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Title: Further discussion on the motion for consideration of the Finance Bill, 2012 moved by Shri Pranab Mukherjee on 07.05.2012 (Bill Passed).

MR. CHAIRMAN: The House will now take up Item No. 23 – Shri Kalyan Banerjee to continue.

SHRI KALYAN BANERJEE (SREERAMPUR): While presenting the Budget for 2012-13, the hon. Minister of Finance has not addressed the eleven months pending Demands of the State of West Bengal.

Just eleven months before, a new Government has taken charge of the State of West Bengal, that is, after 34 years of the Left Front regime in the State. When a new Government took charge, it was saddled with a total accumulated debt of more than Rs. 2303 lakh crore. In other words, the people of the State carry a *per capita* debt of about Rs. 21,000.

During the term of UPA – I; the debt of the State has been increased up to 497 per cent between 2004 and 2006. The States of West Bengal, Kerala and Punjab are all debt trapped States and West Bengal is the highest one.

The Fiscal Responsibility and Budget Management Act came into force in the State of West Bengal in 2010. Prior to that, every time the Central Government has granted its sanction to take this debt. The Central Government has allowed it with their open eyes. Now, by reason of the debts which have been taken by the Central Government on the basis of the request of the States – this Left Front Government – the accumulation has now come into Rs. 2.03 lakh crore. We are repeatedly demanding that there should be a moratorium in the case of the interest and repayment of the loan for a period of three years. These types of special grants are not new in our country. I am saying this for the purpose of just giving an example. In 1984 to 1985 and 1988 to 1989, Special Term Loan granted to the State of Punjab was Rs. 5,799.92 crore. In 1990 to 1992, a moratorium was given for two years in that State. Again in 2000 to 2006, interest payment and repayment moratorium was granted to the State of Punjab and restructuring of the debt has been made. We are not against that. If it is necessary to any State, you should give it. But why are you not giving it to us? We have the number which has gone up to Rs.2.03 lakh crore and it is because you had shown indulgence on that. Now a new Government has come and it is asking for a moratorium. Why are you not granting it? It is not that you do not grant it. You have granted it in the case of Punjab and if it is needed for any other State, you will grant it. Now, three States want it. You are saying that a Committee has been set up for this purpose. But what will we do with the Committee if there is no output of the Committee? This was said, at least, one month back in the House. What is the result of that Committee? What is its affect?

Our leader and hon. Chief Minister of West Bengal, Kumari Mamata Banerjee, repeatedly made requests in this regard. We have also said it in the House. Now you please give us a moratorium for three years as we need it. This has happened earlier also. Your hand was there in accumulation of this debt. Up to 2010, why did the State Government of West Bengal not bring an FRBM Act when other States had got it in 2002-03 ? Therefore, it needs immediate consideration.

Sir, hundred per cent taxes are collected through States. But how much is going to the States themselves? You are enjoying the lion's share of taxes which are being collected from different States. The States are facing their own financial problems but you are not taking care of them. What about the CST which was collected? Now you have changed the policy. Everywhere, you are taking the benefit of the collections made by the States. In fact, you are running the entire country on the basis of the taxes which are being collected by the States. But you are not paying any attention when the States are facing problems. You are only ruling the country from Delhi. You do it. But you are doing it at the cost of the people who are coming from different States of the country. It is a very important issue and it should be addressed immediately so far as the State of West Bengal is concerned.

The share of services in GDP at factor cost increased from 33.5 per cent in 1950-51 to 55 per cent in 2010-11 and 56.3 per cent in 2011-12. As per advance estimates, trade, hotels and restaurants as a group with 16.9 per cent share, is the largest contributor to the GDP amongst various service sectors. While agriculture continues to be the primary employment providing sector, the service sector is the principal source of employment in urban areas. As per the National Sample Survey Organisation Report on Employment and Unemployment Situation in India, 2009-10, for every 1000 people employed, 679 and 75 people are employed in agricultural sector in rural and urban areas respectively. On the other hand, the service sector accounted for 147 and 582 for every 1000 persons employed in rural and urban areas respectively. Now, if we compare these two figures, we find that the Government should give more emphasis and attention in the agricultural sector. It is because this is in rural areas where out of 1000 persons, 679 persons are employed in agricultural field itself.

The Government should come out with a policy. Our State of West Bengal has made a policy that the State will not give any

agricultural land for the purpose of setting up of any industry. The agricultural land where there is scope for multiple cropping, such lands should not be wasted for purposes other than agriculture. That is the only way by which this country can develop. Even if we speak of the industrialists, we should keep in mind that the industrialists will not govern this country. This country will be governed by 122 crore people who inhabit this nation. This should always be remembered. The Central Government should not run after the famous industrialists and instead the Government should run after the 122 crore people, out of which 80 per cent remains in the villages. The Government should bring in a national agricultural policy. In our State we are not giving agricultural land for industrial purposes. There is improvement within one year of our Government coming in power in the State of West Bengal. Recently, just a month back, there has been an amendment to the West Bengal Land Reforms Act passed in the State Legislature which permits increase in ceiling limit on a case to case basis when an industry is set up and becomes functional and not just taking the land and keep on shifting from one State to another and the land so taken not being utilised for the intended purpose of setting up industries. Therefore, such kind of actions would have to be taken. Now, policies in respect of land acquisition are tilting in favour of the agricultural land and this should be made quickly and the Central Government should take more States favouring the growth of agriculture itself. Building industries in fertile agricultural fields should be deprecated and stopped. We have been hearing since the last one year about the new Land Acquisition Bill. Where is it? It should be brought as early as possible. More number of welfare measures should be brought in for the families of the agricultural workers. Our country is not having adequate drinking water in the rural areas. This is a very unfortunate phenomenon. Article 21 of the Indian Constitution speaks about Right to Life. It is an academic word. If the Government really wants to implement the spirit of what is contained in article 21 of the Constitution, then every village should have the facility of drinking water very quickly. Every citizen of India has the right to get drinking water at the earliest. There is in existence a National Water Policy, but nobody knows where this policy is and where it is effected and where it is implemented. There is no drinking water in village after village. It is a matter of shame that mobile phones have reached every village but drinking water has not reached every village in our country. This is a very unfortunate thing. This is a sovereign function of the Government and this sovereign function has to be discharged at the earliest. Right to have drinking water; Right to shelter, Right to Education is implicit in article 21 of the Constitution of India. It is not merely of any academic interest. Over the past five years of the Eleventh Five Year Plan, agriculture has gone up to 3.4 per cent per year on an average below the Eleventh Plan target of 4 per cent. Look at the achievement – the target was 4 per cent and it has gone at 3.4 per cent. To go forward it would be essential for India to build a productive, competitive and diversified agricultural, rural non-farm entrepreneurship and employment, encouraging policies that promote competition in agriculture marketing will ensure that farmers receive better prices. Although the provisions of the Right to Education Act have been implemented with effect from April, 1, 2010, yet the fruits of this are not being enjoyed by the people of this country. It still remains in the folder of Shri Kapil Sibal. These have not reached the villages. The children in remote villages still now are not getting the benefits of Right to Education.

Those who are having some money are going to some school both in rural and urban areas. The Central Government should increase its share of contribution. The Right to Education Act has been implemented. The share of the Central Government is 35 per cent and the rest is 65 per cent. The ratio is 35:65. The share of the Central Government should be increased.

I would just like to tell another important point in this House. It is very unfortunate that illegal mining is going on in the country. Everyone is conscious about illegal mining which is going on in the entire country. For the last ten years, it is unfortunate that there has not been a single case of conviction in illegal mining. I am talking about the entire country and not about any particular State.

Illegal mining is rampant in the country. Cases are being filed and FIRs are being lodged. But during the last eight years, there is not a single case of conviction in illegal mining. This is the most unfortunate part of our country. If we are really conscious about illegal coal mining, then there must be conviction on this issue.

With these observations, I would like to conclude. I would like to thank you Sir for giving me time to speak.

But at the end, I would again request the hon. Finance Minister to reconsider our demands and issues. With great hope, we are passing days.

Sir, you are smiling. But only when you reconsider our demands, we can also smile like you. Kindly grant moratorium and give us a chance to smile like you.

SHRI T.R. BAALU (SRIPERUMBUDUR): Mr. Chairman Sir, at the outset, with all his excellence, prudent efficiency, vast knowledge and experience at his command, the hon. Finance Minister has carved out the Finance Bill to suit the requirements of the Budget estimates. Of course, he has made a tight-rope walking but at the same time, we hope that, definitely, Indians will be led to the ultimate victory.

The Finance Minister, to attain a growth of 7.6 per cent of GDP at the end of this year, has made many proposals in the Finance Bill particularly in the areas of direct tax, indirect tax and other areas. But as far as direct tax is concerned, he has lost about Rs. 4500 crore due to some proposals. At the same time, he has gained Rs. 45490 crore in indirect tax proposals. The total net gain will be Rs. 41,440 crore. It includes service tax accrual of Rs. 18,660 crore .

The Finance Minister has pointed out in his Budget speech that he has attained 6.9 per cent GDP growth in the year which has gone by. But during the previous two years, there was a consistent growth of 8.4 per cent. But in spite of this, the Government of India is becoming one of the world's forerunner in the economic development. The Finance Minister has said that in the 12<sup>th</sup> Five Year Plan the growth rate will be faster, sustainable and also more inclusive. India's GDP in 2012-13 will be of the order of 7.6 per cent, plus or minus 0.25 per cent.

The reduction in the fiscal balance in 2011-12 is attributed to tax revenue reversals and increased subsidy, to a certain extent. Here, the Finance Minister is pleased to say that in 2012-13, the subsidy will be not more than two per cent. I would like to urge upon the Government and request the hon. Finance Minister not to be very rigid in extending subsidies to food sector and fertilizer sector and farm inputs which are necessary to agrarian sector. In spite of giving sufficient subsidy in the 10<sup>th</sup> Plan and in the 11<sup>th</sup> Plan, the growth was not much. In the 10<sup>th</sup> Plan, the growth was of the order of 2.7 per cent, and in the 11<sup>th</sup> Plan, it was of the order of 3.2 per cent only, as against the expected four per cent growth rate.

Hence, the hon. Finance Minister should be cautious enough to see that subsidy is not reduced to the farming sector. Agriculture is the backbone of Indian economy. India is an agrarian country. Nearly 65 per cent of our population is dependent on agriculture and they mainly reside in villages. Out of this 65 per cent, forty per cent do not own lands.

The agriculturists who have lost lands to the real estate owners and to the industrial units should be taken care of. The real estate owners, who are moneyed people, purchase agricultural land to protect themselves from the tyranny of tax. So, people who have sold their lands have become orphans.

The Government of India should come forward to see that nothing goes wrong in giving protection to the agricultural labourers. Proper tax should be levied from the people who are purchasing these agricultural lands and making them non-productive.

The hon. Finance Minister knows that import of gold is nothing but a menace to the balance of payments and also to the current account deficit. The current account deficit is created by extending the import bill for the cause of importing gold. For your information, 18,000 tonnes of gold is in the hands of private holding. The cost of the present rate will be of the order of \$ 900 billion.

Sir, in 2011-12, the import bill alone could serve the need of feeding the poor people of India. Now, you can understand what is the quantum of the import bill that has been extended by the Government of India for the non-productive gold import. Gold is not giving any employment opportunity. Gold is only intended to mop up money. Day-by-day it is increasing. The particular person who is having gold is becoming wealthier and wealthier. But, at the same time, it is at the cost of the Indian economy. This should be taken care of and the hon. Minister of Finance should come forward to levy sufficient capital gain tax or whatever tax he may opt for. It should be restricted at any point of time. The import of gold in 2009-10 alone form part of 851 tonnes, costing Rs. 1.36 lakh crore. The import of gold in 2010-11 form part of 970 tonnes worth about Rs. 1.85 lakh crore. Holding unproductive gold is nothing but vitiating the economic growth of the country. I do not think it is a proper thing to see that gold import is supported by the national exchequer. So, I would request the hon. Minister of Finance to take care to see that unproductive measures should be stopped at this point of time.

