

शपथ का उत्पन्न किया है इसलिए मेरी केन्द्र से और राष्ट्रपति जी से प्रार्थना है कि वे तत्काल गवर्नर को हटावें, नये गवर्नर की नियुक्ति करें और उसके द्वारा बहुगुणा को तत्काल डिमिस करने का काम करें तथा कोई नया मुख्य मंत्री आये जो संविधान का पालन और संविधान की रक्षा करे।

SHRI SHYAMNANDAN MISHRA (Begusarai): One point with regard to this. It is a point of constitutional importance.

To my mind, the demand for the convening of the Assembly now which does not seem to exist, is not a very proper demand. The Assembly, to my mind, ceased to exist after the 15th November because the last session of the Assembly was held on the 15th of May and since no session of the Assembly was held by the 15th of November, the Assembly must be deemed to have gone out of existence. What is the correct constitutional position?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I have not got notices of this. I am speaking on the first impression after hearing the hon. Members. Part of the arguments was anticipated by Mr. Madhu Limaye also.

The whole question is that under Art 356 when President's rule is promulgated, the President has been given power to suspend certain provisions of the Constitution as he would deem fit. I will make an elaborate statement tomorrow if you so direct me. But even this Art 174 itself, as far as I can remember, was suspended. So, the question of calculating the period does not arise.

MR. SPEAKER: Let him have his time.

SHRI SHYAMNANDAN MISHRA: My point is completely different. I take the stand that the Assembly now does not exist. What have you to say about it?

MR. SPEAKER: He will make a statement later on.

PROF. MADHU DANDAVATE (Rajapur): The statement should come before U.P. elections.

MR. SPEAKER: Now, we go to the next item. Mr. Banerjee to continue his speech.

SHRI P. M. MEHTA (Bhavnagar): The Speaker of the Meghalaya Assembly has referred a second privilege motion to the Privileges Committee.

MR. SPEAKER: I know it and I am writing to the Speaker.

SHRI P. M. MEHTA: Kindly take up the matter without any loss of time.

MR. SPEAKER: I am already moving in the matter.

12.44 hrs.

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

MR. SPEAKER: Mr. Bauerjee to continue his speech.

SHRI S. M. BANERJEE: (Kanpur): In reply to the debate, the hon.

[Shri S. M. Banerjee]

Minister for Finance, Mr. Y. B. Chavan, has not advanced any argument which could justify the increase in the excise duty. Our objection was mainly that the Government has taken this opportunity and through the back-door, they have mobilised resources and levied this excise duty. We are aware of the international situation, and we are also aware of the international situation as far as oil is concerned. We know we are at the mercy of some countries. The difficult situation is known to us. The whole argument was this. Was it necessary to raise the excise duty to this extent? I have already pointed out to you that this was a calculated effort on the part of the Government to please the oil interests and to squeeze the common people in our country by levying excise duty by addition of one rupee per litre. The price was increased so much in the price of kerosene that they thought it fit to decrease the price by ten paise per litre. But still the price is above the reach of the common man.

MR. SPEAKER: You may confine yourself to reply to the points raised. You are just now replying to the debate on your Resolution. Don't add new matters to it, please.

SHRI S. M. BANERJEE: He has replied to the debate and I am replying to him! Some valuable suggestions have come from some of the Members of the ruling party. Dr. Kailas had the courage to say, in spite of pressure from the ruling party not to speak, that there should be rationing and something should be done for the taxi drivers and for the scooter-drivers and for those people who had taken loans from the Government and purchased such vehicles. We want that there should be drastic reduction on the price of petroleum and in the price of kerosene oil. We fear whether these will be increased further

because we have come to know that India will not be a party to the auction because we have no resources to compete with those countries who are rolling in wealth. I would request the hon. Minister to accept the amendments moved by hon. friend Mr. Somnath Chatterjee and others in case he is not prepared himself to move such amendments. If he is not willing, I would request you to put my Statutory Resolution to the vote of the House. We are only voicing the feelings of the people, although we are in a minority, and they are in the majority there. Let the people not feel that they are using the massive majority against the interests of the people. I may warn the Government: Let them not use the majority for this purpose, because a time is fast approaching when the people of the country will not take things lying down. With the increase in price of petrol what do we find? We find, the prices of all essential articles gone up. Sir, you will not allow another discussion. It was discussed sometime back. The price of everything has gone up. Even in today's papers we saw that the prices of electricity and water are going up. Water, electricity, gas, petroleum, everything has risen. All commodities are rising including seasonal vegetables I do not want to withdraw my Resolution. I am pressing that my Resolution may be voted by the House.

AN HON. MEMBER: There is no quorum in the House.

MR. SPEAKER: Let the quorum bell be rung.—

Now there is quorum. The question is:

"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."

