

SHRI NIMBALKAR (Kolhapur): Yesterday I was in Kolhapur where the riots started, and the situation there is alarming. It is urgent that this problem must be taken up expeditiously and solved in the interest of national integration and in the interest of the fact that it does not help our country when in this manner heat on both sides is generated. It is very necessary that we take quick action, and I would request the Prime Minister to tell us at least the method she is going to adopt in the resolution of this problem.

It is not a nice thing when in your constituency and even in the constituency nearabout you see people so vindictive and angry with one another even though they belong to the same country. We are supposed to be Indians first to whichever State we may belong. It is no good for this country that we do not solve our problems quickly. It is said that patience is a good nag, but he too will bolt. People's patience has been tried long enough and I think they deserve a better treatment.

PROF. MADHU DANDAVATE (Rajapur): Why do you not ask the Government to come forward with some statement on this issue?

MR. SPEAKER: You do not worry about it. When it comes, it will go to them.

14.16 hrs.

STATUTORY RESOLUTION RE. DISAPPROVAL OF THE CENTRAL EXCISES AND SALT (AMENDMENT) ORDINANCE, 1973 AND CENTRAL EXCISES AND SALT (SECOND AMENDMENT) BILL—
contd.

MR. SPEAKER: Now, we take up further discussion on the resolution of Shri S. M. Banerjee disapproving the Central Excises and Salt (Amendment) Ordinance, 1973 (Ordinance No. 3 of 1973) promulgated by the President and 2nd November, 1973

and the Central Excises and Salt (Second Amendment) Bill.

SHRI S. M. BANERJEE (Kanpur): I have already moved.

MR. SPEAKER: You may continue after lunch.

Now we adjourn for lunch and re-assemble at 3.15 p.m.

14.17 hrs.

The Lok Sabha adjourned for Lunch till Fifteen Minutes past Fifteen of the Clock.

The Lok Sabha re-assembled after Lunch at Twenty Minutes past Fifteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair.]
DEMANDS FOR EXCESS GRANTS (GENERAL), 1971-72

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI): Mr. Deputy-Speaker, Sir, with your permission, I present a statement showing Demands for Excess Grants in respect of the Budget (General) for 1971-72.

15.20½ hrs.

STATUTORY RESOLUTION RE. DISAPPROVAL OF THE CENTRAL EXCISES AND SALT (AMENDMENT) ORDINANCE, 1973 AND CENTRAL EXCISES AND SALT (SECOND AMENDMENT) BILL—
contd.

MR. DEPUTY SPEAKER: We now resume further discussion on the Statutory Resolution relating to the Central Excises and Salt (Amendment) Ordinance, 1973 (Ordinance No. 3 of 1973).

Shri Banerjee to continue his speech.

SHRI S. M. BANERJEE (Kanpur): Mr. Deputy-Speaker, Sir, I have already moved my Motion namely,

That this House disapproves of the Central Excises and Salt

(Amendment) Ordinance, 1973 (Ordinance No. 3 of 1973) promulgated by the President on the 2nd November, 1973'.

We have discussed the various aspects stating that this Ordinance was not necessary when both Houses were going to meet just after six days. Although a reply has been given and the hon. Speaker has also expressed his displeasure over certain Ordinances at a time when Lok Sabha was about to sit, I cannot but express a serious protest and disapprove at Government's policy of realising certain taxes or excise duties through an Ordinance. I think the Ordinance making power has been misused in this case—misused in favour of the Government at the cost of the people. I do not want to touch upon this as it had been touched by my friends here at the introduction of the Bill. Various points of order had also been raised. I should start by quoting what Shri Chalapathi Rau, a famous editor of the National Herald, one of the eminent journalists of this country wrote when this Ordinance was brought. I quote from his statement. This is what he writes:

"If a crisis cannot be resolved, why not deepen it? This seems to be the novel approach of the Government to the difficult economic situation, confronting the country. There is hardly any other explanation for the latest steep increases in the prices of petrol, kerosene, cooking gas and certain other petroleum goods. The increases are far in excess in what has been necessitated by the increase in the price of crude announced by the West Asian countries. A specious argument of the Government is that by raising the prices of petrol, they can discourage the consumption of these items. But they forget that the increases in the prices of petroleum products will further raise the prices of other commodities. Traders want only an excuse to increase prices and the Government have now provided

them with a valid reason to do so...."

These are the observations made by Shri Chalapathi Rau who is above politics. Now, I will tell you how many times the prices have been increased. This is the fifteenth price rise of petrol in the last ten years. Of the pre-November price of Rs. 1.66 per litre of petrol, Central Excise was Rs. 1.20 i.e., 72 per cent. Of the present price of Rs. 2.73, Rs. 2.20 will be the excise duty i.e., 86 per cent. In addition to above, the State Governments levy sales tax and in the case of kerosene oil about 36 paise of the pre-November price constitute the Central Excise and other duties. Total revenue from the Central Excise on motor spirit was Rs. 40.46 crores in 1960-61, which rose to Rs. 240 crores in 1972-73 Budget. An additional duty of 80 paise per litre of motor spirit was levied this year to bring an additional revenue of Rs. 19.20 crores a year. I am quoting these figures to explain how Government, relentlessly and in an unchecked and unabated manner, have increased the price of these products under the plea that this affects only the affluent society and not the common man. Sir, I am yet to know of any affluent society which uses kerosene oil. I can understand petrol being used by them. In case the consumption remains at the same level an increase of excise duty of this order should bring an additional sum of Rs. 240 crores.

The revenue from the excise duty on kerosene rose from Rs. 8.29 crores in 1960-61 to Rs. 142 crores in 1972-73. The excise duty on kerosene by no stretch of imagination could be considered a measure to curb consumption of the upper classes. At the present level of consumption this increase in excise duty on petrol and kerosene together is expected to yield an additional revenue of Rs. 330 crores annually, although last year by the increase in the excise duty on petrol and kerosene put together the yield was only Rs. 382 crores.

[Shri S. M. Banerjee]

The hon. Minister of Finance and also the hon. Minister of Petroleum and Chemicals have said that they want to have a check on consumption. But I would like to point out that they did not resort to rationing. They could have resorted to rationing of petrol and fixed, say, 5 litres. In other countries like Germany for instance, they have two days in a week, Saturday and Sunday, when they have prohibited the plying of any vehicle including public vehicles if they are only used for individual purposes. Of course, doctors have been exempted. Since they have forty hours' work per week, the workers also do not go for two days in the week, namely Saturdays and Sundays. Here also, consumption could have been checked in that manner. But they never wanted to have any check on consumption. They only thought it fit to take advantage of this price rise of imported crude and increase the prices here steeply. Whereas the rise was only 1.7 p, they have increased the prices by levying an excise duty of Re. 1 to Rs. 1.7. In the same way, although the price was reduced by 10 p. later on, the price of kerosene also was increased beyond expectation.

I submit that their statement that they wanted to check consumption is not a correct statement. Rather, it is a misleading statement. For instance, what they have said in the Statement of Objects and Reasons? They have said there:

"Besides, keeping in view the high level of budgetary deficit this year due to unanticipated and urgent demands of inescapable nature, a series of measures had to be taken to reduce the level of deficit. It was therefore, decided as an immediate measure to steeply increase the prices of two of the principal petroleum products, namely motor spirit and kerosene, the major part of this increase being effected by substantially increasing the Central excise duty leviable thereon."

They have created a deficit, and I submit that they are solely responsible for the deficit financing. It has been said that this deficit financing will ultimately result in higher prices, but we have also been told at the same time that in a developing economy or in an underdeveloped economy, deficit financing is a 'must'. I do not want to quote the extent to which it has been increased. Perhaps, it is Rs. 800 crores now. So, was it an honest or truthful statement when they said that they wanted to check consumption? Or was it that they wanted to fleece the common man and raise revenue by resorting to this sort of practice by using the Presidential power under the Constitution to promulgate ordinances for their own advantage and for the disadvantage of the common people? Sir, I hold them responsible for this very shady deal by bringing forward an ordinance just when the Lok Sabha was about to meet six days later. This was known to them. This was well-planned. This was not only due to the increase in the price of crude. They took advantage of that and increased the price.

In our country, the foreign oil companies account for 50-55 per cent of the refineries. In the last 14 years the three foreign oil companies have repatriated to their respective countries Rs. 10.48 crores worth of foreign exchange out of which the amount under marketing account alone is Rs. 742 crores and on the refinery side Rs. 340 crores. The total assets, fixed inventories and other current assets, of these concerns aggregate to Rs. 62.80 crores. Such a plunder is going on in our country.

When we ask Government to take over these foreign oil companies, they say 'no, it is not to be done'. There were three items on the agenda as to what should be done. Should they be nationalised? The reply was 'no'. Then the question was whether some shares should be taken over. To that also, the answer was 'no'. Ultimately

it has been decided not to touch the foreign oil companies.

I would like to know from the hon. Minister how even after all that has happened these foreign companies continue to bully us and have tried to shoot at us with a double-barrelled gun, by way of increase in price and continuation of scarcity. In the light of this, should not these oil companies be nationalised? Why is Government so shaky about it? I do not know. The reasons are better known to them.

So I personally feel that the time has come when these oil companies should be nationalised. As for the prices, I do not know what will happen now. Even today you must have read in the papers the headline 'India faces an oil crisis in the New Year'. The Arab countries have decided to cut the oil output further. There is going to be auction of oil. I do not know what will the price be like in the auction. The power blocs will play a vital role in this. It may so happen that the US Government with the help of its dollar may be the highest bidder and the major portion of the oil may go into their hands. Again we will have to beg or borrow I do not use the word 'steel'—oil, from the same source. What is going to happen?

In this discussion, I had expected that apart from the Finance Minister, the Minister of Petroleum and Chemicals had been present here. He has to tell us what is going to be the future of the country in respect of oil supply. This clearly reveals that although it has been decided that prices will no more be increased, based on present news there is every chance of the rise going up.

While replying to the adjournment motion the hon. Finance Minister has said that this is not going to affect the common man, that the increase in petroleum prices has affected only the affluent. I would like to ask why the buses did not ply in Calcutta. Are these people who travel by buses be-

longing to the affluent section of the population? How was it that there was a strike by taxi-men throughout the country? What is their condition today? If prices increase more, I am sure nobody will be able to hire a taxi. That is why it is high time that some decision should be taken to reduce the prices. This has ultimately affected these middle class employees who have bought scooters after getting a loan. With the greatest difficulty, they got scooters. They are still repaying the loan in instalments. You will have seen government employees travelling with wife and children on a scooter. He has been hard hit. If you say that this price hike has affected the affluent society, I think that will be a sad commentary on the understanding of the ruling party.

So, I have a feeling that the hon. Minister will have to take a decision here and now so that we know whether rationing is necessary and whether this thing could not be done through rationing and why this was not resorted to.