Sir, the price of one gram of gold in 1980-81 cost about Rs. 136; in 1990-91, it was Rs. 277; in 2000-01, it was Rs. 344 only whereas in 2010-11, the cost of one gram of gold was Rs. 1,828. Now, you can understand how the Ministry of Finance is financing the non-productive assets. It is not going to have any developmental activities in India. It is not going to give any employment opportunities. But it should be stopped immediately without any hesitation. The Government of India should come forward to restrict the gold import. The RBI should advice non-banking institutions not to give loan against the gold. The Government of India should come forward to put higher capital gain tax.

Sir, now I come to special provision on 35AD of the IT Act. Hon. Minister of Finance has given an investment-linked deduction of capital expenditure in 35AD which would be extended to new businesses such as freight stations, bee keeping, storage of sugar and, at the same time, he has also increased the tax-linked deduction from 100 to 150 for the cold chain facility, for warehousing, for 100 bedded hospital, for affordable housing, for fertilizers, etc. These proposals are very good and we appreciate them.

Sir, I want to appreciate the Rajiv Gandhi Equity Savings Scheme. Those who are having income limit of Rs. 10 lakh can invest up to Rs 50,000/- and 50 per cent will be taken care in tax deduction. This is a welcome change.

Coming to individuals, I would like to say that the tax exemption limit has been increased from Rs. 1,80,000 to Rs. 2 lakhs. There is no tax on this. From Rs.2 lakh to Rs. 5 lakh, it is 10 per cent; from Rs. 5 lakh to Rs. 10 lakh, it is 20 per cent and beyond Rs.10 lakh, it is 30 per cent. Here, I would like to request the hon. Finance Minister and the Government of India to see the truth that the exemption limit of Rs. 2 lakh is not at all sufficient because taking into consideration the salaried people, the middle-class, it is not sufficient. They are waiting for years together to get an increase. That is why, I request the hon. Finance Minister to see that it is hiked at least to Rs. 3 lakh. ...(*Interruptions*)

Now, I come to Amendment to Section 80C. There is an interesting point which I could tell the House. Under Section 80C, a person can extend an insurance policy to his spouse and children. But, at the same time, the children cannot do it. Children are nowadays earning more. Parents are not earning. Nowadays, if a son or daughter wants to insure his or her parent, it is not permissible under IT deduction. It is very strange. I would request the hon. Finance Minister to take care of this and see that this is corrected during his reply.

Coming to disinvestment, I would like to say that last year, in 2011-12, we expected Rs.40,000 crore but we have achieved only to the extent of Rs.14,000 crore. This year, again, we want to have Rs.30,000 crore. I do not know to what extent it will be successful. Unless and until the officers working under the hon. Finance Minister are prudent enough in their management and to see that it is done on time, the Government of India will have to go in for commercial funding only.

Finally, I come to comparison of tax to GDP ratio. There are poorer countries and richer countries. Let us compare India along with the poorer and also the richer countries. In Bangladesh, the tax to GDP ratio is 8.5 per cent; in Pakistan, it is 10.2 per cent; in Vietnam, it is 15 per cent. As far as the richer countries are concerned, in Indonesia, it is 11 per cent; in Philippines, it is 14.4 per cent; in Malaysia, it is 15.5 per cent; in Thailand, it is 17 per cent; in China, which has got three times of *per capita* income of India, it is 17 per cent. Now, India is having 15 per cent of tax to GDP ratio. That means, India's tax proposal is just nearing the richer countries. We are not richer. At the same time, the tax proposal is nearing the richer countries. Hence, I can only say that it is very heavy.

Before I conclude, I would request the hon. Finance Minister not to reduce the subsidies on fertilizer and also the farm inputs; I would request him to increase the tax exemption limit from Rs.2 lakh to Rs.3 lakh which would help the salaried middle class.

With these words, I conclude.

**श्री दारा सिंह चौहान (घोसी):** सभापति जी, मैं आपका धन्यवाद करता हूँ कि आपने मुझे वित्त विधेयक पर बोलने का अवसर दिया।

मैं सबसे पहले माननीय वित्त मंत्री जी को बधाई देना चाहूँगा कि आपने जो कुछ दिन पहले अनब्रांडेड ज्वैलरी पर एक्साइज़ ड्यूटी लगाई थी, मैं समझता हूँ कि हिन्दुस्तान में स्वर्णकार समाज के लोग अपने अपने सांसदों से मिले और सबने माननीय वित्त मंत्री जी के सामने अपनी पीड़ा रखी। हमने भी अपने क्षेत्र के लोगों की बात रखी और आपने उसको वापस ले लिया है, इसके लिए मैं आपको बधाई देता हूँ।

सभापति जी, मैं माननीय वित्त मंत्री जी से यह ज़रूर कहना चाहूँगा कि माननीय मंत्री जी ने जो उत्पाद शुल्क और सर्विस टैक्स को 10 से बढ़ाकर 12 प्रतिशत किया है, इससे महंगाई बढ़ने की संभावना पूरी तरह से बढ़ जाती है। इससे निश्चित रूप से महंगाई बढ़ेगी।

महोदय, अगर सीमेंट, स्टील और सरिये का रेट बढ़ेगा, तो देश में जो गरीब है, अगर वह एक कमरे का मकान बनाना चाहता है तो वह अपनी ज़रूरत पूरी नहीं कर पाएगा और मकान नहीं बना सकेगा। मैं माननीय वित्त मंत्री जी से कहना चाहता हूँ कि देश के गरीब आदमी की एक कमरे का मकान बनाने की जो आशा है, इसके लिए कुछ रियायत देने की ज़रूरत है।

महोदय, जो सर्विस सैक्टर में लोग हैं, उन्हें भी रियायत देने की ज़रूरत है। मैं समझता हूँ कि इसे सारा सदन भी चाहेगा, क्योंकि यह सारा वर्ग टैक्स देने वाला है। मुझे जो जानकारी है कि लगभग 50 परसेंट टैक्स सर्विस सैक्टर वाले लोग देते हैं और वह कर चौरी नहीं करता है, इसलिए मैं समझता हूँ कि इनके लिए टैक्स छूट की सीमा को बढ़ाना चाहिए।

महोदय, आज देश में 33 प्रतिशत बुनकर पलायन कर रहे हैं। माननीय मंत्री जी को धन्यवाद भी देना चाहता हूँ कि इन्होंने बुनकरों के विकास के लिए और सस्ती दर पर सूत उपलब्ध कराने के लिए लगभग 3 हजार करोड़ रुपये की घोषणा की है। मैं मंत्री जी से कहना चाहता हूँ कि आपने जो धनराशि हथकरघा सोसायटी के लिए दी है, मैं समझता हूँ कि केवल 10 परसेंट लोग हैं, जो अपने झोले में सहकारी समिति लेकर चालीस साल से चलते आए हैं और फायदा उठाते आए हैं। 90 परसेंट फायदा वे लोग ले रहे हैं, जिनकी संख्या दस प्रतिशत है। लेकिन वह बुनकर जो पावर लूम और हैंड लूम का काम करते हैं, मेरे संसदीय क्षेत्र के तहत मऊ में, जहां

बड़े पैमाने पर बुनकर हैं, जो स्वयं का काम करते हैं, उनका इससे कोई फायदा होने वाला नहीं है। मंत्री जी, मैंने आज जो कमीज पहनी है, इसे मऊ के बुनकर ने बनाया है और इसकी कीमत 200 रुपए है, लेकिन दिल्ली के कनाट प्लेस और खान मार्केट में खरीदने जाएं, तो इसकी कीमत 800 रुपए हो जाती है। मैं चाहता हूँ कि जो वास्तविक मूल्य बनाने वाले को मिलता है और बीच में जो ट्रेडर को मिलता है, इसे कम किया जाए और वास्तविक रूप से बनाने वाले बुनकर को ज्यादा फायदा मिले, यह मेरी आपसे गुजारिश है।

महोदय, मैं वित्त मंत्री जी को बधाई देना चाहूँगा कि उन्होंने छोटे और मझोले किसानों का ऋण माफ किया है। लेकिन देश में बड़ी संख्या में जो छोटे किसान हैं, जिनके पास छोटा खेत है, वे तो बैंक में जा भी नहीं पाते हैं और साहूकारों से लोन लेते हैं, उनके लिए मैं वित्त मंत्री जी से कहना चाहता हूँ कि उनको राहत देने की व्यवस्था की जाए।

महोदय, आज सदन में और इसके पहले भी कई बार किसानों के सवाल को लेकर हंगामा हुआ है। किसानों से गेहूँ खरीद को लेकर, उनके बोरे को लेकर और उसको रखने को लेकर आज हंगामा हुआ है। माननीय वित्त मंत्री जी ने बताया था कि राज्यों और केन्द्र के पास किसानों की उपज का केवल 60 प्रतिशत ही वेयरहाउस में रखने की क्षमता है बाकी 40 प्रतिशत अनाज आज भी खुले आसमान में बाहर सड़ रहा है। मैं माननीय वित्त मंत्री जी से कहना चाहूँगा कि मनरेगा की योजना से इस देश के गांवों में काफी काम हुआ है। मिट्टी का काम इसमें लगभग समाप्त हो गया है। इस योजना का स्थायी कार्य के लिए इस्तेमाल हो, इसके लिए माननीय वित्त मंत्री जी गांव पंचायत और ब्लॉक स्तर पर सर्वे करा कर गोदाम बनाएं। जिससे जो किसान अपना उत्पादन करता है, उसे अपने उत्पादन को स्टोर करने के लिए बाहर जाना भी नहीं पड़ेगा, उसको वह वहीं स्टोर कर सकता है।

बीपीएल को लेकर योजना आयोग और सदन में भी कई बार चर्चा हुई, कई बार लोगों ने इस पर टिप्पणी की। लेकिन मैं चाहता हूँ कि इस देश में गरीबों का जो बार-बार मजाक बनाया जा रहा है, उस पर अंकुश लगना चाहिए। मैं माननीय वित्त मंत्री जी से कहना चाहता हूँ कि आज पूरे देश से बीपीएल की संख्या बढ़ाने की बात की जा रही है। मैं चाहता हूँ कि कम से कम माननीय वित्त मंत्री जी उसमें एक सौ रुपए और उससे कम आमदनी वाले जो लोग हैं, उनको बीपीएल में शामिल करेंगे तो मैं समझता हूँ कि इस मामले का स्थायी हल निकल सकता है।

पूरे देश में पेट्रोलियम उत्पाद और खाद पर दी जाने वाली 2.5 लाख करोड़ रुपए की सब्सिडी को लेकर तमाम हो-हल्ला मच रहा है। तेल कंपनियां कह रही हैं कि मूल्य निर्धारण का उन्हें अधिकार दिया जाए। उस पेट्रोलियम उत्पाद को चाहे किसान खरीदे या टाटा-बिड़ला, उनको भी उसी रेट में मिलता है जिस रेट में किसानों को मिलता है। लेकिन, 2.5 लाख करोड़ रुपए की सब्सिडी पर बहुत हल्ला हो रहा है।