The Lok Sabha divided:

Division No. 15]

[12.59 ars. Bist, Shri Narendra Singh

A Y E S

Bade, Shri R. V.
Banerjee, Shri S. M.
Berwa, Shri Onkar Lal
Bhagirath Bhanwar, Shri
Bhaura, Sri B. S.
Bosu, Shri Jyotirmoy
Chandra Shekhar Singh, Shri
Chandrappan, Shri C. K.
Chaudhary, Shri Ishwar
Dandavate, Prof. Madhu
Dhote, Shri Jambuwant
Dutta, Shri Biren
Guha, Shri Samar
Halder, Shri Krishna Chandra
Joarder, Shri Dinesh
Kalingarayar, Shri Mohanraj
Kiruttinan, Shri Tha
Mavalankar, Shri P. G.
Mishra, Shri Shyamnandan
Mohammad Ismail, Shri
Mohanty, Shri Surendra
Mukerjee, Shri Samar
Mukerjee, Shri Saroj
Parmar, Shri Bhaljibhai
Patel, Shri H. M.
Saha, Shri Gadadhar
Sen, Dr. Ranen
Sezhiyan, Shri
Singh, Shri D. N.
Sinha, Shri Satyendra Narayan

NOES

Agrawal, Shri Shrikrishna
Awdhesh Chandra Singh, Shri
Barman, Shri R. N.
Barua, Shri Bedabrata
Besra, Shri S. C.
Bhuvarahan, Shri G.

Brij Raj Singh-Kotah, Shri
Buta Singh, Shri
Chakleshwar Singh, Shri
Chaturvedi, Shri Rohan Lal
Chaudhari, Shri Amarsinh
Chavan, Shri Yeshwantrao
Chhotey Lal, Shri
Dalip Singh, Shri
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Daschowdhury, Shri B. K.
Deshmukh, Shri K. G.
Dharamgaj Singh, Shri
Dinesh Singh, Shri
Dixit, Shri G. C.
Engti, Shri Biren
Gandhi, Shrimati Indira
Ganesh, Shri K. R.
Godara, Shri Mani Ram
Gogoi, Shri Tarun
Gokhale, Shri H. R.
Gopal, Shri K.
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Hari Kishore Singh, Shri
Hari Singh, Shri
Ishaque, Shri A. K. M.
Jagjivan Ram, Shri
Jeyalakshmi, Shrimati V.
Jitendra Prasad, Shri
Kadannappalli, Shri Ramachandran
Kader, Shri S. A.
Kailas, Dr.
Kale, Shri
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila

NOES—contd.

Kedar Nath Singh, Shri
 Khadikar, Shri R. K.
 Kotrashetti, Shri A. K.
 Krishnan, Shri G. Y.
 Kushok Bakula, Shri
 Mahajan, Shri Vikram
 Mahajan, Shri Y. S.
 Mahishi, Dr. Sarojini
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Mallanna, Shri K.
 Mallikarjun, Shri
 Mandal, Shri Jagdish Narain
 Mandal, Shri Yamuna Prasad
 Mishra, Shri Jagannath
 Mishra, Shri L. N.
 Modi, Shri Shrikishan
 Munsii, Shri Priya Ranjan Das
 Murthy, Shri B. S.
 Naik, Shri B. V.
 Negi, Shri Pratap Singh
 Painuli, Shri Paripoornanand
 Pandey, Shri Shri Krishna Chandra
 Pandey, Shri Sudhakar
 Pandey, Shri Tarkeshwar
 Pant, Shri K. C.
 Parashar, Prof. Narain Chand
 Partap Singh, Shri
 Parthasarathy, Shri P.
 Paswan, Shri Ram Bhagat
 Patil, Shri Anantrao
 Prabodh Chandra, Shri
 Pradhan, Shri Dhan Shah
 Raghu Ramaiah Shri K.
 Ram, Shri Tulmohan
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Surat Prasad, Shri
 Ramshekhar Prasad Singh, Shri
 Rana, Shri M. B.
 Rao, Dr. K. L.

NOES—concltd.

Ravi, Shri Vayalar
 Ray, Shrimati Maya
 Rohatgi, Shrimati Sushila
 Rudra Pratap Singh, Shri
 Sadhu Ram, Shri
 Samanta, Shri S. C.
 Sanghi, Shri N. K.
 Sathe, Shri Vasant
 Satpathy, Shri Devendra
 Shambhu Nath, Shri
 Shankar Dayal Singh, Shri
 Shashi Bhushan, Shri
 Shenoy, Shri P. R.
 Shivappa, Shri N.
 Shukla, Shri B. R.
 Sohan Lal, Shri T.
 Stephen, Shri C. M.
 Sunder Lal, Shri
 Swaran Singh, Shri
 Tayyab Hussain, Shri
 Unnikrishnan, Shri K. P.
 Venkatasubbaiah, Shri P.
 Yadav, Shri Chandrajit
 Yadav, Shri Karan Singh
 Yadav, Shri R. P.

MR. SPEAKER: The result* of the division is: Ayes 30; Noes 109.

The motion was negatived.

MR. SPEAKER: We had allotted three hours for the discussion. All that time is over now.

Now, I shall put the consideration motion to vote.

The question is:

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

The motion was adopted.

*Dr. Jivraj Mehta also recorded his vote for NOES.