Take kerosene oil. Although the price has been reduced by ten paise, who uses kerosene oil? Whether it is kerosene oil or gas—these two things are used by the middle class or the low middle class and barring the gas—also by the working class families. What is happening in the villages today? For instance in Uttar Pradesh, the price of kerosene has recently been reduced, but what is the price? when we go to a shop to get a bottle of kerosene, what do we hear and what do we see? In the Gole Market,—I generally go myself at least a hundred times—there is a sign-board in a shop saying,

मिट्टी का तेल नहीं है, कृपया पूछने का कष्ट मत कीजिए ।

Not only it is not available, but it says "do not ask". This is the condition. And now people are waiting and even after such waiting for seven or eight days it is impossible for them to use it as a fuel for cooking. So, the

[Shri S. M. Banerjee]

whole difficulty is that by this increase the backbone of the people belonging to the middle class and lower middle class has been broken. As was very correctly said by Shri Chelapathi Rao, it does not affect the big business-houses only. Two-thirds of the motor-cars going on the roads belong either to the public undertakings or the private sector. Do you think that they are going to pay from their own pocket? Ultimately, this is going to be passed on to the consumer and who is going to lose? Who is going to suffer more? Again, it is the common man for whom all of us shed tears day-in-and day-out. That is why, there is no argument on their part. They could have clearly said that they are going to increase the price as a result of deficit financing and that they have to mobilise their resources. They could have made an honest statement that they increased the price because of these reasons than saying that it was so because the international prices had gone up and so on and so forth.

So, I request the hon. Minister to answer some of my questions. Why it was necessary to levy an additional excise duty of Re. 1. Now, the price of petrol is Rs 2.81 per litre. Why was it necessary to increase it and levy an excise duty on kerosene oil? Why we could not wait for Parliament to meet? Was it so necessary? What is going to be the future policy of the Government? We are told that we are having good relations with the Arab world; we have supported their cause in their period of difficulty. Are they going to treat us in the same way as they treated the other countries? Or, shall we get something out of our friendship and loyal to the Arab countries? These are the questions which the hon. Minister should answer.

MR. DEPUTY-SPEAKER: Many of them have been answered.

SHRI S. M. BANERJEE: They have been but not to our satisfaction. So, there should be no price-hike.

THE MINISTER OF FINANCE
(SHRI YESHWANTRAO CHAVAN):
The same argument.

SHRI S. M. BANERJEE: The same argument, but what can we do, if we cannot argue? So, the point is, I oppose this ordinance lock, stock and barrel. The President was wrongly advised. I personally feel that the Government or the hon. Minister had advised him wrongly. This is a backdoor method of realising an excise duty by the Government to make up their deficit. I think this is a very shady deal, and I oppose the measure, and I request my hon. friends on the other side to rise above party level—

AN HON. MEMBER: Defy the Whip.

SHRI S. M. BANERJEE: Whip or no Whip there is no question of supporting this. Let us consider the condition of the middle-class employees today; it excites horror and pity.

I am sure they will also realise the gravity of the situation and force the Finance Minister to accept some of the amendments. In fact he should not wait for our amendments; let him come out himself and say that he is reducing so that taxis, taxi-drivers can ply. People like us use only taxis; we cannot purchase a car as yet and I do not think I will be able to purchase one.

MR. DEPUTY-SPEAKER: It is the most inadvisable thing to do now.

SHRI S. M. BANERJEE: I am waiting for Maruti. They say it is too small; maybe it is too small for me also. I am requesting the hon. Minister to analyse the whole situation. It is really affecting the middle-class and ordinary employees. You must give them some concession. That is why I oppose this Ordinance lock, stock and barrel.

THE MINISTER OF FINANCE
(SHRI YESHWANTRAO CHAVAN):
I beg to move*:

"That the Bill further to amend
the Central Excises and Salt Act,
1944, be taken into consideration."

The hon. Members are aware of
the recent developments leading to
the world-wide shortage of crude oil
and steep increases in crude prices.
Consequent on the steep increases in
crude prices, the outgo of foreign ex-
change has also increased from Rs.
200 crores last year to an estimated
Rs. 500 crores this year. The problem
assumed a greater magnitude and ur-
gency as a result of the increases in
crude prices by over 1\$ per barrel ef-
fective from 16th October, 1973—the
steepest single increase so far in
crude oil prices. There is also a
world-wide shortage of refined pro-
ducts, particularly of naphtha and
kerosene oil, and the deficit in these
products could not be made good
even by imports to the full extent.

Various alternatives both on short-
term and long-term basis were con-
sidered by the Government for tiding
over the present oil crisis. In the
case of motor spirit since there were
administrative and other difficulties
expressed by a number of State Gov-
ernments for bringing about a reduc-
tion in its consumption through ra-
tioning it was decided as an im-
mediate measure to achieve the desired
objective of curbing its consumption
by steeply increasing its price the
major part of this increase being ef-
fected by raising the excise duties.
Less consumption of petrol would re-
lease large quantities of naphtha,
which is vitally needed for fertiliser
production.

In the case of kerosene oil, it is
well known that on account of the
price disparity, it was being widely
used as an adulterant with high speed

diesel oil. This diversion of kero-
sene could be arrested only by bring-
ing its price on par with that of high
speed diesel oil. This was also neces-
sary for ensuring free availability
of kerosene particularly in small
towns and rural areas. To achieve
this objective it became necessary to
increase the price of kerosene, so as
to bring about parity in prices of ke-
rosene and high speed diesel oil.

It was, therefore, decided to pro-
vide, *inter alia*, for increasing the
basic excise duty on motor spirit by
Rs. 1000 per kilolitre or by Re. 1 per
litre and that on kerosene by Rs. 200
per kilolitre or by 20 paise per litre.

In the light of the above decision,
the Central Excises and Salt (Amend-
ment) Ordinance, 1973 (3 of 1973)
was promulgated by the President on
2nd November, 1973 to give effect to
the above decision by amending the
First Schedule of the Central Excises
and Salt Act, 1944. The increased
rates became effective from 3rd Nov-
ember, 1973.

Subsequent to the issue of the Or-
dinance, the matter was reviewed in
the light of public reaction and it was
decided to lower the basic excise duty
on kerosene by Rs. 100 per kilolitre
or by 10 paise per litre. Thus the
net increase in duty on kerosene ef-
fective from 9th November, 1973 is
only to the extent of 10 paise per
litre. Simultaneously, duty on high
speed diesel oil was also reduced by
Rs. 100 per kilolitre or by 10 paise
per litre, so as to maintain parity in
prices of these two petroleum pro-
ducts. This would also give relief to
the public transport system and to
farmers who use high speed diesel oil
for tractors and agricultural purposes.

Sir, it became necessary to increase
the excise levies on petrol and kero-
sene through an Ordinance for the
following reasons.

*Moved with the recommendation of the President.

[Shri Yeshwantrao Chavan]

The developments in West Asia leading to the cuts in production and supply of petroluem and its products by Arab countries and the steep increases in the prices of crude had taken place during the time when the Parliament was not in session. The situation, therefore, required an immediate and drastic remedy for conserving the available petroluem products for more essential uses. This was sought to be achieved by steep increase in some of the petroleum products the major part being effected through increases in the rates of excise duty beyond that permitted under the provisions of the Central Excises and Salt Act, 1944 as it then existed. There was thus no other alternative but to increase the rates by promulgation of an Ordinance.

I would also like to refer to another aspect of the question, namely as to why the increases in the price should be in the form of an excise levy. This year the Central Government has had to meet unanticipated and urgent demands of inescapable nature by way of assistance to States affected by acute drought conditions and floods, payments for food imports yet to be reimbursed by the Food Corporation as also the shortfall in railway earnings. To keep the deficit within reasonable limits, a series of measures had to be taken so as to reduce the level of deficit. The increase in the prices of petroluem products, with a view to achieve the objective of conserving them for more essential uses, could not have been achieved by a mere increase in prices corresponding to the increase in crude prices. This could be achieved only by steep increase in the price of petrol. Such an increase could only be through a fiscal measure which would also simultaneously reduced the level of budgetary deficit by bringing in additional revenue to the Government. Thus, this measure apart from serving the main objec-

tive of curbing the consumption of petrol would also serve the purpose of reducing the level of deficit.

In this context, I may mention that the increased excise duty on motor spirit is expected to yield a revenue of about Rs. 121 crores in one full year and about Rs. 50 crores in the remaining part of the current year on the assumption that there will be a fall in the consumption of petrol by 25 per cent as a result of the steep increase in prices now made. The additional revenue on account of the increase in the rate of duty on kerosene by 10 paise per litre is expected to be wiped off by a reduction in the rate of duty on high speed diesel oil. Sir, I move.

MR. DEPUTY-SPEAKER: Motions moved:

"That this House disapproves of the Central Excises and Salt (Amendment) Ordinance, 1973 (Ordinance No. 3 of 1973) promulgated by the President on the 2nd November 1973."

"That the Bill further to amend the Central Excises and Salt Act, 1944 be taken into consideration."

The Statutory Resolution and the Bill are now before the House.

There are some substitute motions to this motion for consideration, by Shri Madhu Limaye. But I do not see him here. I do not think they can be moved.

डा० लक्ष्मीनारायण पांडेय (मंदसौर) :
उपाध्यक्ष महोदय, मंत्री महोदय ने अपने
भाषण में इस अध्यादेश के लिए सकार्ई पेश
करते हुए जो कारण बताये हैं, अर्थात् क्रूड
आयल की उपनधि में कमी और उस की
कीमतों में वृद्धि और बजटरी डेफिसिट,
के कारण कोई नए नहीं हैं और हम उन्हें
पहले भी सुन चुके हैं।

मंत्री महोदय ने यह भी कहा है कि
एक्साइज ड्यूटी बढ़ा कर पेट्रोल के भाव
में वृद्धि करने से जहां उस की खपत में कमी
होगी, वहां उस को नेप्या बनाने के काम में
भी लाया जायेगा, जो उर्वरक के उत्पादन
में प्रयुक्त किया जाता है, और इस से कृषि
उत्पादन में वृद्धि होगी और किसानों को
भी लाभ होगा। लेकिन प्रत्यक्ष रूप से हम जो
स्थिति देखते हैं, उस से यह पता चलता है
कि मंत्री महोदय की बात सही नहीं है, और
यहां पर उन के कई प्रमाण प्रस्तुत किए जा
सकते हैं।

मंत्री महोदय ने कहा है कि अध्यादेश
के द्वारा केरोसीन आयल पर 20 पैसे ति-
लिटर एक्साइज ड्यूटी लगाई गई थी, लेकिन
जनभावना को देखते हुए उस को कम कर
के 10 पैसे प्रति-लीटर कर दिया गया है।
गया है। उन्होंने यह भी कहा है कि चूंकि
पहले डीजल में केरोसीन की मिलावट होती
थी, इस लिए उन के भावों को समान्तर
नाना आवश्यक था। मैं उन का ध्यान आज
के, 10 दिसम्बर, के, नवभारत टाइम्स
में प्रकाशित एक समाचार की और दिसाना
चाहता हूं, जिस में कहा गया है।

“पेट्रोल में मिट्टी का तेल। लखनऊ में जब से
से पेट्रोल लाने-से आने का कार्य निजी ट्रांसपोर्ट
कंपनियों को सौंपा गया, तब से पेट्रोल में
मिट्टी का तेल मिलाने का घंघा बड़े जोरों
से चल पड़ा है। बताया जाता है कि कुछ
ट्रांसपोर्ट कंपनियों के मालिक तो चंद दिनों
में लखपति बन गए हैं।”

इससे प्रकट होता है कि जहां डीजल में केरो-
सीन की मिलावट रुकी है, वहां पेट्रोल में
उस की मिलावट शुरू हो गई है। तो फिर
क्या मंत्री महोदय केरोसीन का भाव पेट्रोल
के भाव के बराबर कर देंगे, ताकि पेट्रोल
में उस की मिलावट न हो सके ?