माननीय वित्त मंत्री जी ने कॉरपोरेट जगत को टैक्स एग्जेम्पशन के रूप में लगभग साढ़े पांच लाख करोड़ रुपए की जो रियायत दी है, मैं जानना चाहूँगा कि उस कॉरपोरेट जगत के लोगों के द्वारा कितना योगदान मिलता है? आपने कॉरपोरेट जगत को इतना सरकारी फायदा पहुंचाया है। आज आपने खाद पर दी जाने वाली सब्सिडी को कम कर दिया। जिन किसानों ने पूरे देश में गेहूँ का रिकॉर्ड उत्पादन किया है, उनके उत्पादन आज बोरे के अभाव में, गोडाउन के अभाव में खुले आसमान में सड़ रहे हैं। किसानों की बहुत दुर्दशा आज इस देश में है, चूंकि वह अपनी बात को कह नहीं पाता। हम उनके प्रतिनिधि हैं। माननीय वित्त मंत्री जी दयालु आदमी हैं, गरीबों पर दया भी करते हैं। इसलिए मैं समझता हूँ कि किसान जो 65-70 प्रतिशत हैं, उनको अधिकार तो है लेकिन वे दया के पात्र भी हैं। इसलिए माननीय वित्त मंत्री जी से मैं चाहूँगा कि उन किसानों को कुछ रियायतें जरूर मिलनी चाहिए।

यहां पर पेयजल की बात मेरे साथी ने उठायी। मैं समझता हूँ कि आज पूरे देश में पेयजल का इतना संकट है कि स्वच्छ जल हम आज लोगों को नहीं दे पाते हैं। पूरा सदन इस बात पर सहमत होगा और यहां जितने भी सांसद हैं, इन्हें अपने क्षेत्र में हैंड पम्प लगाने का अधिकार नहीं है। वैसे यह मामला दूसरे मंत्रालय का है, लेकिन मालिक तो आप ही है। जब आप ही पैसा नहीं देंगे तो ग्रामीण विकास मंत्रालय क्या करेगा? मैं चाहता हूँ कि जितने भी सांसद हैं, उनको स्वच्छ पेयजल के लिए अपने क्षेत्र में हैंड पम्प लगवाने के लिए कम से कम एक-एक लाख रुपया जरूर दिया जाए। ...(व्यवधान)

महोदय, इस सदन ने जब-जब जनहित के मामले को लेकर कुछ चाहा है, माननीय वित्त मंत्री जी ने मामले की गंभीरता को समझते हुए सदन में घोषणा की है और हम लोगों के साथ खड़े रहे हैं। हम सारे लोगों की सहानुभूति माननीय वित्त मंत्री जी के साथ है। इसलिए मैं चाहता हूँ कि इसका उत्तर देते हुए माननीय वित्त मंत्री जी कुछ न कुछ घोषणा जरूर करें।...(व्यवधान) मेरी और सबकी आपके प्रति शुभकामना है। ऐसा सब लोग चाहते हैं। माननीय वित्त मंत्री जी, यह सब लोग चाहते हैं, इसमें कोई शक नहीं है, लेकिन हम लोगों को यहां आपकी कमी जरूर खलेगी। मुझे लगता कि वहां रहकर के भी आपको हमेशा यहां के लोगों का ध्यान रखना होगा।

अन्त में मैं चाहूँगा कि माननीय वित्त मंत्री, एक दीर्घकालिक नीति बनाये जाने की जरूरत है और जब तक बाजार पर आपका नियंत्रण नहीं होगा, मैं समझता हूँ कि तब तक हम महंगाई पर अंकुश लगाने में असमर्थ होंगे।

इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

SHRI BANSU GOPAL CHOWDHURY (ASANSOL): Thank you, Mr. Chairman Sir, I rise to make some comments regarding the Finance Bill which the hon. Finance Minister has placed in the House and it is being discussed in the House.

First of all, I want to read a portion from the India Development Report published by Indira Gandhi Institute of Development and Research before I make some comments about the direct taxes and indirect taxes which have been recorded in the Finance Bill. Sir, I quote the comments made in the India Development Report:

"The health of the Central Government's finance deteriorates on account of the stimulus package in the years following the enactment of the Fiscal Responsibility Budget Management Act. The fiscal deficit declined from 4.5 per cent of GDP in 2003-04 to 2.6 per cent in 2007-08. In 2009-10, the fiscal deficit was 6.9 per cent. The projected fiscal deficit for 2010-11 is 5.5 per cent of GDP. The targeted fiscal deficit for the years 2011-12 and 2012-13 is 4.8 per cent and 4.1 per cent of GDP respectively."

This has been published in the India Development Report.

Sir, the Direct Taxes Code Bill comes in the backdrop of the decline in the tax-GDP ratio in the recent years. The direct taxes to GDP ratio has also declined from its peak of 5.9 per cent in 2007-08 to 5.4 per cent as per the Budget Estimate of 2010-11. We should go through the *Economic Survey* of 2010-11. It is mentioned in Chapter III of the *Economic Survey* 2010-11 titled 'The tax revenue as a percentage of GDP'.

First of all, we should go through the direct taxes. I am taking the period from 2009-10 and 2010-11. In 2009-10, the tax revenue as a percentage of GDP was 5.6; in 2010, it was 5.4; and the revenue was 9.6 in 2009-10 and the revenue was 9.5 in 2010-11.

I agree in principle that the character of the tax regime should change and it should be made more progressive. Our learned and experienced Finance Minister, I believe, has gone through the Standing Committee report thoroughly. The comment in Part 1 of the Standing Committee report should be taken into consideration.

It is a fact that there are only 2.58 crore income tax payers in our country of over 120 crore population. It reflects the narrow tax base and this narrow tax base of our country not only is hampering the tax collection but it is also hampering the development process. All of us should agree to this point. I believe that the proposed slabs in the DTC Bill as well as the report will not only shrink the income tax base but it will also lead to revenue losses. There is no justification for lowering the current income tax rates across the board for those earning over Rs. 5 lakh per annum.

I am placing here the alternative structure also. This is the alternative proposal. For income tax slab 0 to Rs. 3,00,000 the tax should be nil. For tax slab Rs. 3,00,000 to Rs. 5,00,000 the tax should be 10 per cent. For tax slab Rs. 5,00,000 to Rs. 10,00,000 the tax should be 20 per cent. And beyond Rs. 10,00,000 the tax should be 30 per cent.

There may be a normal question as to why this slab and this tax rate should be considered. If we go through Para 92, it reveals that the annual wealth collection is only to the tune of Rs. 500 crore to Rs. 600 crore. The total wealth tax collected is Rs. 500 crore to Rs. 600 crore but the wealth of the super rich persons in India should also be counted.

If we go through the number of dollar billionaires in India as per the Forbes list, it has risen from 13 in 2003 to 55 in 2011. The combined net worth of these 55 dollar billionaires stood at over 240 billion dollars in March 2011. It is their combined net worth. So, this needs to be enhanced to mop up more revenues from the super rich.

There is also the alternate proposal for wealth tax slabs. This is as per the following. I think it should be calculated and imposed. For net wealth 0 to Rs. 5 crore, the wealth tax should be nil. For net wealth Rs. 5 crore to Rs. 20 crore the wealth tax should be 1 per cent. For net wealth Rs. 20 crore to Rs. 50 crore the wealth tax should be 3 per cent. For net wealth Rs. 50 crore and above the wealth tax should be 5 per cent. But, unfortunately, what the Government has declared is this. The tax of the corporate houses has been exempted not beyond two to three years. The transition in corporate taxes should be from profit-based incentives to investment based ones. No tax concession should be allowed beyond three years.

The SEZ Act should also be amended to phase out all profit based incentives which have been allowed for 10 years.

Yesterday, there was an announcement by the hon. Finance Minister in Parliament, deferring the implementation of the General Anti-Avoidance Rules (GAAR) by one year and diluting many of its provisions, is a mixed surrender to finance capital, MNCs and the US Administration. The US Treasury Secretary had personally lobbied with the Indian Finance Minister to revoke the GAAR during his recent US visit in April, 2012. I think, the Double Taxation Avoidance Agreement is with tax havens like Mauritius. The GAAR Act meant to strengthen India, India's tax laws, to prevent foreign investors from avoiding paying taxes on capital gains in India.

Over 40 per cent of FDI inflows into India are routed through Mauritius in order to facilitate crores of rupees of tax savings of foreign companies at the cost of Indian Exchequer.

Sir, I think, you will permit me to read the Report of the CBI Chief. ...(*Interruptions*)

MR. CHAIRMAN : Please wind up. I am calling the next speaker.

...(Interruptions)

SHRI BANSA GOPAL CHOWDHURY : Sir, please permit me to speak. I will conclude in two-three minutes. ...(Interruptions)

MR. CHAIRMAN: You have only one minute. Please read out what is important.

...(Interruptions)

SHRI BANSA GOPAL CHOWDHURY : The CBI Director stated in his speech in February, 2012:

"India, in particular, has suffered from the flow of illegal funds to tax havens such as Mauritius, Switzerland, British Virgin Islands etc.

It is estimated that around \$ 500 billion of illegal money belonging to Indians is deposited in tax havens abroad. Largest depositors in Swiss Banks are also reported to be Indians."

Does the Government agree with the \$ 500 billion figure? As per the Receipt Budget – Sir, I want to mention – the total tax arrears is Rs. 2.49 lakh crore in March, 2011, of which, Rs. 61,000 crore are tax Demands which are not under dispute. Why is Government failing to recover these tax arrears?

As per the C&AG Audit Report on tax arrears, the arrears demand increased from Rs. 77,000 crore in 2005-06 to Rs. 1.8 lakh crore in 2009-10. That is an increase of 135 per cent in five years. That has already been stated in the C&AG Report that this is the tax arrears. (Interruptions)

MR. CHAIRMAN: Please conclude. I am calling the next speaker. You have made your point.

SHRI BANSA GOPAL CHOWDHURY : The Security Transaction Tax Rate has been slashed by 25 per cent and a new tax exemption announced for stock market investors under the Rajiv Gandhi Equity Saving Scheme. Such incentives for investments in the stock market are being doled out at a time when the interest rate on Employees Provident Fund has been drastically slashed.

अंत में, मैं यह कहना चाहता हूँ कि कल यशवंत सिन्हा जी ने कोयले के बारे में जो चीज यहां पर उठायी है उसको हमारे वित्त मंत्री जी जरूर देखेंगे। यह प्री-रेवेन्यू का एक लॉस है। अभी कंट्री में टोटल रेवेन्यू लॉस चल रहा है। अभी कोयला का जो बीडिंग इंटर कंट्री में चल रहा है that is creating more and more revenue loss. यह रेवेन्यू लॉस अकेला नहीं चल रहा है।... (व्यवधान) सर, मैं एक मिनट के अंदर में अपनी बात कहना चाहता हूँ कि ये आदिवासी लोगों की जमीन लूट रहे हैं जहां पर ठेकेदार का राज चल रहा है वहां इसको रोकना चाहिए। हमारे वित्त मंत्री जी नेशनल रेवेन्यू की रक्षा करने के लिए आगे कदम बढ़ाएंगे।

**15.00 hrs.**

आदिवासी लोगों की रक्षा करने के लिए आगे कदम बढ़ाने के लिए और तमाम झारखंड राज्य में

...(व्यवधान)

MR. CHAIRMAN : Now, nothing will go on record.

(Interruptions) \* \* \*

MR. CHAIRMAN: Now, Shri Nama Nageswara Rao.

...(Interruptions)

MR. CHAIRMAN: Mr. Bansa Gopal Chowdhury, what you are speaking now is not going on record.

(Interruptions) \* \* \*

MR. CHAIRMAN: There is a time constraint. Please take your seat, now.

...(Interruptions)

MR. CHAIRMAN: Nothing is going on record. Please do not waste the time of the House

(Interruptions) \* \* \*

MR. CHAIRMAN: Hon. Member, please follow the instructions of the Chair and stick to your time limit. There is a paucity of time.

SHRI NAMA NAGESWARA RAO (KHAMMAM): Thank you, Mr. Chairman, Sir, for giving me the opportunity to speak.

