

**Shri Krishna Menon:** If the total value is given, the number is known.

**Shri Morarka:** We do not know the value of the aircraft. On a point of order, Sir.

**Mr. Speaker:** I will decide the point of order during the debate on the Demands for Grants of the Ministry of Defence.

I said the other day that it had been repeatedly pointed out to me that matters relating to defence which are being given in other countries, particularly in the House of Commons, are not being submitted to this House on the ground that it would be disclosure of secret information. I have to decide how far I should allow that how far the hon. the Defence Minister can exercise the discretion of withholding information from the House. The House must know everything about expenditure. Therefore, I shall decide it. The hon. Minister, before he goes into details of defence will kindly submit to the House what he thinks regarding this.

I find that a small booklet was published sometime ago by the Lok Sabha Secretariat. Hon. Members may look into it in the Library. The hon. the Defence Minister will say what he has to at the time of his participation in the debate on the demands.

**Shri Ansar Harvani:** It is very useful.

**Shri Krishna Menon:** It does not probably arise out of this question. It is true you did say that the information that is given in the House of Commons is not given here. But when the time comes I hope you will allow me to say how far that conforms to the situation and what other different circumstances there exist.

In regard to this particular question, there is no difficulty about giving the name of the aircraft. But we cannot give the price of purchase.

**Mr. Speaker:** Should not the House know how much we are spending on Defence? This will be a lump sum; nobody will take the trouble of wor-

king out. But if they are so ingenious, they will go to the company itself.

**Shri Krishna Menon:** This is a Government to Government transaction. It is a transaction between the French Government and ourselves. There are difficulties in this matter which I am prepared to explain to you.

**Mr. Speaker:** When we take up the Defence Ministry Demands, the hon. Minister will tell us how far we can proceed in this matter.

#### Assam Road Tax and West Bengal Entry Tax on Tea

\*1407 **Shri Rameshwar Tantia:** Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 419 on the 24th November, 1960 and state:

(a) whether Government have now completed consideration on Assam Government's request to replace Assam Road Carriage Tax and West Bengal Entry Tax on tea by a Central Tax to be distributed to producing States; and

(b) if so, the result thereof?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) and (b). The existing position is being continued for one year after which the matter will be considered further.

**Shri Rameshwar Tantia:** May I know whether Government is aware that these various taxes make our tea costly in the foreign countries, as a result of which our exports are hampered? If so, what steps are Government taking for the abolition of these taxes?

**Shri B. R. Bhagat:** We have taken all these into consideration and come to this decision that we would allow these taxes to continue for one more year, because the State Governments are insistent that their revenue will be affected very adversely.

**Shri Rameshwar Tantia:** May I know whether there was a case in the Supreme Court against the Assam

Road tax, in which the verdict given was that such taxes are illegal, without the previous sanction of the President? Are the Government also aware that the Assam Government are bringing forward a new Bill in the Assembly?

**Shri B. R. Bhagat:** This is true.

**Shri P. C. Borooah:** May I know when this request of the Assam Government reached the Central Government?

**Shri B. R. Bhagat:** Request regarding what?

**Shri P. C. Borooah:** Request regarding combining the two road taxes making it one Central tax, and giving a share to the State Governments.

**Shri B. R. Bhagat:** The whole matter was considered at a meeting of the State Finance Ministers of States like Assam West Bengal, Kerala and Orissa, with the Union Finance Minister and the the decision arrived at was a result of the discussion.

**Shri P. C. Borooah:** May I know, Sir, if it is a fact that this proposal was not favoured by the West Bengal Government and that is why the delay has occurred.

**Shri B. R. Bhagat:** As I said, all the State Governments were represented in that Conference. We decided to continue these taxes for one year and referred the matter to the Finance Commission which will take into consideration the effect after one year, that is March 1962, and also consider the possibility of levying a general tax of moderate incidence as we have in Bihar and Madras. All these points emerged as a result of the discussion and this decision was taken.

**Shri Hem Barua:** May I know whether the local tax, that is the Assam Road Carriage tax, is an irregular and illegal tax, because of the finding of the Supreme Court? If so, how could Government want to continue it for one year?

**Shri B. R. Bhagat:** The whole thing was validated as a result of the

President's assent to an Ordinance, especially the past recoveries.