जैसा कि माननीय सदस्य, श्री बनर्जी, ने
कहा है, क्रूड आयल के भाव में केवल 7 पैसे
प्रति-लिटर की वृद्धि हुई थी और जो देश हम
को क्रूड आयल देते हैं, उन्होंने उस में कोई
कटौती नहीं की थी; उन्होंने हम को पूरी
मात्रा देने का वादा किया है, और वे दे भी
रहे हैं। इस के बावजूद सरकार ने पेट्रोल पर
1 रुपया प्रति-लीटर के हिसाब से एक्साइज
ड्यूटी लगा दी है। जैसा की मंत्री महोदय
ने कहा है, इस का उद्देश्य अर्थ-व्यवस्था के
घाटे को पूरा करना है।

इस बिल के उद्देश्यों और कारणों के
कथन में कहा गया है :

“इस के अलावा, इस वर्ष
अपरिवर्जनीय प्रकार की अप्रत्याशित
और अजेंट आवश्यकताओं के कारण
उच्च स्तर के बजट-घाटे को ध्यान में
रखते हुए घाटे के स्तर को कम करने
के लिए अनेक उपाय करने पड़े।”

उन उपायों में से एक यह है
कि सरकार ने इस प्रकार अप्रत्यक्ष रूप से
टैक्स लगा दिया है, जिस को किसी भी प्रकार
उचित या संगत नहीं कहा जा सकता है।

मंत्री महोदय ने यह भी कहा है कि यह
कदम उठाने से किसानों को डीजल आयल
सुलभ होगा और सस्ता मिलेगा। मैं जिस
क्षेत्र में से आता हूं—रतलाम और मन्दसौर—,
वहां पेट्रोल पम्प सब्बा रूपए प्रति-लिटर के
हिसाब से डीजल आयल बेच रहे हैं, और इस
के प्रमाण-स्वरूप बिल पेश किये जा सकते हैं।
इस के बावजूद डीजल आयल मिल नहीं

[डा. लक्ष्मीनारायण पाण्डेय]

रहा है। मैं समझता हूँ कि पूरे मध्य प्रदेश में, और दूसरे प्रदेशों में भी, यही स्थिति होगी। कुछ राज्य सरकारों ने राशनिंग करने का सुझाव दिया है, लेकिन मंत्री महोदय ने इस को स्वीकार नहीं किया है। केन्द्रीय सरकार राशनिंग करे या न करे, लेकिन राज्य सरकारों ने एक प्रकार से राशनिंग की व्यवस्था कर दी है। मध्य प्रदेश के घनेक स्थानों में पेट्रोल पम्पस द्वारा किसानों को पांच, दस लिटर से अधिक डीजल आयल नहीं दिया जाता है, जिन के लाभ की बात मंत्री महोदय ने कही है।

मंत्री महोदय ने कहा है कि ट्रोल की खपत कम होने और नेप्या का उपयोग खाद बनाने के लिए किया जा सकेगा और इस प्रकार खाद से उत्पादन में वृद्धि होगी। लेकिन आज स्थिति यह है कि खाद भी महंगे भाव पर मिलने लग गया है। कहीं कहीं तो मिलना भी दुर्लभ है। डीजल के बारे में मैंने पहले ही कहा है कि वह मिल नहीं रहा है।

यद्यपि डीजल का राशनिंग नहीं किया गया है, लेकिन कलेक्टर्स ने उस का राशनिंग कर दिया है। किसानों को डीजल के लिए दो तीन दिन तक प्रतीक्षा करनी पड़ती है। वे दो तीन दिन तक अपने डिब्बे ले कर खड़े रहते हैं, लेकिन उन को डीजल नहीं मिलता है। इस बार में कलेक्टर्स से शिकायत की जाती है, लेकिन वे सह्यता करने में असमर्थ हैं। मंत्री महोदय कहते हैं कि राशनिंग नहीं है लेकिन इस तरह एक प्रकार की राशनिंग की व्यवस्था कर दी गई है। किसानों को पांच दस लिटर से ज्यादा डीजल नहीं मिलता है। मंत्री महोदय यह स्पष्ट करें कि यह स्थिति क्यों पैदा हुई है? उन्होंने कहा है कि किसानों को नहूलियत मित्रगी, लेकिन उन को कोई लाभ नहीं हुआ है।

जहां तक केरोसीन की उपलब्धि का सवाल है, यह उम्मा लगाने से पहले यह स्थिति

थी कि केरोसीन सुलभता के साथ मिल जाता था, लेकिन अब उस का मिलना प्रायः दुर्लभ हो गया है। हो सकता है दिल्ली के बाजारों में कहीं दिखाई देता हो लेकिन इंडियियर में चले जाइए, गांवों में और छोटे छोटे शहरों में केरोसीन उपलब्ध नहीं है। कतारें लगा कर लोग खड़े रहते हैं लेकिन केरोसीन उन को मिलता नहीं है। आप ने जो कीमते कम की हैं, कीमते कम करने के बाद उस की उपलब्धि सुलभ नहीं हुई है। मैं चाहूंगा कि इस के बारे में राज्य सरकारों की ओर उन के अधिकारियों को स्पष्ट निर्देश दिए जायें और यह देखा जाय कि आखिर वह क्यों नहीं मिल रहा है। कौन इन की चोरी कर रहा है या किसने छुपाकर रखा है। इस बात का पता लगाया जाय कि डीजल और केरोसीन की जो अनुपलब्धि हो रही है उस का कारण क्या है? किसान और ग्राम जनता इस से बहुत परेशान और दुखी है।

इसके साथ साथ पेट्रोल की कीमतों में जो वृद्धि हुई है उसका भी प्रभाव पड़ा है। भले ही सरकार यह कह सकती है कि कुछ बड़े-बड़े मोटर-मालिक ही इससे प्रभावित हुए हैं, कुछ ही लोग ऐसे हैं जो कार रख सकते हैं और वह इस में प्रभावित हुए हैं या सरकारी डिपार्टमेंट प्रभावित हुए हैं जिन की मोटर गाड़ियां चलती हैं, लेकिन ग्राम आदमी भी इस में प्रभावित हुए हैं। ग्राम आदमी जो स्कूटर में चल कर या आटो रिक्शा में चलकर अपना काम चलाते रहे हैं आज उनको दुगुना किराया उस का पें करना पड़ रहा है और इसके कारण उन का भी धाना करना कठिन हो रहा है। सामान्य आदमी के लिए भी इस प्रकार से एक कठिनाई पैदा हो गई है।

आपने कहा कि यात्रियों का हमने बड़ा ध्यान रखा है, उन के भाड़े में वृद्धि न हो, इस का ध्यान रखा है, लेकिन हमारे मध्य प्रदेश में भी उन्होंने भाड़ा ड्योड़ा कर दिया है। जहां। रुपया 30 पैसे पहले लगता था वहां

2 रुपये कर दिया है। डीजल के भाव भले ही न बढ़ें हों आप के कहने के अनुसार लेकिन बसेस के भाड़े वहाँ पर बढ़ गये। जहाँ पर आप ने पेट्रोलियम प्रोडक्ट्स के अन्दर एक्साइज ड्यूटी लगा कर के किसी प्रकार की वृद्धि भाव में की है वहाँ पर दाम अवश्य बढ़े हैं और ग्राम जनता के ऊपर उसका भार पड़ा है। आप कहते हैं कि ग्राम जनता इससे परेशान नहीं है, उस के ऊपर कोई कर भार आप ने नहीं लगाया है, लेकिन ग्राम जनता के ऊपर भी इस प्रकार से कर भार पड़ा है। और ग्राम जनता भी इससे परेशान है। इसलिए मैं श्री एस. एम. बनर्जी के निरमोदन के प्रस्ताव का समर्थन करता हूँ और माननीय मन्त्री महोदय ने जो अपनी बिल रखा है उस का मैं विरोध करने के लिए यहाँ पर उपस्थित हुआ हूँ।

मन्त्री महोदय ने यह भी बताया कि घाटे की अर्थ-व्यवस्था है, उस में हमारी मजबूती थी कि हम इस प्रकार का अध्यादेश निकालते। मेरी समझ में नहीं आता और न माननीय मन्त्री महोदय ने कोई स्पष्टीकरण दी दिया है कि ऐसा कोई कारण था कि 12 तारीख से जब लोक सभा का अधिवेशन प्रारम्भ होने वाला था तो 2 नवम्बर को आपने जो अध्यादेश निकाला जो 3 नवम्बर से प्रभावित हुआ, आठ दिन में ऐसा कौन-सा बड़ा घाटा होने वाला था? जहाँ हजारों करोड़ का घाटा होने वाला है उसमें 5 सौ करोड़ की पूति आप इससे करने वाले हैं तो 5 दिन के बाद या दस दिन के बाद लोक सभा की स्वीकृति के बाद इस को लाये होते तो कोई बहुत बड़ा अन्तर नहीं होने वाला था। इस का कोई तर्क-संगत उत्तर मन्त्री महोदय ने नहीं दिया। मैं चाहता हूँ कि मन्त्री महोदय इसके बारे में अपनी स्थिति स्पष्ट करें कि आखिर कौन सी अर्जेंसी थी कि चार या पांच दिन के अन्दर नहीं आता तो बहुत बड़ा घाटा हो जाता और उस को हम पूरा नहीं कर पाते, इसलिए 2 नवम्बर को आर्डिनेंस निकालना आवश्यक हो गया था।

मन्त्री महोदय ने एक बात और अपने आर्डिनेंस के वक्तव्य में कही है जिस की तरफ मैं आप को ध्यान दिलाता हूँ। उन्होंने कहा है कि विदेशी मुद्रा व्यय में हुई अत्यधिक वृद्धि को ध्यान में रखते हुए जो पिछले वर्ष 200 करोड़ रुपये से बढ़कर इस वर्ष लगभग 500 करोड़ रुपये तक पहुँच गई है, इसलिए यह आवश्यक हो गया है कि हम पेट्रोलियम प्रोडक्ट्स के जो भाव हैं उसके अन्दर वृद्धि करें या उस में एक्साइज ड्यूटी लगाएं। तो मैं मन्त्री महोदय से जानना चाहता हूँ कि यह किस का दोष है? आखिर आप की जो अर्थनीति है, घाटे की अर्थ-व्यवस्था है उस के कारण यह सारी स्थिति खड़ी हुई है। अन्यथा यदि आप मोच समझ कर अर्थनीति निर्धारित करें, अपनी अर्थ-व्यवस्था निर्धारित करें तो मैं समझता हूँ इस प्रकार से केवल पेट्रोलियम प्रोडक्ट्स पर टैक्स लगाकर या एक्साइज ड्यूटी लगाकर यहाँ आने की आवश्यकता नहीं पड़ती।

अन्त में मैं एक बात और कहना चाहता हूँ। यह जो आप ने एक्साइज ड्यूटी लगाई यह अध्यावहारिक है, किसी प्रकार से यह तर्कसंगत नहीं है। इसमें कोई ऐसी बात नहीं है जो ग्राम लोगों के लिए संतोषजनक हो या ग्राम लोगों को इस से कुछ राहत मिले हो या यह कहना सरकार का कि इस से कुछ बड़े वर्ग पर ही प्रभाव पड़ा है, छोटे वर्ग पर प्रभाव नहीं पड़ा है, यह बात गलत है। इस का प्रभाव ग्राम जनता पर पड़ा है। आज स्थिति यह है कि केरोसिन दुर्लभ हो गया है, डीजल दुर्लभ हो गया है। इसलिए मैं माननीय श्री एस० एम० बनर्जी के निरमोदन प्रस्ताव का समर्थन करते हुए मन्त्री महोदय से निवेदन करूँगा कि वह जो बिल लाए हैं उस को वापस लेने की कृपा करें।

16.00 hrs.