Clause 2—(Amendment of First Schedule)

SHRI MADHU LIMAYE (Banka):
I move to move:

Page 1, line 10, for "Two thousand" substitute "One hundred" (1)

Page 1, 13, for "Four hundred and sixty-five" substitute "three hundred and thirty". (2)

SHRI SAMAR GUHA (Contai): I beg to move:

Page 1, line 10, for "Two thousand" substitute "One thousand and one hundred and fifty". (4)

Page 1, line 13, for "Four hundred and sixty-five" substitute "Three hundred and twenty-five" (6)

MR. SPEAKER: I shall now put the amendments to vote.

श्री मधु लिमये: अध्यक्ष महोदय, मैं बोलना चाहता हूँ। डिबीजन के कारण मैं आ नहीं सका।

अध्यक्ष महोदय : टाइम तो खत्म हो गया। दोनों पर इकट्ठी बहस हुई थी। लंच के बाद भी चलेगा। मेरी तो सलाह थी इस को खत्म कीजिए क्योंकि टाइम काफी बढ़ गया है।

I shall now put amendments Nos. 1 and 2 by Shri Madhu Limaye and Nos. 4 and 6 by Shri Samar Guha to vote.

Amendments Nos. 1, 2, 4 and 6 were put and negatived.

MR. SPEAKER: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 8—(Repeal and saving)

SHRI SAMAR GUHA: I beg to move:

Page 1, omit lines 17 to 20. (7)

I want to keep on record the manner in which they are committing dacoity in a calculated way on the people. That is the reason why I have moved this amendment.

MR. SPEAKER: I shall now put this amendment to vote.

Amendment No. 7 was put and negatived.

13 hrs.

MR. SPEAKER: The question is:

"That clause 3 stand part of the Bill".

The motion was adopted.

Clause 3 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

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

"That the Bill be passed".

MR. SPEAKER: Motion moved:

"That the Bill be passed".

SHRI JYOTIRMOY BOSU (Diamond Harbour): I gave notice for speaking in the third reading.

MR. SPEAKER: This is something printed received just now. Not notice is required for speaking.

SHRI JYOTIRMOY BOSU: It is printed, signed and the rules quoted. What is improper about it? Kindly read it and let the House know. How to function in this House. I do not know.

SHRI SHYAMNANDAN MISHRA: (Begusarai): He has given notice much earlier.

MR. SPEAKER: No notice is required for this.

SHRI SHYAMNANDAN MISHRA: One has to communicate one's desire to speak.

MR. SPEAKER: No need to give any notice in printed form. I mistook it for some notice of motion.

SHRI JYOTIRMOY BOSU: On a point of order.

MR. SPEAKER: This is something printed.

SHRI SHYAMNANDAN MISHRA: What of that? He has facilitated your task.

SHRI JYOTIRMOY BOSU: I have written to you under my signature, well in advance. If you find fault with it, tell me what should I do.

MR. SPEAKER: Please sit down. Do not talk like that. Submission must be properly made.

SHRI JYOTIRMOY BOSU: What submission? I am talking in the proper manner.

MR. SPEAKER: How much time do you want for this? We have already exceeded the time limit.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHURAMAIAH): Fifteen minutes.

MR. SPEAKER: Anyway, we will adjourn now for lunch and reassemble at 2 P.M.

13.05 hrs.

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

The Lok Sabha re-assembled after Lunch at five minutes past Fourteen of the Clock

[MR. DEPUTY-SPEAKER: in the Chair]

SHRI S. M. BANERJEE (Kanpur): I want to make a small submission; kindly hear me for half a minute. You would remember that I was referring to the virtual closure of Sri Ram Institute in New Delhi. They also met the Prime Minister. With the help of the police, they took all the scientists inside and they have arrested five or six scientists. In the larger interest of good relations in that particular institution, you may direct Shri C. Subramaniam, the Minister of Science and Technology to make a statement. You must convey our feelings to the hon. Minister.

STATUTORY RESOLUTION RE. DIS-
APPROVAL OF CENTRAL EXCISES
AND SALT (AMENDMENT) ORDINANCE
AND CENTRAL EXCISES
AND SALT (SECOND AMENDMENT)
BILL—contd.

SHRI JYOTIRMOY BOSU: The Government has found it very convenient to touch the helpless and weaker sections of the society because direct taxation which to some extent will go and hit their monopoly godfathers had been causing difficulty for them and as a result the collection of direct taxes has actually gone down. If you analyse industrial costing, you will find the share of workers' wages has also considerably gone down. Their profits have gone up. They are not paying taxes. They have stooped low to come and grab two items, one of which is so very important in the life of the common man. If you cannot get kerosene in the rural areas, you live in darkness. Motor spirit was selling at Rs. 1,000 a kl. before taxation, on 2 November 1973. The next day, after taxation, it was selling at Rs. 2,000 per kl. Superior kerosene was selling at Rs. 265 per kl. and it was raised to Rs. 465 per kl. on 2-11-1973 and then reduced to Rs. 365 with effect from 9-11-1973. The retail price at Delhi as ascertained informally from the Ministry of