there are many things in which the railways are wanting. I am sure the railways will improve their performance. There are difficulties and they have to be fought out. I think the points made by the Opposition parties must have been noted by my hon. colleague, the Railway Minister. They will look into those things. There is definite scope for improvement. There are no two views about it. At the same time our railways happen to be one of the biggest railways in the world. The revised fares have to be provided at all the seven thousand and odd stations that exist in the country and from the public convenience point of view, it was also necessary that revised fares were also published and they were made available at the places they are required. We had to resort to these Ordinances so that we touch those items which would be of mass circulation and which would have mass involvement with out, at the same time causing a great deal of expense of the machinery involved.

Further, for the information of the House, I may say that normally, the railways on an operate on like this, on a function like this take from 3 to 5 per cent collection of the octroi duty. But because this happens to be a laudable purpose, they have decided to charge not more than 1 per cent. It does not work out to more than that I think, that factor should also be taken into consideration. The railways have made special provision for this.

Regarding other things, as to why the Government did not take recourse to other

measures, Shri Atal Bihari Vajpayee mentioned a number of other measures, the races the lotteries, the hotels etc. I think, each of them can be taken on its own merit and each of them requires

MR DEPUTY SPEAKER They are suggestions for action

SHRIMATI SUSHILA ROHATGI
 Yes They are suggestions for action

Then, I may inform the House that some States have already taken some measures. Within their legislative competence, some States have already worked upon this idea and they have imposed certain taxes or duties, whatever they are in the States. These States are Bihar, UP, Haryana, Himachal Pradesh, Punjab, Madhya Pradesh and Maharashtra. The details are not available with us but the States have already taken some measures. We also hear that with the Andhra Pradesh Government there is a Bill with regard to this purpose but we are not in a position to say more. What we know is that the States and the Centre and the people at large are united that more resources are necessary.

The Opposition asked 'How far will this be meeting the demand of Rs 560 crores?' This is a limited step but we have to find methods and measures and take steps to see that the money required for a laudable purpose is found. These are the only steps that could be thought of as an immediate measure and the attention and the suggestions of the entire House would be needed for that.

As my hon. friend said, we have ultimately to fall back upon our own resources because in spite of all the work we have not had much from the foreign countries. To the best of our knowledge we have only received about Rs 55 crores upto date so far as foreign countries are concerned although pledges have been made for more. So, we do feel that ultimately the nation as a whole will have to rise up and face the crisis.

Mr Bosu asked what steps have been taken by the Government to gear up its own machinery. It is a very correct question and all I may say at present is that the Government has made certain economy cuts. They may not work out much, but,

In this year, for the whole year, it will work out to about Rs. 50-59 crores. This is only an initial step and, at the same time, attempts are being made to raise our savings. In the Fourth Plan it is expected that our savings may exceed the target of Rs 759 crores and attempts will be made to see that they even go as far as Rs 1000 crores.

Regarding Income Tax arrears attempts have also been made to realise them and various administrative steps have been taken and there is a hope that we may be able to collect over Rs 100 crores.

These steps should have been taken even in the normal course of time but seeing the condition of the time and the exigency of the time, I think it takes priority and we agree with the hon Members there.

I think there is nothing much that remains after this except to convince the Members that we are no more happy than they in this. Only one point I would like to make. Day in and day out the Opposition fears that the Government has some political motivation behind this. The hon Jana Sangh Member said this is a 'Jana Virodhi'. How far it is 'Jana Virodhi', it will not be far off for them to see. When our colleagues in the Jana Sangh and the entire Opposition united together in the last Lok Sabha elections they were demolished completely and we came back with a massive mandate. How far their charge is correct, it is for them to see and for the people to judge. (Interruptions)

श्री रामावतार शास्त्री (पटना) : यह जन-विरोधी तो है ही ।

श्रीमती सुशीला रोहनगी : अब मैं आप से तर्क नहीं कर सकती, आप बहुत बुजुर्ग हैं । About the CPM Member, theirs is one party whom I have failed to convince in spite of all my best efforts. I wonder if any one can convince them. I would only ask them to look at their own house which they have done their very best to bring into disorder and we have used all our united efforts to retrieve the same. We cannot go by their advice because we have to see what the result has been and the whole country has seen it for itself.