MR. DEPUTY-SPEAKER: Mr. Nawal Kishore Sharma...Not here. Mr. Shiv Nath Singh...Not here. Mr. Somnath Chatterjee.

SHRI SOMNATH CHATTERJEE (Burdwan): It is very significant that you do not find any hon. Member on that side to take part in this Bill. Obviously, they have nothing to say in justification of that.

There are two important aspects of this Bill. One is that this Bill seeks to replace an Ordinance for the purpose of imposition of a taxation which was promulgated about a week before this House was going to sit. The second important aspect is that, by taking advantage of a marginal rise in the price of crude, there has been an imposition of Central excise duty resulting in the price rise of various commodities and of transportation in this country. This was sought to be achieved by means of an Ordinance.

We consider that promulgation of an Ordinance for the purpose of imposition of taxation is the worst form of executive arrogance and high-handedness and is a clear affront on the supreme legislative body of this country.

Off and on, specially during the time there was a debate on the question of supersession of the judges of the Supreme Court, we found the ruling party referring to the British Constitution and conventions in England that have been followed. But, Sir, we do not follow the salutary principles of British Parliamentary democracy. In 1689 the British Parliament passed the Bill of Rights which clearly laid down that the Crown had no prerogative of imposition of taxation without recourse to Parliament. If I may quote the relevant provisions of the Bill of Rights in England, it says:

"...that the levying of money for or to the use of Crown by pretence of taxation, I would like to point

of prerogative without grant of Parliament for a longer time or any other manner than the same is illegal."

I know, Sir, the hon. Law Minister, on the last occasion, referred to the absolute provisions of article 123 of the Constitution of India saying that that article gave unlimited power except to the limitation of legislative competence to pass any legislation including a legislation for the purpose of imposition of duty. If you will kindly see article 123 of the Constitution of India, it says:

"An Ordinance promulgated under this article shall have the same force and effect as an Act of Parliament.."

But, Sir, it also provides how an Ordinance can expire. It says that, if it is not laid before the Houses of Parliament within six weeks from the reassembly of Parliament or if it is disapproved by both Houses by a Resolution, then it will expire. Or, it can be withdrawn at any time by the President.

We all know that the Constitution of India has given a special position to this House so far as financial provisions are concerned, so far as Money Bills are concerned; this House is the sole authority to take decisions as to the financial matters and as to Money Bills. We send it to the other House for their recommendations—not for passing it, not for approving or disapproving, but for their recommendations only—, and if this House does not approve of those recommendations even if they are contrary to the provisions of the Bill as we pass here, will not have any effect. So, the overriding position of this House in respect of Money Bills or financial matters cannot be questioned.

While objecting to promulgation of Ordinance for the purpose of imposi-

tion, I would like to point

this out. Supposing an Ordinance is withdrawn after five weeks and that Ordinance had imposed taxation—the President has the power to withdraw Ordinances—then, the imposition of tax will be there under an Ordinance which will never come before either House of Parliament for the purpose of approval. I know, it has not happened in the past. But the way this Government is abusing the Constitutional provisions of this country, we shall not be surprised if such a recourse is taken to the Constitutional provisions to bypass this House, to bypass Parliament. We consider it an atrocious and pernicious method that a week before the convening of this House Government should take recourse to promulgate an Ordinance the primary purpose of which is not curbing consumption but imposition of taxes on the people of this country.

It is clear that the intention was to bypass the Parliament. At least I am not entering here in greater detail as to the niceties of the interpretation of the Constitution, but, at least, the spirit of the Constitution has been violated and has been made a mockery of. I know the hon Minister referred on the last occasion that there had been circumstances in the past when ordinances have been issued for the purpose of financial matters. There have been instances in the past of validating Acts being passed. With regard to the sales tax law, when there was a complete disarray, if I may use that expression, consequent upon the Bengal Immunity case judgment of the Supreme Court, the Government enacted the Sales Tax Law Validating Act because, otherwise, all the sales tax realised would have had to be returned. One can understand that that was in a real emergency and to meet an emergent situation, the Government acted and in respect of a financial matter or a tax matter, had taken recourse to Art 123. But that was a validating Act to prevent an emergent situation developing in the country, but this was not so. This is

a case when recourse had been taken to impose taxes which will impinge very much, as it is, on the common people of the country and you do not come to the Parliament, you do not take the views of the representatives of the people and we find significantly that it appears that there is not even one Member on the other side to support this legislation. Recourse had been taken at the dead of night, in the shadow of the evening, by the Government to take the plunge. I submit to face the Parliament with a *fait accompli* is the worst form of executive legislation. I submit it is nothing but a brigandage and it is a loot on the people, without taking the views of the people's representatives.

Two reasons have been given in the Statement of Objects and Reasons why this Bill has been brought forward or why this ordinance was necessary. First is this: for the purpose of curbing consumption. Now this is very important to note that the rise in crude price has been at a rate of one dollar per barrel with effect from 16th October, 1973. This is very important. They say, 'Curbing consumption is also necessary to make more naptha available for the manufacture of urea'. Now, if prices rose at the rate of 7 paise per litre with effect from 16th October, 1973 why did the Government wait till 3rd November, 1973? If the emergency had arisen, the emergency must have arisen on the 16th October or the 17th October or the 18th October. Now you wait for 17 or 18 days before you take a decision to increase the prices and then you strike with an ordinance just a week before the House was going to sit.

16.08 hrs.

[SHRI S. A. KADER in the Chair]

The other specious pleas being given are that it is to make more naptha available for the manufacture

[Shri Somnath Chatterjee]

of urea. So far as the shift in this manufacture, so far as it has been possible for us to ascertain, it is that only 10 per cent of the crude is used for the manufacture of petrol. If that is so, by reducing consumption only with regard to 10 per cent of the crude, how much more naptha can you divert from the petrol manufacture to the manufacture of urea? I would like to know from this Government, if it is honest in its intentions, to make it clear before the public of this country, as you are seeking to justify its imposition, high imposition of tax, to tell the people of this country as to what will be the shift from the manufacture of petrol for the manufacture of urea so far as naptha is concerned as a result of this. No estimate is given. The Finance Ministers statement even now does not give any indication as to what this would be. Nothing has been stated. Therefore, we feel this naptha theory has been brought about only to give a facade that in the name of agricultural production in this country, in the name of greater manufacture of fertilizers we must shift the crude petrol from one item, that is petrol to another item, that is urea. It has not been said anywhere how this Government expects that there will be any curtailment in the consumption of petrol. No estimate has been given. No breakup has been given as to the total consumption in public sector, private sector companies, etc. and the affluent section of the people. Nothing has been given. What is their consumption and to what percentage do you expect it to decrease now? Big private sector concerns who can afford to pay will not reduce their consumption however high the price of petrol may be. But have you considered what effect it will be on the common people of this country?

Due to recent bus fare rise in Calcutta what has happened is, the entire people of Calcutta have been affected and they are boycotting the

payment of increased fare. People are groaning under the price rise.

SHRI C. M. STEPHEN (Muvattupuzha): It is not because of this.

SHRI SOMNATH CHATTERJEE: If you have doubt please go there. This is the position of the country today. And then what about the taxi drivers? We have framed a scheme for giving assistance from nationalised banks to ordinary people, unemployed graduates and so on so that they can drive taxis. They took money from nationalised banks. They are paying back such money in instalments. What will happen to them? Have you thought about them? How will they pay their instalments back to the banks concerned? You have not thought about them. Scooter-owners are not persons of the affluent section of the country. You have not thought about them. You have not thought about the tempo-drivers. They drive the tempos for earning a living. He has purchased the tempo and he has to give money back in instalments to the banks. You have not thought about them. There has been all round increase of prices which is bound to result in increase of prices of the essential commodities and the food articles. What you have done is, you have already achieved this through an ordinance and you have increased the price, and now you are coming with this Bill. The Finance Minister said that there will be increased amount of the foreign exchange liabilities to the extent of Rs. 300 crores per year. Mr. Banerjee gave us certain figures which show that more than Rs. 1000 crores in foreign exchange are remitted by the foreign oil companies alone. What about foreign banks? The other day this matter came up before the House. Crores of rupees are being remitted by the foreign banks from this country every year in foreign exchange.

The foreign companies are making crores of rupees from this country and are remitting invaluable foreign exchange from this country. He will

not touch them but he will allow them to prosper and allow them to fleece the people of this country by way of increasing their installed capacity and taking the money out of this country. This revenue of the order of Rs. 300 crores or so could have been realised by the Government from out of the foreign companies-monopoly houses-in this country. Why are you fleecing the common people of this country? for curbing the consumption of petrol, you have resorted to this. If this was the real or sole reason, then you could not have reduced the price of kerosene at least. We are now happy at least some concession has been given. After raising 20 paise on kerosene you have given this great concession of 10 paise to the people on a litre of kerosene.

We submit that this taxation proposal is another example of anti-people policy of this Government which they have been following all along and which has resulted in the greatest burden on the people of this country.

One last point and I have done. The most important question which arises now is this. If curbing the consumption is an important factor, then why did you not introduce rationing? This is the most wellknown method. If the intentions were honest for just curbing the consumption then the easiest method would have been the introduction of rationing and you should give it to the ordinary people-scooter owners, taxi-drivers etc. You should have made available at least a minimum quantity of petrol to these people. For the extra quantity available you should have increased the price if you like. If affluent sections or rich persons or if the Government officials want, you can give the petrol at a higher price. At least you should have given to the ordinary people a minimum quantity of petrol, that is, to the people like bus owners, taxi drivers or scooter drivers. That has not been done. In Calcutta because of this school/buses do not run. For running the same ordinary people have to pay a higher price. Bus fares

have become doubled in Calcutta. These aspects are not being thought out. This rationing has not been introduced for an obvious reason namely the elections in U.P. and other areas are going to be held very shortly.

I oppose this Bill but I support this Resolution of my hon. friend, Shri Banerjee.

SHRI K. D. MALAVIYA (Domaria-ganj): Mr. Chairman, Sir, it was not my intention to intervene at this stage. But, since my hon. friend, Shri Chatterjee said something here and since I was present in the House, I thought I should give my viewpoint as to why I consider this a proper measure with regard to curbing the consumption of petroleum products.

The House is thoroughly entitled to consider or criticise the validity of the Ordinance in the manner it has been done. My purpose in intervention is to reply to the technical point that was raised by my hon. friend. This measure is bound to curb the consumption of petrol. Why I say so is for this reason. As far as I remember, in 1974, the target of production of petrol is about 2.16 million tonnes. The hon. Member might be aware that naphtha is the first product in the refining column. Out of naphtha a certain portion is distilled as petrol also producing only a very small portion of aviation spirit. Though aviation spirit is used in helicopters or piston-engines, the rest of it is naphtha if not converted into petrol. The whole idea is to reduce the consumption of petrol by 25 per cent and divert that naphtha for fertiliser production. If the price was not raised, the other method surely was rationing. But whether rationing could have done it so effectively or not is the point.

This taxation proposal would give us about 25 per cent of naphtha reserved for urea production or the production of other fertilisers; this comes to about 5 lakhs or half a million tonnes of naphtha which would now be available as a result of the steps that are being contemplated through the ordi-

[Shri K. D. Malaviya]

nance which is sought to be replaced now by this Bill.

So, the point that has to be understood by all of us is that the first priority is naphtha. By increasing the price of petrol, its consumption will be reduced and diversion of naphtha to petrol will be curtailed to the extent of 25 per cent according to the present schemes of Government and thereby about 5 lakhs tonnes would be available for fertiliser production, whether it be of urea or other inorganic fertilisers.

