

[Shri Bhagwat Jha Azad]

being the Speaker and being in overall control of all the three Committees can do it. This is an important and we should do it.

SHRI S. M. BANERJEE : May I only remind you of one thing ? One was about the road-roller manufacture, and when there was a scandalous affair going on it was referred to the P.A.C. and another was the barrel industry.

SHRI SAMAR GUHA : If it is in the largest interest, it should be referred.

MR. SPEAKER : Nothing prevents the Committee to take up the matter itself.

SHRI SEZHIYAN (Kumbakonam) : This morning we had the first meeting of the P.A.C. and we have chalked out the programme for the year. We are taking IIT, Delhi for investigation.

SHRI S. M. BANERJEE : Take up Kanpur IIT also.

SHRI SAMAR GUHA : Let the Minister complete.

MR. SPEAKER : When we have members like you, there is no need for Ministers at all. They will not allow them to speak.

I think, a good Mr. Sezhiyan has said. What I meant was that nothing prevents any committee to take up any subject which is within their Jurisdiction, and also we should avoid forcing the committees to take up anything. It is upto them. We cannot force them.

SHRI ATAL BIHARI VAJPAYEE : If you do not want to do it, that is a different matter. But you have the power, you have the authority. You cannot deny it.

MR. SPEAKER : When I use my power, you protest against it. And when I don't use it, you say, 'Why don't you use that power ?' Next item. Prof. Nurul Hassan.

SHRI BHOGENDRA JHA (Jainagar) : May I know what happened to that ?

12 28 hrs

UNTOUCHABILITY (OFFENCES) AMENDMENT AND MISCELLANEOUS PROVISIONS BILL—Contd

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN) : Sir, I beg to move :

"That the debate on the motion 'that the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, be taken into consideration' which was adjourned on the 23rd May, 1972, be resumed now."

MR. SPI AKI R : The question is :

"That the debate on the motion 'that the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, be taken into consideration' which was adjourned on the 23rd May, 1972 be resumed now."

The motion was adopted.

MR. SPEAKER : This is a solitary instance that happened. I don't think any such case happened in the past. It should not be repeated in future. Then the Bill was taken up, it was abruptly postponed and then another motion that the discussion be resumed had to be moved. This is very unusual. This should be done very rarely.

PROF. S. NURUL HASAN : I express my sincere regret for having.

MR. SPEAKER : I only wish that you should not do any more.

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : That should have come from the Minister for Parliamentary Affairs.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR) : I do express my regret. I was instru-

mental at the instance of the Members of the House belonging to Scheduled Castes... (Interruptions) They were all very much agitated about it. I am very sorry about it.

Rajya Sabha to the Joint Committee."

MR. SPEAKER : The question is :

PROF. S. NURUL HASAN : I beg to move :

'That the Bill to amend the Untouchability (Offences) Act, 1955 and further to amend the Representation of the People Act, 1951, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely—Shri Nathu Ram Ahirwar, Shri Chatrapti Ambesh, Shri Panna Lal Barupal, Shri R. D. Bhandare, Shri B. S. Bhaura, Shrimati B. Radhabai Anand Rao, Shri Chandrika Prasad, Shri Chhotey Lal, Shri Samar Guha, Shri Laxman Kakadya Dumada, Shri Subodh Hansda, Shri V. Mayavan, Shri Nageshwararao Meduri, Shri Ram Surat Prasad, Shri Anantrao Patil, Shri Dhan Shah Pradhan, Shrimati Sahodrabai Rai, Shri Ramkanwar, Shri Ajit Kumar Saha, Shri Shibban Lal Saksena, Shri Arjun Sethi, Shri Chandra Shailani, Shri Shambhu Nath, Shri Shankar Dev, Shri Nawal Kishore Sharma, Shri D. P. Yadav, Shri S. M. Siddayya, Shri Shankar Dayal Singh, Shri Somchand Solanki Shri Phool Chand Verma, and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee,

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by

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Rajya Sabha to the Joint Committee

The Motion was adopted

12-32 hrs

TAXATION LAWS (EXTENSION TO JAMMU AND KASHMIR) BILL

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K R GANESH) 1 beg to move*

That the Bill to provide for the extension of certain taxation laws to the State of Jammu and Kashmir, be taken into consideration "

Sir, as the Hon'ble Members are aware several steps were taken last year with a view to mobilise additional resources and also for refugee relief. These steps included

- (a) imposition of a tax, known as Foreign Travel Tax, leviable in respect of every international journey by a passenger, where fare for such journey is paid or payable in Indian currency. This tax, imposed through Chapter VII of Finance (No 2) Act, 1971 became effective from 15-10-1971,
- (b) imposition of a tax with effect from 15-11-71 on certain postal articles transmitted by post through Tax on Postal Articles Act, 1971,
- (c) imposition of an Inland Air Travel Tax with effect from 15-11-1971 through the Inland Air Travel Tax Act, 1971

These taxes were imposed with reference to Entry 97 of List I of the Seventh Schedule to the Constitution of India Under that Entry as it stood at the time of the

enactment of the aforesaid Chapter and Acts, Parliament had no power to extend the said Chapter and the Acts to the State of Jammu and Kashmir. Accordingly, the said chapter and the Acts at present apply to the whole of India except the State of Jammu and Kashmir

At the time of consideration of the Tax on Postal Articles Bill, 1971 and Inland Air Travel Bill, Tax Bill, 1971, Members had raised the question of extension of these Acts to the State of Jammu and Kashmir. As Article 370 of the Constitution required prior consultation with the Jammu and Kashmir Government, the Acts could not be automatically extended. After the enactment of the above Chapter and the Acts, Entry 97 in List I has been applied to the State of Jammu and Kashmir with necessary modifications, under Article 370 of the Constitution. The Bill now seeks to extend the aforesaid Chapter and the Acts to the State of Jammu and Kashmir with effect from the 1st July 1972 with suitable modifications.

Sir, the extension of Chapter VII of the Finance (No 2) Act 1971 to the state of Jammu and Kashmir is not likely to result in any additional revenue by way of tax as that tax is chargeable from the last Indian airport from which the foreign flight takes off. The extension of the Chapter will however prevent any possible evasion of payment of foreign travel tax by resort to device of chartered flights etc from the State of Jammu and Kashmir.

The extension of the Inland Air Travel Tax Act 1971 and the Tax on Postal Articles Act, 1971 to the State of Jammu and Kashmir is, however, expected to yield a sum of Rs 3 lakhs per annum and Rs 7.38 lakhs per annum respectively by way of additional revenue.

Sir, the present Bill is with a view to give effect to the assurance given at the time of consideration of the Bills relating to the taxes imposed. I therefore, commend the Bill with a request that the House would unanimously accept it.

*Moved with the recommendation of the President