I would like to express my views on the Finance Bill, current economic and financial situation in India and the problems being faced by the citizens of our country. I would also give some suggestions to tackle these issues.

Our country's financial situation is at an alarming stage. It is deteriorating year by year with rising debts, higher fiscal deficit, rising inflation, lower employment rate and widening disparity between the rich and the poor. देश में हमारी सबसे ज्यादा प्रबलम फिसकल डैफिसिट है। We are now touching the GDP growth of 6.9 per cent, which means less. It is because the fiscal deficit to the GDP ratio is already at 5.1 per cent and it is increasing year by year. The fiscal deficit of our country is growing drastically due to unhealthy and unproductive economic policies of this Government.

**15.01 hrs** (Shri Satpal Maharaj *in the Chair*)

Today, the fiscal deficit is the financial cancer to our country. The Government has to take up this issue very seriously.

MR. CHAIRMAN: Please be brief.

श्री नामा नागेश्वर राव : महोदय, अभी तो मैंने शुरू किया है। मुझे बोलने के लिए थोड़ा सा समय दीजिए।... (व्यवधान)

सभापति महोदय : आप थोड़ा संक्षेप में बोलिए।

SHRI NAMA NAGESWARA RAO: During the time of the NDA Government, the total fiscal deficit was Rs. 19.78 lakh crore. Now, it has grown like anything. At present, the fiscal deficit during this Government is Rs. 48.79 lakh crore. This is a very alarming situation. The Finance Minister has to tackle this issue very seriously.

Coming to agriculture, there is no respite for the poor agricultural farmers, who are committing suicides. The Government is not able to curtail these incidents of suicides with its fiscal and monetary policies. सरकार नाम के लिए किसानों की बात करती है लेकिन किसानों के लिए फाइनेंस बिल में किसी तरह की प्रोटेक्शन नहीं है। That is the reason these suicides of poor farmers are going on.

The contribution of Agriculture sector to the overall GDP of the country has fallen. During the time of the NDA regime, it was 23 per cent. It has fallen to 14 per cent during the regime of the present Government. This is a very serious matter. This is very clear that they are giving no focus to the agricultural sector. Moreover the Budget allocation on the agriculture sector has also fallen down like anything. Earlier, it was 1.66 per cent; and now, it is 1.26 per cent. There is a drop of almost 25 per cent in their Budget allocation on the agriculture sector.

Sir, the same thing is happening in regard to the Foreign Direct Investment (FDI). Every time, they are telling about 'FDI, FDI'. But year after year, it is coming down. It is one of the important issues, which the Finance Minister has to tackle.

Now, there is an Outward FDI. Due to less incentive and stagnant and subdued economic situation prevailing in our country, most of our big corporates have started moving outside the country and doing Outward Foreign Direct Investment. They are going to Indonesia, Bangladesh, UAE and African countries for Outward FDI. This is very alarming. For this reason also, our fiscal deficit is increasing. This should be tackled properly. In the recent years, the outflow is almost 25.3 US billion dollars. It is very alarming. This should be tackled properly.

Our country rating is also coming down like anything. Recently, S&P's Indian rating is BBB negative. So, the country rating issue is also very alarming. The rupee is falling like anything and we are unable to control the falling rupee value. It is continuously falling. It is very dangerous. This has to be tackled properly.

After this Government has taken over, UPA-I and UPA-II, they have brought one policy on SEZ.

सभापति महोदय : राव जी, अब आप अपनी बात समाप्त करें।

â€¦ (व्यवधान)

SHRI NAMA NAGESWARA RAO : I am concluding.



In the entire India, they have given permission for above 600 SEZs. At that time, the idea was that they have to invest lakhs of crores and at the same time they have to export. The SEZ Bill is only for export purpose but now nothing is happening in the SEZs. In the entire country, lakhs of acres of land was acquired. Only in Andhra Pradesh, two lakh acres of land was acquired. The poor farmers' land was acquired due to SEZ but they are not investing and they are not exporting. So, this should be tackled properly.

MR. CHAIRMAN: Please conclude.

SHRI NAMA NAGESWARA RAO : Sir, I am concluding.

I am giving some suggestions only. My suggestions are that the Government should introduce a separate Agriculture Budget to protect the agriculture sector. Second, they should constitute an Agriculture Stability Fund to provide relief to farmers. Why? It is because whenever there is any climate change or any problem, the fund should be utilized to help the farmers. Third, a long-term export policy should be evolved. This is very important. Fourth, the tenant farmers should also be protected properly.

**सभापति महोदय :** राव जी, आप अपनी बात समाप्त करें।

SHRI NAMA NAGESWARA RAO : Lastly, it is the sense of the House since last one week about our Finance Minister that we are expecting his elevation to a higher position. It is very good. Everybody, irrespective of the parties, likes our Finance Minister. But before that, we do not know whether this may be his final or last chance to move the Finance Bill. So, in these circumstances, what I want to request the Finance Minister is that in this Finance Bill he has to give interest free loan to the farmers. This is our request. Second, also give free medical facilities to the farmers.

With these, I am concluding. .

\*SHRI CHELUVARAYA SWAMY (MANDYA) : Chairman Sir, thank you for giving me the opportunity to take part in the discussion on the Finance Bill for the year 2012-13. Cutting across the political parties, all are happy if Finance Minister Shri Pranab Mukherjee ji elevates to the countries top post. When it comes to development of the country I do not understand where the Union Government is lacking. I would say when it comes to the issue of development of the nation one should think beyond his / her party and its political benefits. Only then India could enjoy the global status.

We all are aware that the tax paid money is the only source of income to run the Government. This is paid by all the people including farmers, government servants, politicians, business men. All the programmes and policies introduced by the Government are dependent on this source of income. This is why the Government should take stock of the situation about whether its policies are implemented at the ground level. It is also the moral duty of the Government that it should spend money judiciously. It should not be utilized for gaining political mileage. I would like to suggest while formulating the policy the Central Government must always think in terms of comprehensive policy for the interest of the entire country.

We have been witnessing coalition system of government at the centre for the last two decades. I don't think any party could come to power without the help of coalition parties. In the coalition Government those who joined the ruling party would definitely think in terms of fulfilling their own political interests and try to implement the election manifesto their political party. As far as elections are concerned we all are aware that every year elections are being held either to state

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\* English translation of the speech originally delivered in Kannada.

assembly or to municipal corporation or to gram panchayat etc. This has come in the way of development of the country. In such a situation when assembly election is held to any of the Indian state whether it is West Bengal, Bihar, Tamil Nadu, Uttar Pradesh, naturally these parties use their influence to get allocation of fund, and on the other important policy decisions to protect the interest of the particular state. So, the Union Government would not be able to deliver the goods to

the betterment of the people of the entire country. This would affect financial health of the nation. This would create crisis in the relationship of centre-state in some cases, where the states are ruled by opposition parties. Hence I would like to say that amendment to the constitution is necessary to hold elections to all state assemblies, local self government and Central Government at a particular time in the entire country. So, those who get mandate they could pay attention for the development and good governance of the country in the remaining period. Otherwise I don't think there is any solution to tackle the problems prevailing in the country.

My next point is about farm loan. Farm loan should be made available to all the farmers at zero percent rate of interest. At present the centre is charging 7% per annum. This is not at all helpful to our farmers, who are already in the crisis. My colleague Shri Nama Nageshwara Rao, who spoke prior to me, has mentioned that there are 70% of our farmers belonging to small and marginal category.

As far as small and marginal farmers are concerned, banks are not extending farm loan facilities to them. Only big and influential farmers are enjoying the benefit of Government's programmes. Farmers those who are having half acre or one acre land holdings, are deprived of financial assistance or any kind of loan. You can take report from bank, small and marginal farmers are completely neglected. Hence, I urge upon you to attach top priority to give interest free loan upto one lakh rupees to all small and marginal farmers.

Besides, the Government should ensure adequate power supply, irrigation development, marketing infrastructure to our farmers. Unless, these development are ensured there would be no use of providing any subsidy. Providing basic facilities like power supply, irrigation and marketing we could hope our country to become prosperous one.

As far as Scheduled Caste, Scheduled Tribe, minority and other backward communities are concerned the money, which is spent by the Government and various corporations are not reaching the real beneficiaries. There is a need of accountability to find out whether the fund allocated to welfare of these communities is being utilized properly or not. The Government should pay attention to it. There must be some accountability on spending the Government money. Unless this is done, the welfare programmes, meant for needy people would yield no result. I would also suggest while formulating these programmes the Government should keep the entire country in view, so that there should not be any scope for appeasement of particular community or political party etc.

As far as spending on NGO's is concerned, there, also proper accountability should be put in place. If you hold a discussion in the Parliament on the money spending on various NGO's, it would help the people to know that how the money is being misused. That is why the Government should do something concrete in this regard.

With regard to sericulture, the UPA Government in its budget for the year 2011-12 reduced the import duty on raw silk from 31% to 5%. This move has been affecting the sericulture farmers of Karnataka. Only to protect the interest of, weavers, consumers and some particular group the genuine demand of our farmers are being neglected. This is not good to any Government. I am pained to understand that whenever the issue of Karnataka is raised the Union Government has always neglected our state. I don't think Karnataka is done any injustice to the centre. I don't know why this kind of step-motherly treatment is meted out to Karnataka. This should be put an end. Otherwise it would affect the federal structure of our country. People of Karnataka would no more tolerate this kind of ill-treatment. On behalf of my people and my innocent farmers of Karnataka I request the Union Government with folded hands to take immediate steps to protect the interest of our farmers, particularly sericulture farmers of my state Karnataka.

With regard to corruption in the governance, I would say that the Government should think about bringing accountability in the administration. In order to ensure transparency stringent measures are to be taken. Otherwise it is not possible to curb corruption. As I mentioned earlier election reforms, and stringent measures would help in curbing the corruption.

Hence, I urge the Government to consider my views and take necessary steps in this regard.

With these words I conclude my speech.

MR. CHAIRMAN : Shri Kameshwar Baitha – not present.

SHRI PREM DAS RAI (SIKKIM): Mr. Chairman, Sir, I rise to support the Finance Bill, 2012 which gives effect to the financial proposals of the Central Government.

I have only four or five points to add to the long list of issues that have already been put forth in this House. The first thing that I would like to underscore is that we have to move to an era of policy stability. I think, if there is one thing that is troubling the minds of the captains of industry or even the small-scale entrepreneurs, be it a travel agent anywhere, it is policy instability. I think, this is an area which we really need to fix because if you want to say that the tax proposals or the proposals of the Finance Bill are going to have a positive impact on our economic engines, then, I think, policy stability is the need of the hour.

I would also like to say that there are a few points in this Finance Bill which are very positive. Let me state one of them. This is the deduction allowed to organizations and companies in respect of the money they spend on skill development. I think, this is a far-reaching amendment because skill development is the one area where this country requires to concentrate on. If we are to give our young population the necessary tools to be able to become productive, then I think, it is in the area of skill development. I think, in a similar manner, if we look at climate change or any other area of development, like our human development, then wherever we are able to give the incentives, it will be a positive and progressive step.

I would also like to bring to the notice of this House that the North-East is plagued by the indirect taxes, especially in the area of service tax. Now since you have really moved to a regime of negative list, most of the services will fall under the purview of service tax and the service tax has also moved up from 10 per cent to 12 per cent. It is actually having a cascading impact on one particular sector on which the North-East really depends, and that is the area of tourism. In the area of tourism, if you fly or travel by train, the issue of access for the North-East is tremendous. I think, this is one area which will have to be looked into as to how we are able to incentivise people to go to the North-East because it takes a hell of a time to reach there. It also takes a monumental effort to reach these particular areas.