This was the only point that I wanted to make. Personally, I feel that there was a sense of urgency in the whole matter. If the ordinance had not been promulgated five or six days before the session, the crisis could perhaps not have been met because of its mounting rapidly all over the world.

It was not only an increase in the price of petrol which was really troubling the Government, but the whole object was to see that the consumption in petrol should be curtailed, and that could have been done in the circumstances only by a swift act, that swift act being promulgation of the ordinance at a time when all over the world, all countries were shaking under the pressure of scarcity of petroleum products. The House might remember that at that time there was also another increase registered in the prices of crude oil, and the crisis was further mounting. At that time, if we had waited for the House to be convened and if the House would have taken two or three or four weeks to pass the Bill that would have resulted in a mounting of the crisis at a rate which perhaps would not have argued well for us.

I, therefore, feel that there was justification for the issue of the ordinance at that time. I feel that this will result in curbing of consumption of petrol and making available 5 lakhs tonnes of naphtha for fertiliser production, if proper steps are taken to maintain this control.

SHRI SEZHIYAN (Kumbakonam): I rise to support the resolution moved by Mr. S. M. Banerjee and oppose the Bill introduced here which seeks to replace the ordinance. The promulgation of the ordinance, the primary object of which was taxation by the back-door method, is not only against the propriety of parliamentary democracy but also against the spirit of the Constitution itself. I do not want to dwell much on this point, but I would only say that it was recourse to back-door method or executive legislation to levy a tax.

The hon. Member who preceded me said that it was for the House to decide. We all know the arithmetic of numbers in the House. Anything that is brought forward here by the Finance Minister or a Member of the Treasury Benches is bound to be supported by the overwhelming majority here. But that is not the yardstick to find out whether the promulgation of ordinance was the correct parliamentary procedure as enunciated in the Constitution.

The reasons given for this abnormal and obnoxious increase in the price of petroleum products have not been spelt out very clearly or convincingly. They have given three or four reasons. The first is increase in the crude price, the second cut in supplies of crude to India, third the need to increase kerosene price to equalise with the price of diesel to stop adulteration and fourth the need to have a steep increase in the price of petrol in order to release some crude for the production of naphtha to which Shri K. D. Malaviya referred.

I do not know how far the Government were themselves convinced about these reasons. They decided about a price hike in the case of petrol and kerosene and later are seeking arguments to build up a case. It has already been argued that the increase became inevitable in the wake of increase in price of crude supplied from abroad. Everybody concedes that. But to what extent? The price

level is several times more than the actual increase in the price of crude. This has been conceded even by Government. So that alone cannot be the reason, it is not the major reason for the hike that has been made. As for cut in crude supplies, I do not know whether the Government is going to advance this reason even at this stage. While defending the increase in the other House, the hon. Minister of Petroleum and Chemicals disabused the minds of members who were agitated about the possibility of a cut in crude supply to the country from the Arab countries. He assured the House that "because of our friendship with the Arab countries, our supplies remain unabated whereas except UK and France, Europe is suffering from a cut. America itself is suffering a cut of 18 per cent, Japan is suffering a cut...."

Thus his assurance was that there was going to be no cut in crude supply to this country. But in the Bill presented to this House on 27th November by the Minister of State for Finance, the very opening sentence of the statement of objects and reasons says:

"Consequent on successive increases in crude oil prices and the recent cuts in crude oil supplies...."

I want the hon. Minister to confirm the real reason in view of these contradictory statements. Also I want him to quantify the recent cut in crude oil. I do not think both the statements can be correct.

As for the reason that the increase in kerosene price is to make it equal to diesel prices to stop adulteration. As rightly pointed out by Shri Somnath Chatterjee, if this is a valid reason, he should not have made a retreat in the increase in price. To that extent, he himself is not convinced of his own argument. I do not want to use the milk and water analogy, but let us take the other example. In many parts of the country vanaspati is being added to ghee thus

adulterating ghee. On that ground, do you equalise the prices of vanaspati and ghee? You do not. Therefore, this adulteration argument cannot be a valid excuse to jack up the price.

These reasons are being invented one by one. In fact, they have been waiting for an opportunity. These reasons have been made alibis to increase the price, a clear effort of augmenting revenue. They had thought of this taxation measure. But these reasons came in very handy. They first said that they wanted to curb consumption, then they said there was a cut in crude supply, then they trotted out the argument of increase in crude price and lastly they advanced the argument that the price of kerosene was being raised to bring it on par with the price of diesel.

On the 5th November, the hon. Finance Minister when he was in Trivandrum, the very state wherefrom my hon. friend Shri Stephen halls, is reported to have said that "he did not see any possibility of a further increase in the price of petrol in the immediate future." This is what the Finance Minister asserted in his statement in Trivandrum on the 5th November last. But, a few days later, there is the Petroleum Minister who said differently. While the Finance Ministry says one thing, the Petroleum Minister has given out not only contrary but a very contradictory statement. The Petroleum Minister, Shri D. K. Borooah, in his letter to the Governors and Chief Ministers in the third week of November, said that "he wanted the States to be very much prepared to the minutes detail in introducing petrol rationing and he also further said that a further price hike is imminent; that it is not ruled out. That is what he said in his letter. I want to know which statement is correct: whether the Finance Minister's statement is correct, namely, there is no possibility of an immediate increase in price; or whether the statement of the Minister of Petroleum is correct, namely, there is every possibility of an increase.

[Shri K. D. Malaviya]

On the one hand, they say we should discourage consumption. These statements have been very vague. It is a taxation measure affecting the people and having an incidence of Rs. 200 crores to Rs. 300 crores in a full year. We would like to know what is the correct situation. You say that there is going to be a curb in the consumption, but what is the target and how much you want to curb is not made clear. Mr. K. D. Malaviya said it may be five lakh tonnes. I want you to quantify it and we would like to watch your performance and by the end of the year we should know whether you were really able to curb consumption, namely, to the extent of five lakh tonnes.

Also I would like to know from the hon. Minister whether the Government are very serious in the import of these commodities, because we are importing about 16 million tonnes of crude, or we want to save something there. At least we do not want to increase it. Not only raw crude, but we are importing four million tonnes of petroleum products. What steps have been taken by the Government to reduce this import of four million tonnes of petroleum products which will save a lot of foreign exchange if you are able to curb the consumption? They say they want to discourage the consumption of petrol. But as rightly pointed out by Mr. Chatterjee they have not given us any data to show what are the commercial vehicles which are using petrol and how many of them are owned and run by the Government organisations, quasi-Government bodies and the public sector undertakings, and how many institutions in the public sector are using them, how many taxis, scooters in the public transport are using petrol and also in respect of private motors and scooters. A rough estimate has been given by one of the persons who has been in the transport and who has written an article wherein he says that about 10 per cent consists of private motors and scooters, and the rest, that is, 90

per cent is divided equally among the Government institutions, private sector scooters and other transport in the ratio of 30,30,30. If you analyse this, step by step, you will find that regarding 30 per cent of the consumption by vehicles in the public undertakings, whether the price is reduced or increased, it may not affect their consumption. The increase in prices will be reflected in additional expenses to the exchequer. In the private sector institutions, wherever there is a hike in the price, the payment-bill goes up, and that will be passed on to the consumer. In regard to the public transport also, taxis and scooters, the price-hike will be passed on to the users. The balance is in the hands of the private motors and scooters, and here, the affluent section among them do not bother about any increase. Therefore, only the scooter-owners in the private sector of transport will be affected. Therefore, in the ultimate analysis, it will be the common man who may have to pay for all the increases.

Just now Mr. Malaviya was saying that the oil crisis has been affecting all the countries including the United States and China. We cannot claim that we occupy a high place in any other respect, but in regard to the price of petrol we occupy the most enviable position, the highest price position in the world. Petrol price per litre in the United States is 90 paise in terms of Indian currency; in the U.S.S.R. it is 99 paise; in Canada also it is 99 paise, but in India which has the lowest standard of living the price is the highest 281 paise. In the matter of petrol, India ranks the highest.

Why do they assume that the price hike in petrol will not have an impact on the general price structure in the country? The increase to the extent of Rs. 200 crores that you have planned to net by the increase in the prices of petrol and kerosene will ultimately fall on the common consumer and it is bound to increase the

prices of other commodities. Wherever **articles are moved by transport**, this will have a psychological impact and the price rise will lead to many other things. The common man will have to bear the entire burden.

The Government has still not made it clear why the more acceptable alternative of rationing has not been resorted to. At this stage, however, it will be a cruel joke after the increase in prices. Even at this stage are they going to do it? Will rationing be introduced even at this stage to keep the prices down? How are they going to be compensated? I do not object to the mopping up of Rs. 200 crores badly needed by the Government, but what is the effect that it is going to have on the price of other commodities, not only petrol but other commodities? There will be a cyclic effect to this and the other prices which are already soaring high will go up further. Therefore, this measure is going to be inflationary in effect. It will add to the burden and misery of the common people. I, therefore, oppose the Bill and support the motion moved by Shri S. M. Banerjee.

SHRI B. V. NAIK (Kanara): Very sincerely and very honestly I support this Bill, with all deference to Shri S. M. Banerjee. I feel that in this country there is a growing gulf between the socialists who represent the urban areas of the country and the socialists like me who represent the backward rural areas of the country. In the villages from where I come from no single person had come to me and asked me a single question as to why the Finance Minister has raised the petrol prices. It is for the simple reason that for the vast millions in this country in this year of grace 1973, travelling by car or by a private taxi is well beyond their means. It is only in the realm of luxuries. Sometimes, while going for marriages or some such functions they may travel by vehicles using petrol tractions.

Under the circumstances, as long as it is a disincentive for consumption, at least as far as petrol is concerned, I do not think it will have any adverse impact, particularly on the rural economy of this country. The hon. member who spoke before me, Shri K. D. Malaviya, who was at one time in charge of the Ministry of Petroleum, himself had computed the figures of consumption of petrol and petroleum products among the urban megapolists of this country including Kanpur, Bombay, the suburban areas of Calcutta, Madras, Bangalore and Hyderabad. It is estimated that these urban megapolists which account for not even 10 per cent of the population of India consume 45 to 55 per cent of the total amount of petroleum products, imported as well as locally produced. What the rest of 90 per cent of the population get is the raw end of the deal. It does not need any statistical finesse to prove the point that the major concentration of our automobiles—more than half the number—is in the big cities like Calcutta.

In regard to this concept of nationalisation, the more I have thought about it, the more I feel that the areas of our economy which are nearest to the common people are the areas which need to be nationalised first. I would cite the instance of the public transport system. In different parts of the country, private buses are plying on the basis of permits. That is the thing which should be nationalised first, before we go and touch the foreign concerns which are operating the big oil monopolies in this country. If it is a question of repatriation of profits, let us attack the problem directly in regard to placing a curb on the repatriation of profits to foreign countries. But if it is a question of taking over these concerns and nationalising them, I do not think it is a brave act. All these big concerns are sitting ducks and they can be nationalised at any time whenever

[Shri B. V. Naik]

this House feels like doing so or Government is prepared to do so. It is not going to be a very serious challenge either of an administrative or political nature at all. Nationalisation of spheres like foodgrains—we knew what is the amount of harassment caused by the trading sections in regard to nationalisation of wheat or the forthcoming nationalisation of rice—and nationalisation of public transport systems where hundreds and thousands of small, medium and big operators are working—it is here that the political will as well as the skill of our Government, of our party as well as of this House will be tested. Its mettle will have to be there. The taking over of the monopoly concerns can be done almost any time, either day or night. Under these circumstances, I would really welcome the suggestion of our well-meaning friends on the left to look at the Indian economy in its depth and not a superficial look on the basis of sloganeering.