**Mr. Speaker:** For want of a technical sanction it was declared illegal. It has been regularised.

**Shri Supakar:** The purport of the ruling of the Supreme Court is that the previous sanction of the President is necessary. What stands in the way of the President giving sanction?

Why do Government not advise the State Governments to take such sanction. Do Government also propose to advise them that such a Bill should not be brought in the different legislatures? May I know if Government contemplates reimbursement of the loss by any other method?

**Shri B. R. Bhagat:** This is a hypothetical question. As regards bringing forward legislation, the various State Legislatures were considering it. As for the particular State from which hon. Member comes, this matter was considered. Since the legislature there has been abrogated, the matter is considered in the Law Ministry here. So, all this legislative process is being examined and considered.

**Shri Amjad Ali:** Has it come to the notice of Government that this lacuna has been filled by fresh legislation with the sanction of the President? A Bill to that effect was brought before the Assam legislature and has been passed into law.

**Shri B. R. Bhagat:** What is the lacuna, I do not know. It has been validated by an assent order issued by the President. There is no lacuna now.

**Shri Amjad Ali:** It was invalidated by the Supreme Court of India on account of the fact that it did not receive the President's assent before it was introduced in the Assembly. Subsequently a Bill was introduced and passed by the State Legislature. It has become law now.

**Shri B. R. Bhagat:** That is true.

**Shri P. C. Borooah:** The hon. Deputy Minister was referring to an ordinance. What is that ordinance, we do not know.

**Mr. Speaker:** When was it promulgated?

**Shri B. R. Bhagat:** As I said, the Supreme Court invalidated the Assam Taxation Act levying duty on tea and Jute. That was invalidated because the President's assent was not obtained. On that technical ground, without going into the merits, they said that the measure was invalid.

This was set right by the assent to the promulgation of an Ordinance given by the President and subsequently the assent to the State Bill.

#### National Consciousness among Students

+

- \*1408. {  
 Shri Pangarkar:  
 Shri Ram Krishan Gupta:  
 Shri D. C. Sharma:  
 Shri Prakash Vir Shastri:  
 Shrimati Krishna Mehta:  
 Shri Kalika Singh:  
 Shri Pahadia:  
 Shri Bhakt Darshan:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 443 on the 24th November, 1960 and state:

(a) whether Government have finalised the programme to develop on a nation-wide scale a national consciousness among the country's youth, particularly its school-going children; and

(b) if so, the details thereof?

**The Minister of Education (Dr. K. L. Shrimali):** (a) A proposal to set up a Committee to work out a detailed programme in this regard is under consideration.

(b) Does not arise.

I might further inform the House that we are finalising the terms of reference and the personnel of the

Committee, and as soon as this is finalised we will make an announcement.

**Shri Pangarkar:** While finalising the terms of reference, will the views of the various educational institutions in the States be taken into consideration?

**Dr. K. L. Shrimali:** That will be for the Committee to consider.

**Shri D. C. Sharma:** May I know if the exact definition of the term "national consciousness" will also be one of the terms of reference of the Committee?

**Dr. K. L. Shrimali:** I suggest that the hon. Member may wait till we finalise the terms of reference.

श्री भक्त दर्शन : क्या यह सत्य है कि इस समिति की अध्यक्षता के लिये माननीय डा० सम्पूर्णानन्द जी से अनुरोध किया गया है ? यदि हां, तो क्या उन्होंने इस को स्वीकार कर लिया है ?

डा० का० ला० श्रीमाली : जी हां, उन्होंने इस का अध्यक्ष होना स्वीकार कर लिया है ।

**Raja Mahendra Pratap:** When our hon. Prime Minister himself is thinking in terms of One World, is it not better that we develop world consciousness among the students?

**Dr. K. L. Shrimali:** One world consists of different nations.

श्री पहाड़िया : मैं जानना चाहता हूँ कि क्या इस तरह की योजना बनाने समय इस सिलसिले में उन संस्थाओं की सहायता ली जायेगी और उन को सुविधायें दी जायेगी, जो कि विद्यार्थियों में अनुशासन की भावना लाने के सम्बन्ध में काम कर रही हैं, जैसे अणुव्रत विद्यार्थी परिषद् है, ताकि वे भी इस क्षेत्र में सहयोग दे सकें ।

डा० का० ला० श्रीमाली : यह तो वह कमेटी तय करेगी कि वह कैसे कार्य करे ।