Finally, I would also like to talk about one special issue which is plaguing the minds of the people of Sikkim. This is the case of the old-settlers. It is by an accident of history that there were a set of people who were mainly traders and in the early fifties when the King of Sikkim at that time had promulgated the Sikkim Citizen Register or Sikkim Subject Register, they were given an opportunity to either become a Sikkim subject or not to become a Sikkim subject and carry on with saying that they were Indian citizens. It was at that time when these people had come to do trade with Tibet that this particular issue came up and they were not able to take that particular opportunity. This particular issue has been flagged many times. This is something where they would like to be now brought under the definition of 'Sikkimese' under the present Income Tax Act. I would urge the Finance Minister, through you, Mr. Chairman, Sir, that this be brought about at some point of time. I do not see it in the present Bill, but I would urge the Finance Minister to undertake this particular process.

With these words, I support the Bill. .

DR. TARUN MANDAL (JAYNAGAR): Sir, it is not possible to give support to this Bill because this Finance Bill seeks support or approval for the Budget proposals of 2012-13 which are actually brazenly anti-people, pro-rich and pro-capitalist.

Our Finance Minister has kept his promises. He quoted Shakespeare saying that he has to be cruel to be kind. He has been enormously kind to the corporates, to the capitalists, to the multinationals, but he has been extremely cruel to the common people of our country.

I would like to draw the attention of the Finance Ministry, through you, Sir, to four or five points for which I would take three or four minutes only.

His Budget proposals have not been able to contain the price rise when 90 per cent of our people are reeling under the spiraling price hike in all essential items of life. Increase of Indirect Taxes to the tune of Rs. 43,000 crore will indirectly result in the rise of prices of all products essential for life. The rise of taxes, particularly in the petroleum sector, will have a cascading effect. You know that it will in turn hike the prices of all the essential items of life.

Socialist Unity Centre of India (Communist) Party demanded the Government to go for allowing state trading in all essential commodities of life, which is the only way out to tame inflation and to contain price hike in essential items of life. It means complete procurement and distribution of all essential items, including food grains, should be done under the Central Government directions and in cooperation with the State Governments. However, under the sweet will of the market speculators, hoarders, and the black marketeers, our Government is not adopting those measures.

My second point is that this Budget could not show the way for gainful employment for the crores and crores of unemployed people in our country. Furthermore, closure of industries and retrenchment policies has further increased the number of

jobless people. Due to this unemployment, the market is in crunch because people do not have the purchasing power. In this capitalist economy, making maximum profit has become an endemic phenomenon not only in India, but all over the world where this capitalist economy is being followed. As you know, our hon. Minister earlier said that the Indian economy has got resilience and insulation to save us from the global downturn, but it could not save the Indian economy, which he had admitted in his Budget speech.

So, Sir, proper measures and a review should be taken. We have to see whether the policies of globalization, liberalization and privatization followed by the UPA and other Governments since the 1990s are enriching our people or are impoverishing our people.

My third point is regarding corruption. In public lives, private lives and also in the field of governance, that is, administration and bureaucracy, corruption is eating away a sizeable amount of public money. The measures taken by the Government have not been able to tame corruption. Tax evasion, tax default, particularly by the industrialists and the rich people, non-payment of bank loans or Employees' Provident Fund, etc., are further impoverishing our people. Result-oriented measures should be adopted by the Government to regenerate funding from these sections.

My fourth point is that I am strongly against the disinvestment policies of the Government. In the post-Independence period, these Public Sector Undertakings were built under public pressure. Similarly, the Public Private Partnership policies and the creation of Special Economic Zones are only for the corporates and the multinationals and they are not in the interest of the people.

Sir, FDI in education and also in retail will lead to further disasters, as far as the wretched and the destitute people of India are concerned. I am strongly against PPP model, against SEZ policies and FDI. I will take one minute more. If our Government feels that education, health, drinking water, sanitation, nutrition and housing are the fundamental rights of our people, then a sizable budget allocation should be made in these sectors and proper implementation should be done while plugging the pilferage and corruption from these sectors.

I would like to say that missiles like Agni or nuclear warhead cannot save our country in crisis but a literate, healthy, committed and patriotic people can save the country.

**श्री कामेश्वर बैठा (पलामू):** सभापति महोदय, आपने मुझे बोलने का मौका दिया है, इसके लिए आपको धन्यवाद देना चाहता हूँ।

महोदय, माननीय मंत्री जी ने जो बजट पेश किया है, इसे देखने से मुझे लगता है कि यह बजट आम जनता के हित में नहीं है, बल्कि बड़े पूंजीपति और बहुराष्ट्रीय कंपनियों के हित में है। मिश्रित तौर पर देश की ज्यादा जनसंख्या जो गरीब लोग हैं, उन्हें ध्यान में रखकर बजट बनाया जाना चाहिए था। मैं झारखंड राज्य के पलामू संसदीय क्षेत्र से चुन कर आया हूँ, जो रिजर्व सीट है। मैं वित्त मंत्री जी का ध्यान अपने संसदीय क्षेत्र की तरफ दिलाना चाहूँगा। मैं अंकित करना चाहता हूँ कि झारखंड राज्य जंगल, पहाड़ का क्षेत्र है और बहुत गरीब क्षेत्र है। यह आदिवासियों का क्षेत्र है, अनुसूचित जनजाति के लोगों का क्षेत्र है। हमारे यहां आम खेती आदिवासियों के लिए लाख की खेती थी, जो आज बिलकुल लुप्त हो चुकी है। मैं वित्त मंत्री जी का ध्यान दिलाना चाहूँगा कि लाख की खेती का जो कीड़ा होता है, वह प्रजाति किसी न किसी प्रदूषण के कारण नष्ट हो चुकी है, फिर से इस कीड़े को जीवित किया जाए। अगर लाख की खेती होगी, तो हमारे यहां का बहुत बड़ा हिस्सा झारखंड, छत्तीसगढ़, उड़ीसा, मध्य प्रदेश और बिहार का बड़ा हिस्सा लाख की खेती द्वारा अपनी आजीविका चला सकता है। हमारे यहां अवैध रूप से कई खानों में खनन कार्य किया जा रहा है, चाहे बालू की खान हो, चाहे ग्रेफाइट की खान हो, बाक्साइट की खान हो या कोयले की खान हो। कैशर से पत्थर तोड़ कर अवैध कार्य किया जा रहा है। इसे बजट सत्र में लाया जाए, जिससे ज्यादा से ज्यादा लोगों को रोजगार मिल सके। हम अपने प्रदेश की जनता को, जो नक्सलवाद से प्रभावित है, सरकार द्वारा कई योजनाएं चलाई गई हैं। उग्रवाद प्रभावित क्षेत्र में आईएपी योजना चलाई जा रही है, इस योजना के लिए आज टेंडर किया जा रहा है। मैं वित्त मंत्री और गृह मंत्री जी से भी कहना चाहता हूँ कि उग्रवाद प्रभावित क्षेत्रों में जो राशि भेज रहे हैं, उसे छोटे-छोटे टुकड़ों में विभाजित करें। गांव की गली है, नाली है, चौक है, तलाब है, पोखर है, इस तरह से जनता में रोजगार का सृजन किया जाए, ताकि हमारे यहां से रोजगार के लिए जो लोग दूसरे प्रदेशों में जाते हैं, उनका पलायन रुक सके। हमारे यहां रोजगार की सुविधा नहीं है। पूरे झारखंड प्रदेश में अगर आप देखेंगे, तो चप्पे-चप्पे में कहीं भी किसानों के लिए स्थायी खेती के लिए सिंचाई की सुविधा नहीं मिलेगी।

महोदय, मैं कहना चाहता हूँ कि आपने जो बजट पेश किया है, बजट में आप उन गरीबों का भी ख्याल करें जो रोजी-रोटी के लिए अनेक प्रदेशों में जाते हैं, मैंने पिछले सत्र में भी भाषण दिया था कि देश का कोई ऐसा प्रदेश नहीं है जहां हमारे झारखंड प्रदेश के लोग नहीं जाते हैं। कोई ऐसी जगह नहीं है जहां हमारे संसदीय क्षेत्र की जनता चाहे औरत, बच्चे या बूढ़े हों, वे रोजगार तलाश में नहीं जाते हों। लेकिन हमारे यहां कहीं के लोग रोजी-रोटी के लिए नहीं आते हैं। एक मयान में दो तलवार नहीं होनी चाहिए। आप पूरे भारतवर्ष को देखेंगे, पलामू संसदीय क्षेत्र की जनता को भी एक नजर से देखें। आखिर वहां के लोग क्यों पलायन कर रहे हैं और क्यों वे उग्रवादी गतिविधि में शामिल हो रहे हैं? इसका क्या कारण है? इस कारण को आप नजरअंदाज न करें।

आप कई तरह की उग्रवाद प्रभावित क्षेत्रों में योजनाएं चला रहे हैं लेकिन जो भी माननीय सदस्य ने सवाल उठाए थे, जो भी केन्द्रीय सरकार का फंड है, तमाम माननीय सदस्य बैठे हुए हैं, चाहे वह पीएमजीएसवाई हो या आईएपी की तरफ से जो योजना चलाई जा रही है, उसमें उनकी किसी प्रकार की कोई भागीदारी नहीं है। आप जो कानून बनाते हैं लेकिन जिस जनता ने मुझे चुनकर भेजा है, वह जनता हमसे पूछती है कि जो बजट पेश किया गया है, यह बजट हमें क्या देगा? हमें इससे कितना फायदा होगा? झारखंड के तमाम माननीय सदस्य बैठे हैं, झारखंड प्रदेश की ओर ध्यान आकर्षित करें कि हमारे यहां उग्रवाद क्यों है? इसका कारण जरूर ढूंढा जाए और इस ओर ध्यान दिया जाए।

**श्री दीपेन्द्र सिंह हुड्डा (रोहतक):** सभापति महोदय, आज मैं बजट और फाइनेंस बिल के समर्थन में बोलने के लिए आपके समक्ष खड़ा हुआ हूँ। जिस समय यह बजट पेश हुआ, यह एक चुनौती का समय है। पूरे विश्व में जो आर्थिक संकट मंडरा रहा है, अभी उस संकट के और गहराने के संकेत चारों तरफ से मिल रहे हैं चाहे वह कूड ऑयल के प्राइस की बात हो। यशवंत सिन्हा जी यहां पर बैठे हैं, जब वे वित्त मंत्री थे और कूड ऑयल का भाव विश्व के बाजार में 12 डॉलर प्रति बैरल से 32 डॉलर प्रति बैरल था, मैं कहना चाहूंगा कि आज बहुत से विशेषज्ञ मानते हैं कि पीक ऑयल लेयर यानी कि ऑयल प्रोडक्शन अपने हाइस्टेस्ट प्वाइंट पर 2012 में पहुंच चुका है और आगे यह ऑयल प्रोडक्शन धीरे धीरे कम होगा। एक तरफ ऐसी स्थिति है और दूसरी तरफ यूरो जॉन क्राइसिस है, सोवरन डैब्ट क्राइसिस है जो और गहरा रहा है। स्पेन भी क्राइसिस की तरफ जा रहा है। चारों तरफ जब विश्व में इस तरह की परिस्थितियां बनी हुई हैं, हमारे देश में जब बजट की हम बात करें तो मेरा मानना है कि पिछले तीन वर्षों में जिस प्रकार से हमारे देश ने इस आर्थिक संकट को सहा है, यह बात सही है कि चुनौतियां बहुत सी हैं मगर आज भी हमारा देश विकास की तरफ बढ़ रहा है। जीडीपी का ग्रोथ रेट जो 7 प्रतिशत के करीब इस साल आया है, हमें उम्मीद है कि अगले साल 7.5 प्रतिशत तक पहुंचेगी।