About hon. Member, Mr. Sarjoo Pandey, a very venerable Member of this House,

he said : "सरकार बुनियादी परिवर्तन नहीं चाहती । गरीब जनता का जेब काटना पेशा हो गया है ।"

If it was so, I am afraid, we would not be here and you would not be just isolated in one pocket. It is not our profession. This Government has belief in profession and action simultaneously and these things are not said, they are done. (Interruptions) which only the future can retrieve. I do not know how far it is within your capacity to show to the future that what you are saying is correct.

Shri Chittababu made some very important points. He said : Never before has the country witnessed this, either in Mr. Shastri's time or before that. He said, this was never done. I can say this that never before—either in the time of Shri Lal Bahadur Shastri, or before—had refugees of one crore come here into our country, sharing our food, sharing our rations, etc. and I can say that this question had never cropped up in the time of Shri Lal Bahadur Shastri or Panditji, and so it is for us now to face this particular problem ; that problem has to be met, has to be faced here and now.

SHRI C CHITTABABU : They had tightened the border security and not allowed the people like you.

SHRIMATI SUSHILA ROHATGI : He asked whether this is going to be a permanent or a temporary measure. I may assure the House that this has come as a temporary measure, depending upon the future Bangla Desh solution. But I may say, it is not our intention to keep it permanent. So far as the future is concerned, we will, as and when necessary, come to Parliament again. But I may say this now that this is a temporary tax for the Bangla Desh refugees.

Then another criticism was made : Who bothers about the poor ? May I remind the House that just a couple of days before the Prime Minister left the country on her foreign assignment,—when the country was passing through great stress,—a foundation was laid for one of our biggest steel projects in Salem ? Whom is it going to help ? It is the poor people whom it is going to help, who will benefit from its production and who will get employment. Therefore, I do not think that such types of criticisms de-

[*Shrimati Sushila Rohatgi*]

serve more attention and I think we should not be worried about them. Then the question of overdrafts of the States was raised. The States know how to take care of themselves. We have also stressed that there is financial stringency and the necessary financial discipline should be there.

Mr. Venkatasubbaiah made certain valuable suggestions. Among other things, he made one point that the collection charges involved may be more than the collections, and so it does not come to very much. All along I have been saying that the collection charges will be only Rs. 1 lakh and it is not much and so even that point does not stand.

Finally, Sir, considering the mood of the country, considering the strong morale of our people, considering the moral involvement of our nation on this vital issue, and also considering the fact that there is justice for the disapproval of this measure, I would only request the hon Members to support this Bill.

MR. DEPUTY-SPEAKER *Shri Vajpayee*—not here. All right. I will now put *Shri Vajpayee's* statutory Resolution to the vote of the House. The question is :

"This House disapproves of the Railway Passenger Fares Ordinance, 1971 (Ordinance No. 17 of 1971) promulgated by the President on the 22nd October, 1971."

The Resolution was negatived

MR. DEPUTY-SPEAKER : Now the question is :

"That the Bill to provide for the levy of a tax on railway fares, be taken into consideration."

The motion was adopted

MR. DEPUTY-SPEAKER : We will now take up the clauses.

Clause 2 (*Definitions*)

MR. DEPUTY-SPEAKER : There is an amendment to Clause 2 by *Shri Indrajit Gupta*. But under Art. 274 of the Constitution the President's recommendation had to be obtained which he has not done. Therefore, it is out of order and cannot be considered by the House. There is no other

amendment. Therefore, I now put Clause 2 to the vote of the House. The question is :

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 (*Levy of tax on passenger fares*)

MR. DEPUTY-SPEAKER : For the same reason, *Shri Bhogendra Jha's* amendment to Clause 3 is out of order. There is no other amendment. So, I will put Clause 3 to the vote of the House. The question is :

"That Clause 3 stand part of the Bill."

The motion was adopted

Clause 3 was added to the Bill

Clauses 4 to 8 and the Schedule were added to the Bill.

Clause 1 (*Short title and commencement*)

SHRI S. N. MISRA (*Kannauj*) : I beg to move :

Page 1,—

after—line 5, insert—

"(3) It shall remain in force initially for a period of one year but may be extended for a period not beyond two years". (1)

MR. DEPUTY-SPEAKER : I shall not put this amendment to vote.

Amendment No. 1 was put and negatived.