As far as the question of rationing is concerned, there has been a considerable amount of thought given to it. Thought is being given to the concept of a white market, a sort of subsidiary currency in circulation, a time-bound coupon for each operator, be it a rickshaw-walla or a taxi driver. It would be a sort of compromise between the open market and complete rationing. The rationing system, as we all know, will bring in its train a lot of abuses as we experienced during the second world war and there will be a flourishing blackmarket trade in petrol. The coupon system will make it possible to transfer the white market coupon on the basis of quota to others and it will lapse over a period of time. I do not know whether the suggestions given by economists like Paul Samson and others, which are applicable to developed countries, would be relevant to developing countries like ours. I would urge upon the Finance Minister to give thought to this problem.

When it comes to a question of taxation of luxury goods I have nothing against it. Also, we cannot avoid deficit financing and have a balanced budget except through taxation. In fact, I would go to the extent of saying that the sphere of taxation should extend from motor spirit and kerosene to tobacco, Lady Nicotine, which is one of the cheapest in this country as compared to the world prices. Further, we have a flourishing trade in liquor and alcohol which is very near to the common masses. It is also manipulatable, as far as taxation structure is concerned. I see no reason why we could not also, like the Scandinavian socialist countries, nationalise the entire alcohol industry for yielding better returns and taxes to the national exchequer.

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Chairman let me at the outset, join my other colleagues on the benches this side in condemning in the strongest possible terms the Government's attitude and action in resorting to Ordinances every now and then. The whole difficulty is that from almost the very beginning of our Constitution in 1950 the Government have been resorting to promulgating of Ordinances on ordinary grounds and for ordinary purposes. I can understand if an Ordinance is issued because there is some very terrible emergency, or because some immediate action is called for in the absence of which the heavens would fall. But if one were to make a research of the various Ordinances issued by the Government of India since 1950 till today, one will come to the most devastating conclusion that the Government have flouted almost all constitutional conventions and practices with regard to the power of making Ordinances. They have been feeling that because they have got the majority in Parliament, they can get anything passed in Parliament and so they resort to Ordinances before the Parliament meets. In this parti-

cular case the matter becomes a little more dangerous and worse because Ordinance has been resorted to not to make some legislation but to levy some tax. Therefore, it becomes all the more dangerous, all the more undesirable, I do not want to go, because of shortage of time, into details of various subjects of Ordinances issued.

Only recently, in this very session, we passed one Bill on the basis of an Ordinance. What was the subject of the Ordinance? It was the extension of Press Council. Why? Because the Nominating Committee did not agree to continue functioning and the time-limit was over. The Government did not think of that earlier. The Government thought that even if the time-limit was over, it did not matter; they could issue an Ordinance and come to Parliament to get the Bill passed and all will be well. But all is not well. The habit of doing things with an idea that you have a thumping majority and, therefore, you can do whatever you like, Parliament or no Parliament, is certainly out of tune with the spirit and the letter of parliamentary democracy. Therefore, I object to doing this in a cavalier manner by the Government in regard to announcing the increase in price of petrol.

My second point is that the present price of petrol, after the Ordinance, of course, is so terribly steep that this rise in price is unprecedented and, I dare say, perhaps, India is the only country where petrol price is the highest. I would like the Finance Minister to tell this House as to whether there are any other countries in the world where petrol prices have gone up to this extent. What is the special justification for taxing a poor country like India with the highest rate of increase in price of petrol?

Now, the hon. Finance Minister and the Government are telling us that, after all, the middle class people are not hit, the poor people are not hit and that it is only the rich

people who are using petrol are hit. Who are the people who consume petrol? I agree with my hon. friend, Shri S. M. Banerjee, that even middle class people who use scooters and also the poor people who use autorickshaws and taxis because they do not have their own transport are hit by this increase in price of petrol. They have to pay twice or even 2-1/2 times what they used to pay before. In the last couple of days, from here to Palam, the fare has gone up more than twice. If one has to go by plane, one has to go by taxi to Palam. One has to pay now twice or even 2-1/2 times more. It is no use saying that it is only taxing the rich people. It is taxing the people who use public transport. Many people have to rush to hospitals, to attend to their jobs and sometimes, they have to go quickly to railway stations and other places and they have to use the public transport. All these people are affected. Naturally, the people at large are also affected.

Then, I ask the hon. Minister. Why is he not rationing petrol? If he were to say, upto a certain level, "I will have rationing and, for extra consumption, I will ask people to pay more", that would have been a reasonable way of doing it. But then we are told that there is difficulty in rationing. In the same breath, there has been a press report that the Governors and the Chief Ministers were sounded to keep themselves ready with a rationing plan. We do not know what exactly is the mind of the Government. On the one hand, they say that they do not want rationing because there are difficulties in that and, on the other hand, we are told that the Government is thinking of rationing. As to what is the kind of rationing, what is the pattern, what is the price, no light is thrown by the Government. I should have thought that outright rationing on certain basis, giving petrol at a controlled rate upto a certain level and then charging more for extra consumption would have been more legitimate and more justified.

[Shri P. G. Mavalankar]

Now, the Government has given reasons for this price hike on petrol and kerosene and, particularly on petrol, that it will curbe consumption and that they have taken this step as a measure of reducing deficit financing. Two or three Ministers both in the House and the Government spokesmen outside have been talking about strengthening the public transport. I would like the Government to tell us whether they are going to do anything in that regard....

MR. CHAIRMAN: Mr. Mavalankar, just a minute.

The Home Minister is to lay a Paper on the Table of the House.

16.54 hrs.

PAPERS LAID ON THE TABLE—
Contd.

REVOCATION OF PROCLAMATION IN RELATION TO THE STATE OF ANDHRA PRADESH

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT): Sir, I beg to lay on the Table a copy of the Proclamation (Hindi and English versions) dated the 10th December, 1972 issued by the President under clause (2) of article 356 of the Constitution revoking the Proclamation issued by him on the 18th January, 1973 in relation to the State of Andhra Pradesh, published in Notification No. G.S.R. 518 (E) in Gazette of India dated the 10th December, 1973, under article 356(3) of the Constitution. [Placed in Library. See No. LT-596/73.]

16.55 hrs.

STATUTORY RESOLUTION RE. DISAPPROVAL OF THE CENTRAL EXCISES AND SALT (AMENDMENT) ORDINANCE, 1973 AND CENTRAL EXCISES AND SALT (SECOND AMENDMENT) BILL—
Contd.

SHRI P. G. MAVALANKAR (Ahmedabad): The Home Minister's statement shows how this Government goes on declaring Emergency and withdrawing Emergency whenever they like. They take everything very conveniently and from a very narrow party angle.

But let me continue my arguments. I want the Government to tell us what is their expectation of the reduction in consumption of petrol by the kind of price they have announced. Secondly, to what extent will this help in meeting deficit financing? Will the Minister also tell us whether this is the kind of weapon that he is going to use again and again whenever there is an increase in deficit financing? I am quite sure that he will not be able to come to the House and say that he has been successful in reducing deficit financing. He will give more reasons—and from his point of view 'valid' reasons—as to why he could not stop deficit financing, printing of more currency notes. He will go on printing more and more currency notes and come to this House again and again to use it as an excuse for price hike as he has done in the present case. He just goes on saying, I could not help; I have to foot the Bill; do you want the poor people to go without food? Therefore, I must go on printing notes.' And because he goes on printing more and more currency notes, he tries to find new methods of reducing deficit financing as he has done in the case of petrol hike.

Moreover, I want the Minister to tell us as to what is the precise policy of the Government with regard to public transport. In the Capital of India, New Delhi and Delhi, we find that the public transport is ut-

terly hopeless and mismanaged. It is impossible to go by any bus. Either you have to walk two or three miles or you have to wait helplessly for a taxi or a rickshaw. There is no public transport worth the name here. This is the position of public transport in the Capital of India. At least at this late stage, let money be diverted to public transport for strengthening it. It is a shame that foreign tourists as well as Indians from other States who come here find that the public transport in the capital city is hopeless; people have to literally run after buses!

I want to conclude by saying that, by so doing, i.e., by sharply raising the price of petrol, Government is setting a bad pattern and an ugly example to everybody. For everything goes in short supply what is the way-out? Raise the price! There is shortage of newsprint and, therefore, every newspaper has raised the price. If there is a little shortage, immediately the price is raised, and the burden is ultimately borne by the common man either directly or indirectly. All these additional levies and duties are ultimately shifted to the common man; the burden is ultimately passed on to the common man. The Government and the rich people will go on consuming any amount of petrol they like because these ministers and officials are not paying themselves; it is we, the taxpayers, who have to pay for them. And the rich travel and call it business expenses, or through other means they pass on the burden to the consumers.

I agree with my hon. friend, Shri Somnath Chatterjee, that this has been done on the eve of electioneering in U.P. and other places, so that it may be easier for Government, for the ruling party, to fight the democratic opposition forces. The opposition forces and the independents will not get petrol to go to various places whereas the ruling party will get it and will thus have an edge over the Opposition parties. That seems to be the ulterior motive and black design.

In our Constitution, Article 123 mentions about the power of the President to promulgate an Ordinance during the recess of Parliament. If Parliament was in recess and the new date of assembly had not been announced, I can understand. But the date had been announced; hardly a week was left for parliament to re-assemble when this Ordinance was promulgated.

There are two words in article 123 —'immediate action; here it is said:

'If...the President is satisfied that circumstances exist which render it necessary for him to take immediate action....' he may promulgate Ordinances...."

What was the 'immediate action' required? What are the reasons? The Minister has given a catalogue of reasons. He has repeated what he told us about a couple of weeks ago in reply to a question. "The deficit financing is there; therefore, I have done it". He has repeated the same argument today also. Of course, we have also to repeat our arguments in that process. What was the special reason for Government to have an Ordinance promulgated? That, he has not told us. The only reasons that he has given are 'deficit financing has to be reduced', 'curbing of consumption'. But what was the urgency? Why could he not wait between 2nd November and 12th November? That particular aspect—about urgency of the matter—I hope, will be touched by the minister when he gives his reply. 17.00 hrs.