फूड इंफ्लेशन जब हम महंगाई की बात करते हैं, अभी बहुत चिंता का विषय जरूर है लेकिन उसमें कुछ न कुछ मॉडरेशन हुआ है। फूड इंफ्लेशन मॉडरेट करने में सफलता वित्त मंत्री ने पाई है।

फिसकल डैफिशिट की अगर हम बात करें, फिसकल डैफिशिट 5 प्रतिशत तक घटकर हो जाने का अनुमान है। मुझे लगता है कि बहुत से जो क्वांटिक्स हैं, जब वे बजट की बात करते हैं या जब वे आर्थिक चुनौतियों की बात करते हैं, वे बहुत भयानक तरीके पेश करते हैं मगर हमें यह सोचना चाहिए कि बहुत से देशों का फिसकल डैफिशिट हमसे बहुत ज्यादा है और आज वे भी विकास की तरफ बढ़ रहे हैं। इसलिए मुझे लगता है कि फिसकल डैफिशिट से ज्यादा जो एक जरूरी आंकड़ा है, पब्लिक डैब्ट जीडीपी के एक प्रतिशत के रूप में है। हमारा पब्लिक डैब्ट जीडीपी के एक प्रतिशत के रूप में 2007 में जो 75 प्रतिशत था, वह घटकर 66 प्रतिशत इस साल हो गया है। यह एक बहुत शुभ संकेत है। आगे आने वाले समय के लिए मुझे लगता है कि यह आंकड़ा हमें एक अच्छे भविष्य की आशा जरूर देता है। इसके साथ साथ मैं यह कहना चाहता हूँ कि जो हमारी इकोनॉमिक पॉलिसी है, वह कहीं न कहीं जीडीपी ग्रोथ पर केन्द्रित हो गई है। जितने भी एनेलिस्ट हमारी इकोनॉमी को टैक करते हैं, उनके लिए यह आंकड़ा सही हो सकता है। लेकिन एक सवाल हमें पूछना चाहिए जो इस सदन में मैंने बहुत बार पूछा उठाया है कि क्या जीडीपी ग्रोथ हमारे देश की इकोनॉमी को नापने के लिए सही आंकड़ा है? मेरा यह मानना है कि हमारी जो इकोनॉमी है, वह दो सिद्धांतों पर चलनी चाहिए। उसके दो गोल होने चाहिए। एक तो इंफ्लेशन को कम करना और दूसरे जॉब्स क्रिएट करना। **Generation of jobs and countering inflation should be the only two goals that our economic policy should be driven by.** जीडीपी ग्रोथ, इंफ्लेशन, इन सब फिगरर्स के साथ साथ यह भी आंकड़ा सभा के पटल पर रखें कि पिछले ववार्टर के अंदर कितने रोजगार के अवसर हमारी नौजवान पीढ़ी के लिए क्रिएट हुए हैं? इस आंकड़े को जरूर रखने का काम किया जाए तो सभी के लिए अच्छा होगा।

1981 में संगठित क्षेत्र में मैन्युफैक्चरिंग सैक्टर में भारत सरकार का यह आंकड़ा है कि 8 मिलियन जॉब्स वर्ष 1981 में मैन्युफैक्चरिंग सैक्टर में थे जो बढ़कर 9 मिलियन 1991 में हो गये और 2009-2010 में 12 मिलियन हो गये। इसलिए एक तरफ तो हम विकास की बात कर रहे हैं और 1981 से 2010 तक संगठित क्षेत्र में हमारे जो जॉब्स हैं, वे भारत सरकार के सर्वे के अनुसार 8 मिलियन से लेकर केवल 12 मिलियन तक पहुंचे हैं। यह चिंता का विषय है खास तौर पर नौजवान पीढ़ी के लिए चिंता का विषय है जब वे अपनी भविष्य की बात करते हैं।

यह अहम विषय इसलिए भी है कि अगले इन 7-8 सालों के अंदर इतने नौजवान जॉब मार्केट में आएंगे और अगर हमारी इकोनॉमिक पॉलिसी केन्द्रित नहीं हुई तो वे सड़कों पर आ जाएंगे। वह एक टर्न हमारे देश में आ सकता है और इसलिए नौजवानों की तरफ ध्यान देने की आज विशेष तौर पर आवश्यकता है।

आज करेंट एकाउंट डेफिशिएंसी भी एक चिंता का विषय हो गई है। 3.5 प्रतिशत जो पहुंची है, मुझे लगता है कि जितने भी फंडामेंटल्स हमारे मजबूत हैं और जो सबसे कमजोर फंडामेंटल्स अगर कोई हमारे हैं तो वह करेंट एकाउंट डेफिशिट है और उसका कारण हम सब जानते हैं कि जो ऑयल इम्पोर्ट हो रहा है, वह उसका कारण है। आज भी मैं यह मानता हूँ कि इस बजट के अंदर इसको कम करने के लिए बहुत से उपाय सुझाये गये हैं। सेविंग्स को बढ़ाने की बात की गई है। वह सब ठीक है लेकिन इसके पीछे जो बेसिक कारण है कि इस प्रकार से हम अपनी इकोनॉमी को ऑयल डिपेंडेंट इकोनॉमी से रेवेन्यूअल डिपेंडेंट इकोनॉमी की तरफ लेकर जाएंगे, उस संदर्भ में कुछ नहीं कहा गया है। किस प्रकार से हम रेवेन्यूअल एनर्जी जनरेशन के अंदर इंवेस्टमेंट को आकर्षित करने के लिए क्या सहुलियातें देंगे, उस बारे में कुछ नहीं कहा गया है चाहे वो यूजर टैक्स और कैडिट की बात हो, चाहे प्रोड्यूसर टैक्स कैडिट की बात हो और चाहे वह डाइरेक्ट सब्सिडी की बात हो, अमरीका के अंदर अगर कोई 100 मिलियन का सोलर प्लांट लगता है तो 10 मिलियन सरकार सीधा ग्रांट देती है, इसलिए चाहे वह उसकी बात हो, चाहे जो इंवेस्टर है, उसके एक्सीलेरेटेड डैब्ट फाइनेंसिंग की बात हो, एक्सीलेरेटेड डेप्रीसिएशन की बात हो, बहुत से ऐसे उपाय हैं जिन्हें हमें करना चाहिए।

मैं एक अति महत्वपूर्ण विषय की तरफ ध्यान आकर्षित करना चाहता हूँ। आज हमारे देश में डिसपैरिटी बहुत बढ़ रही है। जब से हमारा लिब्रेलाइजेशन हुआ है, देश में पूरा फायदा हुआ है मगर एक जगह जहां पर हमें नुकसान हुआ है, यानी जो जीनिक ऑफिशिएंट है, वह 10 प्रतिशत सबसे अमीर लोग और 10 प्रतिशत सबसे गरीब लोग उनकी जब हम तुलना करें तो हम पाएंगे कि उनमें गैप बढ़ रहा है। हमारे देश को लिब्रेलाइजेशन का बहुत फायदा हुआ है लेकिन जीनिक ऑफिशिएंट आज हमारे देश में 35 प्रतिशत पर पहुंच गया है जिससे 1991 से जो हमारी पर्फॉमेंस बहुत खराब हुई है। अभी मैं एक किताब पढ़ रहा था जिसका शीर्षक है- ब्रेक आउट नेशन। उसमें एक आंकड़ा दिया गया है जिसे पढ़कर मैं चौंक गया। वह आंकड़ा यह है कि 55 जो इस देश के सबसे अमीर लोग हैं, उनके हाथ में 17 प्रतिशत इस देश की जीडीपी है। यह सोचने वाली बात है। इस तरह की डिसपैरिटी अगर चलती रहेगी तो आगे जाकर क्या होगा? आज विश्व में एक मूवमेंट है और सबसे अमीर लोगों पर ज्यादा टैक्स लगाने की बात चल रही है। हम अगर अमरीका की बात करें तो अमरीका में वारेन बुफेट रूल बना है जिसमें मिलेनियर पर ज्यादा टैक्स लगाने की बात कही गई है। इसी प्रकार जर्मनी और फ्रांस में देखिए कि सोशलिस्ट पार्टी एक ही नारे पर जीती है कि जो ज्यादा अमीर है उन पर टैक्स रेट बढ़ाया जाए। हमारे देश में बिनाइन टैक्स रिजिम है, इस दिशा में सोचा जाना चाहिए।

महोदय, एक बहुत महत्वपूर्ण विषय कृषि का है। मैं इस संबंध में दो-तीन सुझाव रखना चाहता हूँ। हम एमएसपी के बारे में बहुत सुझाव देते रहे हैं। सीएसीपी डाम कैलकुलेट करती है लेकिन एग्रीकल्चर कास्ट इनपुट्स बढ़े, इसका ख्याल नहीं रखती है। मैं आपको बताना चाहता हूँ कि पिछले वर्ष जब डीएपी खाद का मूल्य बढ़ा

तो सीएसीपी ने उससे पहले ही अपना एमएसपी डिवलेयर कर दिया था। जब खाद का मूल्य बढ़ता है तो किस तरह डायनेमिकली एमएसपी को बढ़ाया जाए, यह देखना चाहिए ताकि किसान को एमएसपी बढ़ाकर दिया जाए।

महोदय, एक अन्य बात फर्टीलाइजर से संबंधित है। आज सबसे बुरी स्थिति फर्टीलाइजर्स की है। वर्ष 2000 में चीन और भारत दोनों बराबर फर्टीलाइजर का उत्पादन करते थे लेकिन आज चीन हमसे पांच गुना ज्यादा प्रोड्यूस कर रहा है। हमें फर्टीलाइजर्स प्रोड्यूस करने की तरफ ध्यान देना होगा। चाहे डीएपी, यूरिया या एमओएपी की बात हो, हमें 60 प्रतिशत बाहर से इम्पोर्ट करना पड़ रहा है। जब हम 60 प्रतिशत इम्पोर्ट कर रहे हैं तो पूरे विश्व में कार्टर्स खाद का भाव तय करते हैं। आज इस संदर्भ में न्यू यूरिया इन्वेस्टमेंट पालिसी आई है उसमें 12 प्रतिशत पोस्ट टैक्स रिटर्न की बात कही गई है जो लोग यूरिया की इन्वेस्टमेंट में करेंगे। मैं जानना चाहता हूँ कि इसका निर्धारण किस प्रकार करेंगे?

महोदय, अंत में अपनी बात समाप्त करते हुए मैं अपनी तरफ से हरियाणा की बात कहना चाहता हूँ। भारत में जितने राज्य हैं, always there is a big irony as far as fiscal resources and fiscal responsibility of the States are concerned. While the States have more fiscal responsibility, they do not have fiscal resources. The Finance Commission has come up with a formula that 30 per cent of total revenues should be devolved to the States. We demand that it should be 50 per cent.