MR. DEPUTY-SPEAKER : The question is :

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Enacting Formula and the Title were added to the Bill.

SHRIMATI SUSHILA ROHATGI
I beg to move :

"That the Bill be passed".

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed".

The Lok Sabha divided ;

Division No. 5]

Ayes

[14.46 hrs

Awdhesh Chandra Singh, Shri
Basappa, Shri K.
Besra, Shri S. C.
Bhatia, Shri Durgadas
Bheeshmadev, Shri M.
Bhuvarahan, Shri G.
Chakleshwar Singh, Shri
Chanda, Shrimati Jyotsna
Chandrakar, Shri Chandulal
Chandrika Prasad, Shri
Chhotey Lal, Shri
Choudhary, Shri B. E.
Das, Shri Anandi Charan
Das, Shri Dharnidhar
Daschowdhury, Shri B. K.
Dhamankar, Shri
Dhusia, Shri Anant Prasad
Dixit, Shri G. C.
Doda, Shri Hiralal
Dube, Shri J. P.
Dumada, Shri I. K.
Ganesh, Shri K. R.
Gohain, Shri C. C.
Gopal, Shri K.
Goswami, Shri Dinesh Chander
Gowda, Shri Pampan
Hansda, Shri Subodh
Hanumanthaiya, Shri K.
Hari Kishore Singh, Shri
Jamilurrahman, Shri Md.
Jeyalakshmi, Shrimati V.
Kadam, Shri J. G.
Kidannappalli, Shri Ramachandran
Kader, Shri S. A.
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila
Kavde, Shri B. R.
Kedar Nath Singh, Shri
Kinder Lal, Shri
Kotrashetti, Shri A. K.
Kureel, Shri B. N.
Lakshminarayanan, Shri M. R.
Majhi, Shri Gajadhar
Majhi, Shri Kumar
Mallikarjun, Shri

Mandal, Shri Jagdish Narain
Maurya, Shri B. P.
Mirdha, Shri Nathu Ram
Mishra, Shri G. S.
Mishra, Shri Jagannath
Modi, Shri Shrikishan
Mohapatra, Shri Shyam Sunder
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pandey, Shri Narsingh Narain
Pandey, Shri Sudhakar
Paokai Haokip, Shri
Partap Singh, Shri
Patel, Shri Prabhudas
Patil, Shri Krishnarao
Peje, Shri S. L.
Qureshi, Shri Mohd. Shafi
Radhakrishnan, Shri S.
Rai, Shrimati Sahodrabai
Rajdeo Singh, Shri
Ramshekhar Prasad Singh, Shri
Rao, Shrimati B. Radhabai A.
Ray, Shri Siddhartha Shankar
Reddy, Shri K. Ramakrishna
Rohtagi, Shrimati Sushila
Roy, Shri Bishwanath
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Sankata Prasad, Dr.
Savant, Shri Shankerrao
Sethi, Shri Arjun
Shambhu Nath, Shri
Shankaranand, Shri B.
Shenoy, Shri P. R.
Shivappa, Shri N.
Shivanath Singh, Shri
Shukla, Shri B. R.
Sohan Lal, Shri T.
Sonar, Dr. A. G.
Swamy, Shri Sidrameshwar
Tiwari, Shri R. G.
Unnikrishnan, Shri K. P.
Virbhadra Singh, Shri
Yadav, Shri Karan Singh
Yadav, Shri N. P.

Noes

Bade, Shri R. V.
Bhaura, Shri B. S.
Chandra Shekhar Singh, Shri
Chaudhary, Shri Ishwar
Chittibabu, Shri C.
Chowhan, Shri Bharat Singh
George, Shri Varkey
Goswami, Shrimati Bibha Ghosh
Halder, Shri Madhurya

Jha, Shri Bhogendra
Mehta, Shri P. M.
Mohammad Ismail, Shri
Mukerjee, Shri H. N.
Nayak, Shri Baksi
Nayar, Shrimati Shakuntala
Pandey, Shri Sarjoo
Pandeya, Dr. Laxminarain
Parmer, Shri Bhaljibhai

Pradhan, Shri Dhan Shah
 Rao, Shri M. Satyanarayan
 Saha, Shri Ajit Kumar
 Sakseena, Prof. S. L.
 Shastri, Shri Ramnavatar
 Singh, Shri D. N.
 Sivasamy, Shri M. S.
 Solanki, Shri Somchand

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

Ayes : 89 ; Noes : 26.