श्री नवल किशोर शर्मा (दोसा) :

सभापति जी, मैं प्रस्तुत विधेयक का समर्थन करने के लिये खड़ा हुआ हूँ। यद्यपि इस का समर्थन करने का उतना उत्साह तो नहीं है, यह विधेयक चूँकि एक अननैसरी ईविल है, इस लिये इस का समर्थन करने के इरादे से खड़ा हुआ हूँ। मेरे विरोधी मित्रों ने इस विधेयक का यह कह कर विरोध किया है कि इस के बजाय राशनिंग होना चाहिये था यह तो दबी जुबान से सब ने माना है कि तेल की दुनियाँ में बड़ी विचित्र

[श्री नवल किशोर शर्मा]

स्थिति पैदा होती जा रही है । तेल के मामले में हम को दूरगामी और मौजूदा में ऐसी नीति अपनानी होगी जिस से हमारी तेल की आवश्यकता कम हो सके ।

आज हमारे देश में एक मंत्र से बड़ा सवाल जिस की तरफ शायद इन बोलने वाले मित्रों ने ध्यान नहीं दिया है इस लिये कि वे सब शहरों से आने वाले लोग हैं, यह सवाल है—खाद की कमी का । आज गांवों में यूरिया नहीं मिलता । यूरिया के लिये इस बात की जरूरत है कि नेपथा प्राप्त हो, नेपथा उस वक्त तक नहीं मिल सकता, जब तक हम पेट्रोल का कन्जम्पशन कम नहीं करते । आज गांवों में यह हालत है कि यूरिया की कीमत कहीं-कहीं तो कन्ट्रोल रेट से दुगुनी हो गई है, आम तौर पर डबोई कीमत पर तो बिक ही रहा है । खाद्यान्न के उत्पादन के लिहाज से इस बात की जरूरत है कि हम नेपथा ज्यादा तादाद में मुहिवा कर सकें, जिस से हमारे यहां फर्टिलाइजर का उत्पादन बढ़ सके । हमारे देश में मोटरों पर चढ़ने वाले शौकीन ज्यादा हैं—व इस बात को नहीं देखते कि सब से पहले देश की खाद्यान्न की आवश्यकता को कैसे पूरा किया जाय । दुनिया में भी नेपथा नहीं मिल रहा है—उस का इम्पोर्ट करना भी मुश्किल हो गया है—ऐसी हालत में पेट्रोल की कीमत बढ़ाना उचित सा लगता है । इस में कोई शक नहीं है कि इस से थोड़ी बहुत दिक्कत जरूर हुई है, ट्रांसपोर्ट भी थोड़ा मंहगा हुआ है, खास तौर से शहरों में स्कूटर और टैक्सी मंहगे हुए हैं । बहुत से मध्यम वर्ग के लोग जो कार रखते थे, स्कूटर रखते थे, उन की कठिनाइयां बढ़ी हैं । लेकिन सवाल यह है कि इस का इलाज क्या था ? कुछ माननीय सदस्यों ने इलाज बताया कि राशनिंग होना चाहिये था ।

सभापति जी, राशनिंग का मैं कट्टर विरोधी हूं । मेरी यह मान्यता है कि राशनिंग कर ४ हम बहुत बड़ी भूल करते ।

जहां तक राशनिंग की जिम्मेदारी की बात है, भले ही राज्य सरकारें कहें कि हम नैयाब नहीं हैं, हम उन को मजबूर कर सकते थे, मैं इस दलील में नहीं जाना चाहता, लेकिन मैं यह कहना चाहता हूं कि राशनिंग फ्रीजिबिल है क्या ? क्या राशनिंग से पेट्रोल का ब्लैक नहीं बढ़ता ? क्या उस से थोर अधिक कर्प्शन नहीं पैदा होता ? हमारे देश में बहुत से लोगों के पास गाड़ियां हैं—बहुत से लोग उन का इस्तेमाल नहीं करते—उदाहरण के तौर पर आप हम को ले लॉजिय, हमारे पास जोरों हैं—चुनाव के टाइम पर हम उन जीपों का इस्तेमाल करते हैं या जब कभी अपनी कांस्टीचूयर्स में जाते हैं तब उन जीपों का इस्तेमाल करते हैं—जब राशनिंग हो जाता है तो हम नव अधिकारी हो जाते हैं जो अनधिकृत गावा में पेट्रोल प्राप्त करने के लिये, जो हमारे उपयोग में नहीं आता, जो जरूरत से ज्यादा होता—तब उस का क्या नतीजा निकलता ? हम में से बहुत से लोग ऐसे भी हो सकते हैं जो उस को ब्लैक मार्केट में बेच देते—क्या इस से डीनोराइजेशन कन्ट्रोल में मैटिल नहीं होता । राशनिंग कोई अच्छी व्यवस्था नहीं है, हालांकि कभी कभी सरकार की तरफ से स्टेटमेन्ट आते रहते हैं कि हमें राशनिंग की तरफ जाना पड़ेगा । मैं वित्त मंत्री महोदय से निवेदन करना चाहता हूं कि यह अन्तिम अस्त्र होना चाहिये, जब कोई रास्ता न हो, पेट्रोल की खपत कम न हो—तब आप इस अस्त्र का इस्तेमाल कीजिये, वरना यह देश के लिये बहुत से मुश्किलात पैदा कर देगा ।

मेरे दोस्तों मुझाब हैं । पहला मुझाब तो यह है—आप ने पेट्रोल की कीमत बढ़ाई है—जहां तक मुझे बतलाया गया है इस समय 5 लाख से नाइं पांच लाख कारें हैं, उस में से 3 से नाइं तीन लाख गाड़ियां पब्लिक सैक्टर और गवर्नमेन्ट में हैं । जरा

यह भी देख लेंगे, कहीं ऐसा न हो कि पेट्रो-
लियम की कीमतें बढ़ने के साथ साथ पब्लिक
सेक्टर वाले और दूसरे लोग अपने भत्ते बढ़ा
। मोटर एलाउन्स बढ़ाकर पेट्रोलियम
की कमी को कम करने के बजाये कहीं पब्लिक
अन्डर्टैकिंग में खर्चा बढ़ न जाये—इस
बाँध को भी देख लेना बहुत आवश्यक है ।
यह ठीक है कि मंत्रियों और सरकारी विभागों
पर पाबन्दी लगाई है लेकिन अभी और
अधिक पाबन्दी लगाने की आवश्यकता है
क्योंकि सरकारी वाहनों का दुरुपयोग होता
है, उन पर और अधिक स्ट्रिक्ट विजिलेन्स
की जरूरत है । इसके बिना पब्लिक मारल
भी ठीक नहीं होता है ।

समापति जी, हमारे देश में कुछ गाड़ियाँ
ऐसी हैं जिनका पेट्रोल कंजम्शन ज्यादा
होता है जैसे कि हिन्दुस्तान है । हिन्दुस्तान
मोटर्स द्वारा निमित्त गाड़ियों का कंजम्शन
ज्यादा है जबकि फायट और स्टैंडर्ड गाड़ियों
का कंजम्शन कम है । इसलिए नम्ब्रे
तौर पर नीति बनाते समय इस बात को
भी देखना पड़ेगा कि पेट्रोल का ज्यादा
कंजम्शन करने वाली गाड़ियों का प्रोडक्शन
कम हो और जिन गाड़ियों में पेट्रोल का
कंजम्शन कम होता है उनका प्रोडक्शन
ज्यादा हो । मैं किसी पार्टिकुलर ब्रान्ड का
हिमायती नहीं हूँ लेकिन दुनिया में पेट्रोल
की जो स्थिति होती जा रही है उसको देखते
हुए यह आवश्यक है कि हमारे यहां ऐसी
गाड़ियाँ बनाई जायें जिनमें पेट्रोल का कंजम्शन
कम हो ।

इसके साथ साथ मुझे एक बात और
कहनी है कि हमारे देश में स्कूटर्स का बड़ा
अभाव है । साधारण आदमी जो पहले
गाड़ी रखते थे उनका स्कूटर से भी काम
चल सकता है इसलिए स्कूटर के कारखाने
लगाने की जो हमारी योजना है उसको
कारगर ढंग से जल्द से जल्द पूरा करने की
आवश्यकता है ।

पब्लिक ट्रान्सपोर्ट के बारे में मैं इतना
ही कहना चाहता हूँ कि आपने यह आशा
व्यक्त की है कि इसके द्वारा जो अतिरिक्त
घन की प्राप्ति होगी उसका बहुत कुछ
हिस्सा पब्लिक ट्रान्सपोर्ट सिस्टम को सुधारने
में लगाया जायेगा परन्तु आपकी यह आशा
केवल आशा ही न रह जाये बल्कि वह कारगर
रूप में परिणत हो तथा दो चार छः महीने
में उसका नतीजा सामने आये और लोगों
को यह महसूस होने लगे कि पेट्रोल की जो
कीमत बढ़ाई थी उसका एक अच्छा परिणाम
हमारे सामने आया है, सरकार वास्तव में लोगों
की दिक्कतों को बढ़ाना नहीं चाहती है बल्कि
उनको कम करना चाहती है ।

17.08 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

इन शब्दों के साथ मैं इस बिल का
समर्थन करता हूँ और यह समझता हूँ कि
इस बिल से जो माननीय वित्त मंत्री ने आशा
व्यक्त की है वह आशा पूरी होगी । साथ
ही मैं यह भी जानना चाहूँगा कि इस नयी
व्यवस्था को एक महीने से ज्यादा हो गया है,
क्या इसके रा पेट्रोल की खपत घटी है,
यदि घटी है तो कितनी घटी है, उसकी
जानकारी सदन को मिले तो बहुत अच्छा
होगा ।

SHRI SHYAMNANDAN MISHRA
(Begusarai): There are not many
points to deal with. I am the
residuary legatee as it were coming at
the end of the debate. The arguments
of the Government for the issuance of
the Ordinance are to my mind comple-
tely unconvincing. The circumstances
for taking action immediately have not
been clearly established by the Gov-
ernment. That has been made amply
clear by the hon. Members of the
House and I do not want to repeat
their arguments. But it bears repeti-
tion to say that the prices did not
rise to the extent that the taxation
has been imposed. Secondly, according
to the Government's own admission
in the other House there had been no

[Shri Shyamnandan Mishra]

cut in the supply of crude by the crude-producing countries.

There has been a strong opposition to the issue of the ordinance for the imposition of the taxes. I am one of those who would say that in no circumstances should ordinance be issued for the imposition of a tax.

In certain circumstances, I would agree that there would be scope for the issue of Ordinance even for imposing taxation—but that only in certain very special circumstances. That could be like the occasion when there is invalidation of Act and there is going to be a vacuum which may make the Exchequer lose quite a lot of revenue, but not for this kind of taxation that has been imposed through this measure, that is, by the issue of an Ordinance. Let it be quite clear that I would agree with the Government only in certain circumstances, in very very special circumstances when there could be justification for imposing taxes through the Ordinance.

The main argument that has been advanced from the other side is this: this is meant for curbing consumption of petrol. But they did not quantify to what extent. My hon. friend, Shri K. D. Malaviya said, however that the target for the curb in consumption was of the order of 5 lakhs tonnes—half a million tonne. This is what he wanted to be diverted for the production of fertilisers. If that is so, then it beats me completely why could not this quantity be taken from the source itself for diversion of the same for the production of fertilisers in this country. I repeat this half a million tonnes could be had from the source itself. And if you yet that apart for the production of fertilisers, then the country would have borne it. Why was this call not made upon the country? Why were the small people like the scooter drivers, taxi drivers, tempo drivers etc.

put to great hardships? This could have been very easily done. We would be very much prepared to set apart a million tonnes for the production of fertilisers. If you wanted, you could take it away, but please don't advance an unconvincing plea. Naturally a demand had been made. What is, after all, the target of the Government in so far as the curb in its own consumption is concerned? They should set an example I want to know whether the Government have proposed a target for this or not. It had been pointed out that much of the petrol was consumed by the Government itself. Now, what is the target that the Government proposes for the curbing of petrol consumption by Government itself? We would like to know about this.

It has been rightly said that perhaps it has been done keeping in view the forthcoming elections in some States. Soon after the issue of the Ordinance, I issued a statement in the Press. Now I find that whatever had been said on this side, has come to be completely true. This has been done for that purpose. The purpose is completely dishonest. One can infer from that that the Government is going to take to this extremely dishonest means, keeping in view the U.P. elections. This is the reason why the Government brings up a measure of this kind. What is the Election Commission going to do in this matter? We have got scarcity of most of the essential commodities. What does the blessed Election Commission have to say on this?