I will give you the example of Haryana and then I will conclude. This is the last point. This year, Haryana has contributed, as tax revenues, about Rs.900 crore more than the total tax revenues contributed by Punjab, Himachal Pradesh, Chandigarh and Jammu and Kashmir combined. One State, Haryana alone had contributed this much, as far as the tax contribution of tax revenues. But how much do we get? We keep demanding - many of the demands of the State of Haryana are pending. One of the main demands is to have an airport. भारत में हरियाणा अकेला ऐसा राज्य है जहां अपना एक एयरपोर्ट नहीं है। जब टैक्स रेवेन्यू के कन्ट्रीब्यूशन की बात आती है तो सबसे ज्यादा हरियाणा करता है। भारत के बाकी सब राज्यों एयरपोर्ट हैं लेकिन हरियाणा एक अकेला ऐसा राज्य है जहां एयरपोर्ट की स्थापना नहीं हो पाई है। इसी प्रकार प्रधानमंत्री ग्रामीण सड़क योजना में जब कन्ट्रीब्यूशन की बात आती है तो पर कैपिटल सबसे ज्यादा हरियाणा कन्ट्रीब्यूट करता है, लेकिन जब इस योजना में सैक्शन की बात आती है तो सबसे कम हरियाणा में होता है।

अंत में मैं यही कहना चाहता हूँ कि प्रदेशों को रेवेन्यू का आधा पैसा मिलना चाहिए ताकि प्रदेश अपनी जरूरतों के हिसाब से अपनी नीतियों का निर्धारण कर सके।

**श्री बदरुद्दीन अजमल (धुबरी):** माननीय सभापति महोदय, मैं आपका और पूरे सदन का ध्यान एक घटना की तरफ दिलाना चाहता हूँ जो 30 अप्रैल को असम में मेरे संसदीय क्षेत्र में हुई जिसमें 350 लोग नाव में डूब कर मर गए। यह अफसोस की बात है कि सरकार के पास इसकी कोई इतिहास नहीं है, कभी सरकार कहती है कि 50 आदमी मरे, 100 आदमी मरे, जैसे कि इंसान नहीं जानकर मर गए। किसी पेपर में लिखा जाता है कि 450 लोग गायब हैं। मेरा कहना है कि टिकट 350 लोगों का काटा गया। मैं छः दिन वहीं था इसलिए मैं यहां नहीं आ पाया। सरकार की तरफ से दस दिन बाद 10 करोड़ की घोषणा होती है। 10 करोड़ रुपये असम की उस जगह के लिए हैं जहां 14 लाख आबादी है और पूरी आबादी नाव पर निर्भर है। मैं पहले आसाम की असेम्बली में मौजूद था। मैंने वहां वरिष्ठन दिया था कि क्या इस पूरे इलाके में कोई सरकारी गाड़ी चलती है, साठ साल की आजादी के बाद अफसोस के साथ कहना पड़ता है कि उनका जवाब यह था कि एक भी सरकारी वाहन नहीं चलता है क्योंकि वहां रास्ता नहीं है। मेरा यह कहना है कि यह फाइनेंस से रिटोटिड है, मैं अपने सारे भाइयों की हमदर्दी इसमें चाहूंगा और सबके दुआएं हैं, यहां बाकायदा वह भी किया गया, यह मुझे मालूम है। यह फाइनेंस से रिटोटिड है कि उस पूरे इलाके के डैवलपमेंट के लिए घाट के डैवलपमेंट के लिए सरकार द्वारा मदद दी जाए, ताकि इस किस्म की घटना दोबारा न हो। पूरे धुबरी डिस्ट्रिक्ट और घाट के लिए मेरी डिमांड है कि कम से कम पांच हजार करोड़ रुपये के पैकेज की सरकार घोषणा करे और जो लोग इस मामले में दोषी हैं, एक एक्स-मिनिस्टर जिनका मैं नाम नहीं लूंगा और मुझे नाम लेना भी नहीं चाहिए, वहां की 80 परसेंट नाव उनके कब्जे में हैं, उनके माफियाओं के कब्जे में हैं। यदि कोई बात करता है तो उन्हें मार दिया जाता है या उन लोगों को जान से मारने की धमकियां दी जाती हैं। मैं समझता हूँ कि इसके ऊपर इन्वैस्टिगेशन होनी चाहिए। मैं कांफिडेंशियली उनका नाम भी पेश करूंगा। उस पर इन्वैस्टिगेशन होनी चाहिए...(व्यवधान) उनका नाम पेपरों में आया है, इसलिए मैं नाम नहीं बताना चाहता, मैं सारी पेपर कटिंग्स दे दूंगा, उनकी तस्वीर भी आ चुकी है। ...(व्यवधान)

दूसरी बात मैं कहना चाहता हूँ कि धुबरी, फुलवारी ब्रिज बहुत सालों से पैंडिंग है, जब से मैं एम.पी. बना हूँ, मैंने इसके बारे में डिमांड दी है, सरकार से यह मंजूर भी हो चुका है, लेकिन पता नहीं क्यों उसका

काम शुरू क्यों नहीं होता। यदि वह काम शुरू हो जाए तो शायद 50 परसेंट इस तरह की घटनाएं न हों। मैं चाहता हूँ कि उस पूरे एरिया को ब्रिज से जोड़ दिया जाए, यही मेरी डिमांड है। इसके अलावा मेरी सारे एम.पी. भाइयों से गुजारिश है कि वह इस मामले में अपने पर्सनल फंड से भी अगर कुछ मदद कर सकते हैं तो वे जरूर आगे बढ़कर आएं।

SHRIMATI BIJOYA CHAKRAVARTY (GUWAHATI): Sir, I would like to associate myself with the matter raised by Shri Ajmal...(Interruptions)

**सभापति महोदय :** यह बिल है, इसमें एसोसिएट नहीं होता। This is not Zero Hour. Nothing will go on record.

*(Interruptions) â€¦\**

**श्री संजय सिंह चौहान (बिजनौर):** आदरणीय सभापति महोदय, आपने मुझे बोलने का अवसर दिया, इसके लिए मैं आपको धन्यवाद देता हूँ। मैं बहुत शार्ट में अपनी बात खत्म करूँगा। हमारे आदरणीय वित्त मंत्री जी सदन में मौजूद हैं। मेरा कहना है कि जो सब्सिडी दी जा रही है, वह पात्र लोगों तक नहीं पहुँच रही है। बजट प्रावधानों में इस चीज का जरूर ध्यान रखा जाए कि जो नवधनाढ्य वर्ग हिंदुस्तान में पनप रहा है, मैं समझता हूँ कि सब्सिडी का लाभ वह ज्यादा उठा रहा है और जो पात्र हैं, वास्तव में गरीब हैं, वे इससे वंचित हैं। मैं अभी टी.वी. में एक न्यूज देख रहा था, मेरे और साथियों ने भी देखी होगी कि ऑपरेशन ग्रीन हंट के समय जब हमारे लगभग पांच हजार सुरक्षा बल जंगलों में पहुँचे तो वहाँ उन्होंने एक ऐसा गांव देखा, जहाँ बीस घर थे। उनका नामो-निशान हिंदुस्तान के नागरिक के तौर पर कहीं नहीं है। बिजली, पानी की तो बात अलग है, उनका वोटर लिस्ट में नाम नहीं है, उन्हें पता ही नहीं है कि वे हिंदुस्तान के नागरिक हैं। जैसे आसाम की बात अभी हमारे साथी ने उठाई कि जो वास्तविक गरीब हैं, जो तेल की सब्सिडी है, गैस की सब्सिडी है, वह उन तक पहुँचे। हमें तीन साल संसद में आये हुए हो गये हैं। हम उत्तर प्रदेश से आते हैं, अब तक वहाँ बीपीएल सूची की यह स्थिति है कि पचास-पचास गांव ऐसे हैं, जिनमें एक भी बीपीएल का सदस्य नहीं है। जब तक यह पता नहीं चलेगा कि वास्तविक गरीब कौन हैं तो किसानव्ययन के लिए मेरा निवेदन है कि जो सेंट्रल और स्टेट गवर्नमेंट का कोऑर्डिनेशन होना चाहिए, वह सबसे पहले जरूरी है। सिर्फ बजट बना देने से या प्रावधान लागू कर देने से काम नहीं चलेगा। हमारे देश के महान नेता स्व. चौधरी चरण सिंह जी ने कहा था कि अगर राष्ट्र को समृद्धिशांती बनाना है तो हर व्यक्ति को पुरुषार्थ करना पड़ेगा। पेमेन्ट विदाउट प्रोडक्शन कहीं बिजली के पैसे माफ, कहीं कर्जा माफ, कहीं कह दिया गया कि मुफ्त में कोई चीज दी जाएगी, मैं समझता हूँ कि देश की अर्थव्यवस्था इस तरह से डगमगा जायेगी।

अंत में मेरा सिर्फ यहीं कहना है कि जो पात्र व्यक्ति हैं, उनका चयन करके उन्हें लाभ दिया जाए और जो अपात्र हैं, जो सब्सिडी का फायदा उठा रहे हैं, उनसे वह सब्सिडी हटाई जाए।

**श्री नीरज शेरखर (बलिया):** सभापति महोदय, आपने मुझे बोलने के लिए समय दिया, इसके लिए मैं आपका आभार व्यक्त करता हूँ। मेरे साथी आदरणीय शैलेन्द्र जी पहले ही वित्त बिल पर बोल चुके हैं। आदरणीय वित्त मंत्री जी मुझे एक स्पष्टीकरण चाहिए था। यशवंत सिन्हा जी भी यहाँ उपस्थित हैं। मैं यह कहना चाहता हूँ कि जब भी बजट पर भाषण होता है या वित्त बिल पर चर्चा होती है तो हर बार सन् 1990-91 की बात की जाती है कि उस समय सोना गिरवी रखा गया था। मैं आज चाहूँगा, आदरणीय यशवंत सिन्हा जी उस समय वित्त मंत्री थे और उस समय के प्रधान मंत्री स्वर्गीय चन्द्रशेखर जी के वित्त सलाहकार आज के प्रधान मंत्री आदरणीय मनमोहन सिंह जी हैं। कल वैसी बात फिर उठाई गई कि वैसी स्थिति उत्पन्न न हो जब सन् 1990-91 में हमने सोना गिरवी रख दिया था। मैं वित्त मंत्री जी का स्पष्टीकरण इस पर चाहूँगा कि बार-बार इस बात को क्यों उठाया जाता है। मैं इस सदन में दूसरी या तीसरी बार कह रहा हूँ। मैं चाहूँगा कि वित्त मंत्री जी स्पष्टीकरण दें कि उस समय क्या कारण थे कि सोना गिरवी रखा गया था। बार-बार इस बात को उठाया जाता है। कल मैंने फिर तीन-चार बार सुना है। एक-दो बार वित्त मंत्री जी इस बात को स्वयं कह चुके हैं कि ऐसी स्थिति उत्पन्न नहीं होनी चाहिए जो सन् 1990-91 में उत्पन्न हुई थी। क्या स्थिति चार महीने में इतनी खराब हो गई थी, चार महीने में ऐसी स्थिति उत्पन्न हो गई थी कि उसके लिए सोना गिरवी रखा गया। उसके पहले स्वर्गीय राजीव गांधी जी की सरकार थी, स्वर्गीय वी.पी. सिंह जी की सरकार थी और स्वर्गीय इंदिरा जी की सरकार थी। चार महीने में इस देश की वित्तीय स्थिति इतनी खराब हो गई कि सोना गिरवी रख दिया गया था। बार-बार इस बात को क्यों उठाया जाता है? मुझे कष्ट इसलिए होता है क्योंकि स्वर्गीय चन्द्रशेखर जी मेरे पिता थे। मुझे कष्ट होता है कि यहाँ पर ऐसा दिखाया जाता है कि जैसे उन्होंने कोई देशद्रोह किया हो। उस समय देश की स्थिति ऐसी थी कि उनको सोना गिरवी रखना पड़ा। सत्ता पक्ष के लोग बार-बार इस बात को उठाते हैं। पिछले चार-साढ़े चार साल में कितनी बार मैं इस बात को सुन चुका हूँ। बार-बार इस बात को सुन कर मुझे इतना कष्ट होता है कि मैं चाहूँगा कि वित्त मंत्री जी दो ही शब्द में इस बात को खत्म कर दें या दो शब्द में इसका स्पष्टीकरण दे दें। मैं यही बात कहने के लिए खड़ा हुआ था।