The motion was adopted.

14.49 hrs.

**STATUTORY RESOLUTION RE : TAX
 ON POSTAL ARTICLES ORDINANCE
 AND TAX OF POSTAL
 ARTICLES BILL**

डा० लक्ष्मीनारायण पाण्डेय (मंदसौर) : माननीय उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि यह सभा राष्ट्रपति द्वारा 22 अक्टूबर, 1971 को प्रख्यापित डाक वस्तुओं पर कर अध्यादेश, 1971 (1971 का अध्यादेश सं० 18) का निरनुमोदन करती है।

माननीय उपाध्यक्ष महोदय, जैसा कि वक्तव्य में माननीय मंत्री महोदय ने बताया कि बंगला देश के शरणार्थियों के लिये कुछ अतिरिक्त साधन, अतिरिक्त पैसा जुटाने के लिए सरकार ने उक्त अध्यादेश जारी किया तथा उसके स्थान पर बिल भी यहां प्रस्तुत किया गया है। सरकार ने जिस तरह से रेल-भाड़े में वृद्धि की है उसी तरह से डाक-तार की दरों में वृद्धि की जा रही है, स्टैम्प-ड्यूटी में वृद्धि की बात भी है। मैं निवेदन करना चाहता हूँ कि बंगला देश की समस्या सारे देश को अपनी समस्या है और इस समस्या के प्रति सारे देश को सहानुभूति है। कोई भी यह नहीं चाहता कि समस्या का हल न हो। सारा देश यह मानता है कि सरकार का इस समस्या के समाधान में जितना भी हाथ बढ़ाया जा सकता है, बढ़ाना चाहिए।

मैं पिछली घटनाओं को दोहराना नहीं चाहता, चाहे पाकिस्तान ने हमारे ऊपर आक्रमण किया हो या चीन ने हमारे ऊपर आक्रमण किया हो, देश की जनता ने सरकार के हाथों में कपड़ा, पैसा, चांदी, सोना सब कुछ दिया, सरकार ने चाहे उसका सदुपयोग किया हो या दुरुपयोग किया हो, लेकिन देश की जनता अपने योगदान में पीछे नहीं रही। किन्तु जिस ढंग से ये कर लगाने की बात की गई है, अध्यादेश के द्वारा जिस ढंग से ये कर लगाये गए हैं, उसका हम विरोध करते हैं।

माननीय उपाध्यक्ष महोदय, आप जानते हैं, 15 नवम्बर, से यह सदन प्रारम्भ होने वाला था। 22 अक्टूबर, को यह अध्यादेश निकाला गया, सरकार कुछ दिन प्रतीक्षा कर सकती थी। हमारा इस बारे में मतभेद नहीं है कि सरकार समस्या के समाधान के लिए आवश्यक घनराशि संग्रह न करे, लेकिन कुछ दिन प्रतीक्षा करने की बात भी सरकार सहन नहीं कर सकी, और 15 नवम्बर तक भी सरकार इस सिलसिले में अतिरिक्त डाक टिकटों का आवश्यक प्रबन्ध नहीं कर सकी। सारा सदन इस बात को जानता है कि 15 नवम्बर के बाद भी डाक घरों में जिन अतिरिक्त डाक-टिकटों का प्रबन्ध किया जाना था, वह नहीं हो सका, सरकार उस प्रबन्ध में भी असफल रही।

माननीय उपाध्यक्ष महोदय, सरकार ने इस के द्वारा एक बात कही है कि ये टैक्स अस्थायी है, स्थायी नहीं हैं। सरकार कई बातों में अस्थायी और स्थायी में भेद नहीं कर पाती। आज हमारी सरकार के कई विभाग वर्षों से अस्थायी चले आ रहे हैं, 10-15 वर्ष नौकरी के बाद सरकारी कर्मचारी, कभी कभी तो 20 वर्ष की नौकरी के बाद भी सरकारी कर्मचारी अस्थायी ही रहता है। हमारे सविधान की धारा 370 भी अस्थायी है, सरकार किस को

*The following Members also recorded their votes ;

Ayes : Shri S. N. Misra.

Noes : Sarveshri Shri Shankar Prasad Yadav and T. S. Lakshmanan.