SHRI S. M. BANERJEE: Then I will ask for quorum.

SHRI SHYAMNANDAN MISHRA: If you want quorum, let it be asked. What has the Election Commission done now in this matter? There is extreme scarcity of essential commodities in the country and, particularly, of petrol. Without petrol we cannot run jeeps. We want jeeps, particularly for the elections in cur

democracy. Has the Election Commission given any thought to this matter? One would like to know. How does the Election Commission propose to see that the consumption of petrol is curbed in the coming elections in U.P., Orissa, Manipur and the rest? One would like to know something about it. Petrol is one of the major items of consumption in the coming days of elections. We do not find the kind of regime of austerity that should be inaugurated in the country as a result of the totality of the circumstances that prevail at the present moment.

In Rome, I am told, and I read in the papers only two days back, on Saturdays and Sundays no car could ply. This is what is happening in those countries which are more dependent upon the use of cars. People like me have taken to the road for coming to the House. Probably, in Rome it may be difficult. Even an elderly person like Shri Morarji Desai walks down to the House every day from his bungalow. That is what we can do here. People in other countries are more dependent on their cars, automobiles etc., and yet they have forgone the use of car on some days. On week-ends namely Saturday and Sunday, all the petrol pumps are closed.

I would like to know whether in our country any similar steps have been undertaken. Where is the regime of austerity here? There is indeed the regime of luxury and of over-consumption. This regime of luxury and over-consumption is writ large on the face of the hon'ble gentleman sitting on the other side of the House. They look prosperous in every way and yet they say that they are going to check consumption.

Where is the regime of austerity which one would like them to inject into the psychology of the country?

SHRI S. M. BANERJEE: Except Swamiji.

SHRI SHYAMNANDAN MISHRA: But his turban also could be shorter.

Even in Paris, I am told, they have undertaken such austerity measures. Paris is the city of luxury, as they say, and yet even there they have taken such measures. But has Delhi taken any austerity measures? That simply would not happen under this regime.

Another important question arises namely that in future also, the petrol position is going to be extremely difficult. I do not have time to go into all aspects of petrol production and consumption in the future. But I would like to stress this much that it has been emphasised by all experts in petroleum that there is going to be an extremely difficult position with regard to petrol in the days to come. If this is the situation that seems to loom large on the horizon, then Government must be asked what their plan for the sources of energy as a whole is, and whether they have given any thought to this aspect, and how they propose to switch over to other sources of energy. But how can they switch over to other sources? they have made a mess of the entire economy, and coal is found to be in an absolute mess at the present moment? If one has to curb petrol consumption, at least one could turn to coal in some ways, one could use coal at least in place of gas. But coal itself is in great difficulty. So, we would like to know whether Government have any plan for the utilisation of the alternative sources of energy, if petrol is going to be in short supply.

In conclusion, I would like to say that this is nothing less than a tax on the people for the thorough mismanagement of the economy by Government. This is the price that people will have to pay for an inefficient Government which has been responsible for the extremely difficult situation or the desperate financial situation that the country is facing. It is for that purpose that Government are taxing the people. It is not for the economics of petroleum or anything of that kind. The specious pleas which the Govern-

[Shri Shyamnandan Mishra]

ment have put forward for this measure we would like to oppose with all the strength and vehemence at our command.

So, I support the resolution moved by my hon. friend Shri S. M. Banerjee and I oppose the Bill that has been brought forward by Government.

SHRI YESHWANTRAO CHAVAN: I have heard with care the speeches made on both the Resolution of Shri Banerjee's and the motion for consideration of the Bill that I moved. By and large, we have been hearing some of these arguments for the second time or third time. Most of the arguments are repeated. But there is no remedy for it because the discussion on this subject has been more than once; therefore, it was quite possible, inevitable, that the arguments were repeated.

The first point raised by some members was, what was the emergency or urgency of the Ordinance. Though Shri Shyamnandan Mishra theoretically accepted the necessity of an Ordinance, the question raised was whether this was necessary in this particular case. That was the point made: what was the immediacy for this, why it could not wait from 3rd November to 12th November.

Another point raised by another hon. member was: why is it that we waited from the middle of October till the beginning of November? I can only say that we were watching the situation and once we made up our mind that it was necessary, once we came to the conclusion that we had to do it immediately, it was not possible to wait till the process of moving a Bill here and getting it passed, because, really speaking, it takes a little longer time.

Then again, when a certain international situation was developing, it was very necessary that Government had to act. When we came to that conclusion, we thought this was a sufficiently strong reason, a justifiable reason, to

go to the President with an Ordinance. I think this is the reason that we have given from the beginning. I still would like to stand by that argument. This was a most important and urgent reason for going in for an Ordinance.

SHRI S. M. BANERJEE: Why was it done during the night?

SHRI SHYAMNANDAN MISHRA: They are acclimatised to such things.

SHRI YESHWANTRAO CHAVAN: Another point just now made by Shri Shyamnandan Mishra was this. If it was necessary for the purpose of producing fertiliser to take a certain quantity for the production of naphtha, it could have been done without even resorting to this. My only argument—I do not know whether I would be able to convince him with it—is that this is again a question of making an assessment of the situation. Suppose we had done it. By merely taking away from the supplies without increasing the price without making use of the price mechanism to control consumption, if we had done that, it would certainly have added the same difficulty of getting petrol and at the same time, people would have been required to pay a price higher than what they are paying now.

SHRI SHYAMNANDAN MISHRA: Why?

SHRI YESHWANTRAO CHAVAN: By blackmarketing. If we merely create a shortage—this will certainly create a shortage—that will be the result.

SHRI SHYAMNANDAN MISHRA: Even now it is so.

SHRI YESHWANTRAO CHAVAN: Therefore, I do not think that would have been of any practical use.

Another point made by Shri Chatterjee, was about crude being utilised for petrol; so petrol consumption will not help for this purpose. I think this point was very effectively met by Shri K. D. Malaviya and so I do not propose to repeat the same argument already made.

The other argument was: if at all we wanted to reduce consumption of petrol, why did we not go in for rationing? This is a point repeatedly made. As you know, rationing involves heavy administrative responsibilities because it also means guarantee of certain supplies.

SHRI SHYAMNANDAN MISHRA: You can guarantee to the small man.

SHRI YESHWANTRAO CHAVAN: It is very difficult to do so. The basic idea of rationing is to guarantee certain supply. In the changing oil supply situation in the world today it is very difficult for any government to make any guarantee about supplies.

SHRI SEZHIYAN: Reduce the guarantee.

SHRI YESHWANTRAO CHAVAN: You just cannot go on reducing, once you accept the administrative responsibility.

SHRI DINESH JOARDER (Malda): You are reducing the food supply.

SHRI YESHWANTRAO CHAVAN: Food is different from petrol in many respects. You cannot take one commodity for comparison with every commodity. Because without food, we cannot get on at all. At least one can say, whether one likes it or not that at least 70 per cent of the population today can do without petrol. You cannot say that about food. Even though we cannot always make a guarantee about the supply, we must go in for a certain amount of supplies of food. We cannot help it.

SHRI S. M. BANERJEE: Kerosene oil?

SHRI YESHWANTRAO CHAVAN: About kerosene, there are different reasons. As far as kerosene is concerned we are trying to make supplies in the rural areas as effectively as possible. Possibly, in your State of Uttar Pradesh, you go and see what is the supply there.

SHRI S. M. BANERJEE: For another three months we will have no trouble. I can assure you.

SHRI YESHWANTRAO CHAVAN: This is again a political prejudice; nothing more than that. Mr. Shyamnandan Mishra said that his first reaction was to say that this was merely done with a view to the Uttar Pradesh elections. And all the other Opposition political parties have agreed with him. This is as good as saying—if we can logically extend this argument—that the whole oil crisis was created by the oil-supplying countries for the Uttar Pradesh election!

SHRI SHYAMNANDAN MISHRA: You have yourself said in the other House that there has been no cut in the supplies.

SHRI YESHWANTRAO CHAVAN: We gave an assessment about the present situation; what the present situation is. In the case of sophisticated commodities like oil, the situation varies from week to week if not from day to day. When it is a question where in I am asked to give an assessment I give my own assessment as it exists on that day. Possibly, it may be or may not be the same tomorrow.

Mr. Sezhiyan also made a reference to my statement that I made in Kerala immediately after the ordinance was issued. I was in Kerala on the 4th November, practically the very next day after the issue of the ordinance. There was again a talk that there was going to be another additional dose of price-hike, and I thought it was unnecessarily creating some sort of scare. And therefore, not only to remove that scare but in my own assessment there was no possibility of any increase, and it has not increased so far. There was nothing unrealistic about it or untruthful about it. I was giving my own assessment at that moment, at that point of time.

SHRI SEZHIYAN: The Minister of Petroleum and Chemicals gave a different statement, different assessment.

SHRI YESHWANTRAO CHAVAN: He gave another assessment after some time. But he also gave a warning that there was a possibility; he was asking the State Governments to prepare themselves for certain administrative preparations. Naturally he gave his own assessment at that time. Certainly, I know that the price-rise in petrol has affected the small, middle class people; I do not deny that position. Some of the Government employees use scooters and sometimes their cars, etc. They certainly have some difficulty about it and we have all sympathy for it. All of us are suffering. Mr. Mishra asked what we are doing to curb Government consumption.

SHRI SHYAMNANDAN MISHRA: What is the target of your curb?

SHRI YESHWANTRAO CHAVAN: It is very difficult to say what the target could be. It is no use merely putting a target but we have certainly asked them to see that consumption will have to go down. We have put certain restrictions on ourselves as to what should be the consumption as far as the Ministers are concerned.

SHRI S. M. BANERJEE: Ask the Ministers to use taxies and not cars for one month; you will see the difference.

SHRI YESHWANTRAO CHAVAN: If you start that, you will be using more petrol.

३१० किलो (बम्बई दक्षिण) : मंत्री महोदय पेट्रोल की राशिनग करने के बारे में सोचें । क्योंकि टैक्सी वाले बैंकों का रुपया अदा नहीं कर पा रहे हैं । किराया बढ़ जाने से लोग टैक्सी में ज्यादा बठते नहीं हैं ।

SHRI YESHWANTRAO CHAVAN सोचने के लिए कौन न करता है ? माननीय सदस्य ने जो कहा है, वह ठीक है ।

We are a democracy and in the matter of conservation of such things, when I speak on behalf of the Government, I must not give an impression as if we are going to do something which we are not proposing to do. I will have to be very clear about it.

SHRI S. M. BANERJEE: What about taking over of the foreign oil companies?

SHRI YESHWANTRAO CHAVAN: I think that was very effectively answered by Shri B. V. Naik who spoke on behalf of our party. He certainly gave a very effective argument for that matter. I do not want to repeat it. It is not our present intention, what is the use of merely saying 'nationalisation'? For every trouble nationalisation is not the remedy. If it comes and when it comes, when it becomes necessary, one can always think about it. It is not our present policy. Sir, I have given my reasons.

SHRI S. M. BANERJEE: Sir I have listened to the debate...

MR. DEPUTY-SPEAKER: You can continue tomorrow we take up half-an-hour discussion.

17.31 hrs.

HALF-AN-HOUR DISCUSSION

States having own agencies for procurement and distribution of food-grains

SHRI P. M. MEHTA (Bhavnagar): I have raised discussion to get a clarification regarding the policy of the Government of India on the procurement and distribution of foodgrains. The Food Corporation of India is the principal agency for procurement and distribution of foodgrains for the States. The House will recall that there