**श्री कौशलेन्द्र कुमार (नालंदा):** सभापति महोदय, मैं अपनी सीट से आगे आ गया हूँ इसके लिए मैं आपसे क्षमा चाहूँगा। आपने मुझे वित्त विधेयक पर बोलने का अवसर दिया, इसके लिए आपका धन्यवाद। माननीय वित्त मंत्री जी बैठे हैं। मैं कम समय में अपनी बात को समाप्त कर दूँगा। जो टैक्स प्रस्ताव लाए गए हैं, उसमें मंहगाई निश्चित रूप से बढ़ेगी इसलिए आय कर सीमा के दायरे को बढ़ाए जाने की जरूरत है ताकि लोगों की जेब कम ढीली हो। मेरी दूसरी मांग है कि सरकार बार-बार पेट्रोल, डीजल और रसोई गैस इत्यादि का दाम बढ़ाती है। यह ठीक नहीं है। पेट्रोलियम कंपनियों का कहना है कि हम लोगों का घाटा बढ़ता जा रहा है। इसलिए मैं सरकार से चाहता हूँ टैक्स कुछ कछ कम करें ताकि लोगों को राहत मिल सके। कीमती गाड़ियां केवल आर्थिक रूप से सक्षम व्यक्ति ही खरीद सकते हैं। जो व्यक्ति मंहगी गाड़ियां खरीद सकते हैं, वे मंहगा फ्रूल भी खरीद सकते हैं। ऐसे संपन्न व्यक्तियों को राजस्व सहायता प्राप्त डीजल देना भारतीय अर्थव्यवस्था के साथ एक धोखा है। अनुदान केवल गरीबों के लिए होना चाहिए संपन्न व्यक्तियों के लिए नहीं होना चाहिए।

मेरा यह सुझाव है कि डीजल की गाड़ियां रखने वाले पर नई गाड़ी की कीमत के दस प्रतिशत बराबर वार्षिक अधिभार टैक्स लगाना चाहिए, जिससे इस सब्सिडी का लाभ केवल गरीबों को मिले।

महोदय, केसीसी के ऋण की सीमा केवल 3 लाख रुपये है। जबकि आज यंत्रों का दाम बढ़ रहा है, खाद का दाम बढ़ रहा है, कीटनाशकों का दाम बढ़ रहा है, बीज का दाम बढ़ रहा है और किसान की लागत बढ़ रही है। वैसी हालत में किसानों को 2-3 लाख रुपये से 4 लाख रुपये इस पर जाना चाहिए। मैं इस सदन के माध्यम से माननीय मंत्री जी से जानना चाहता हूँ कि पेट्रोलियम पदार्थ का दाम बढ़ाने के बजाय इस पर टैक्स को काम करने के कोई बेहतर उपाय क्यों नहीं सोचते हैं? सब लोगों को यह मालूम है कि पेट्रोलियम पदार्थों का दाम बढ़ाये जाने से मंहगाई बहुत तेजी से बढ़ती है तथा पूरे समाज पर इसका चौतरफा असर पड़ता है। इसलिए मैं इस सदन के माध्यम से यह मांग करता हूँ कि सरकार इसका कोई दीर्घकालीन विस्तृत उपाय खोजे।

गांव-देहात, छोटे-छोटे कस्बों में जो शिक्षा ऋण सरकारी बैंकों के माध्यम से दिया जाता है, उसमें भी घोटाला हो रहा है। महोदय, जो शिक्षा ऋण दिया जाता है, उसमें भी बड़े पैमाने पर गड़बड़ी हो रही है। किसानों के लिए जो ऋण दिया जा रहा है, उसमें भी बड़े पैमाने पर कमीशनखोरी की जा रही है। मैं इस सदन के माध्यम से मांग

करना चाहता हूँ कि सरकार इस पर कड़ी नजर रखे और उन लोगों को पकड़े। बेरोजगार नवयुवकों को उद्योग लगाने के लिए जो ऋण दिया जाता है, बैंक मैनेजर्स के द्वारा उनसे भी कमीशन लिया जाता है और दबाव बनाकर घटिया सामान खरीदवाया जाता है। घटिया सामान लेने से उसका उद्योग चल नहीं पाता है और इस कारण से आज उद्योग-धंधे बंद हो रहे हैं और फिर उनके लिए लोन चुकाना मुश्किल हो जाता है।

महोदय, किसानों को जो कृषि ऋण दिया जाता है, उसमें भी बैंक मैनेजर काफी टहलाते हैं और गरमोगली देकर उन्हें जेल भेजते हैं। मैं आपसे निवेदन करूंगा कि जो बड़े घरानों के लोग हैं, उन पर जो इंकम टैक्स बकाया है...(व्यवधान)

**सभापति महोदय :** श्री एम.बी.राजेश।

**श्री कौशलेन्द्र कुमार :** महोदय, मैं अपनी बात समाप्त कर रहा हूँ। मैं दो मिनट में अपनी बात समाप्त करता हूँ।

महोदय, वित्त मंत्री जी बैठे हैं, मैं गांव से आता हूँ, गांव के लिए वित्त मंत्री जी ने कौन सी योजना बनायी है?

**सभापति महोदय :** अब आप बिल्कुल संक्षिप्त कीजिये।

**श्री कौशलेन्द्र कुमार:** मैं चाहता हूँ कि वित्त मंत्री जी गांव के लिए सोचें। यह देश गांवों का देश है। गांव में न बिजली जा रही है, न प्रधानमंत्री सड़क योजना जा रही है, न किसानों को कर्जा मिल रहा है, बीपीएल परिवारों को अनाज नहीं मिल रहा है। मैं मंत्री जी से जानना चाहता हूँ कि जिस तरीके से आप शहरों को दुल्हन की तरह सजा रहे हैं, उसके लिए आपने शहरी विकास मंत्रालय बनाया, लेकिन गांव के विकास के लिए आपने कुछ नहीं किया, आपने सिर्फ उसे उजाड़ने का काम किया है। आज गांवों में सड़क नहीं बन रही है, गांवों में नालियां नहीं बन रही हैं, गांव की नालियों की सफाई नहीं हो रही है।

**सभापति महोदय :** अब आप अपनी बात समाप्त कीजिये।

**श्री कौशलेन्द्र कुमार :** गांव में गरीब को पानी नहीं मिल रहा है, मैं वित्त मंत्री जी से कहना चाहता हूँ कि तमाम सांसदों की इच्छा है कि चाहे सांसद विकास निधि कम दें, लेकिन हर सांसद को हजार से दो हजार चापाकल देने का प्रयास करें ताकि गरीबों को हम लोग पानी पिता सकें। जब हम क्षेत्र में जाते हैं तो हमें इसके लिए काफी सुनना पड़ता है। मैं मंत्री जी से कहना चाहता हूँ कि आप सांसदों को इतना जरूर दें कि वह गांव में जाये तो वहां एक चापाकल दे दें।

SHRI M.B. RAJESH (PALAKKAD): Sir, I will be very briefly making two-three points.

At the outset, I must congratulate the hon. Finance Minister for his proposal to bring retrospective amendment to Sections 2 and 9 of the Income Tax Act, 1961. This is a step in the right direction. I would like to urge upon the Finance Minister that besides Hutch-Vodafone deal, he should also bring Reliance-BP and Cairns-Vedanta deals also to the tax net.

It is a fact that corporates both foreign and domestic are aggressively lobbying against this retrospective amendment. We have seen the United Kingdom Chancellor of Exchequer has been very vocal against this proposed amendment. But the irony is that, the UK has introduced a similar provision in its Budget of 2012, with 21 year retrospective effect. So, they are aggressively lobbying against this proposal but I would like to request the hon. Finance Minister not to succumb to the pressure of the corporates both domestic and foreign.

Secondly, at the same time, I oppose the Government move to defer the implementation of GAAR.

Thirdly, I would like to request the hon. Finance Minister that Mauritius route should be curbed. Unfortunately, the Finance Minister is further liberalizing the Mauritius route of tax evasion.

Fourthly, I would like to request the Finance Minister that super-rich should be taxed more. As my colleague has already explained it, I am not going into the details.

Finally, I would like to request the Finance Minister to listen to the voice of 99 per cent people of our country. We have heard from the Wall Street that the struggle is between 99 per cent and one per cent. So, please do not succumb to the dictates of one per cent corporates which are looting the country and who are looting the resources.

**16.00 hrs.**

Please listen to the voice of the 99 per cent people of this country, otherwise, this Government will be removed by people just like President Sarkozy of France was removed. So, please listen to the voice of the 99 per cent people of this country.

**श्री लाल कृष्ण आडवाणी (गांधीनगर):** सभापति जी, मैं भाषण देने के लिए खड़ा नहीं हुआ हूँ। जहाँ तक वित्त विधेयक पर भाषण का सवाल है, मेरे सहयोगी और पूर्व वित्त मंत्री यशवंत सिन्हा ने कल जितना अच्छा भाषण दिया, उसके बाद कुछ कहने की जरूरत नहीं है, लेकिन मैं आपका आभारी हूँ कि आपने मुझे यह अवसर दिया कि दो-तीन मिनट में अपनी बात कहूँ और इसका केवल एक उद्देश्य है कि वित्त मंत्री द्वारा सदन को दिए हुए एक पूर्व आश्वासन के बारे में उन्हें स्मरण दिला



दूँ

मुझे याद है कि इसी सत्र के प्रथम भाग में जब मैंने काले धन का विषय उठाया था, तब उसका उत्तर देते हुए वित्त मंत्री ने कहा था कि इस बारे में जो सवाल पूछे गए हैं, उनको समाविष्ट करके एक श्वेत-पत्र संसद में लाया जाएगा और उसमें उन्होंने यह भी कहा था कि जितनी बातें कही जाती हैं कि भारतीयों का विदेशी बैंकों में इतना धन है और यहाँ पर अभी-अभी थोड़ी देर पहले मैं चौधरी जी को सुन रहा था, जिन्होंने सीबीआई डायरेक्टर को वोट किया और एक अंक बताया कि कितना धन भारतीयों का विदेशी बैंकों में है, वह मैं नहीं जानता हूँ, लेकिन मुझे याद है, आपने अपने भाषण में उस समय कहा था कि आपने दो संस्थाओं को कहा है कि इसका अनुमान लगाएँ और अनुमान लगाकर भारत सरकार को दें। मैं आशा करता हूँ कि ये सारे तथ्य इस श्वेत पत्र में आएँगे। मैं इतना ज़रूर कह सकता हूँ कि उस चर्चा को उठाने से पहले मैंने जो चालीस दिन की देश भर की यात्रा की जिसमें मैं सब प्रदेशों में गया और अधिकांश यूनिवर्सल टैरिटरियल में भी गया, मैंने देखा कि जिन तीन विषयों की चर्चा मैंने की थी - भ्रष्टाचार, महंगाई और कालाधन, उनमें से अगर सबसे अधिक रुचि लोगों की किसी में थी, तो वह इसमें थी कि वह काला धन कितना है और काला धन जो विदेशों में है, वह वापस आएगा या नहीं आएगा, तथा किन-किन लोगों ने यह धन विदेशों में रखा है, उनके क्या नाम हैं। मैं अपेक्षा करता हूँ कि यह जो दिलचस्पी है सारे देश की, वह दिलचस्पी इस श्वेत पत्र द्वारा पूरी होगी और यह श्वेत पत्र कब रखा जाएगा यह मैं जानना चाहता हूँ। मैं अपेक्षा करता हूँ कि 22 मई को जब संसद का सत्रावसान होगा, उससे पहले संसद को इस बात का ज्ञान होगा कि वास्तव में किन-किन लोगों ने काला धन विदेशी बैंकों में जमा किया है और वह बैंकों से जमा जो पैसा है, वह वापस कैसे आएगा। पिछले दिनों स्विट्ज़रलैंड ने एक घोषणा की कि वे भी देने को तैयार हैं, उन्होंने और सुविधाएँ दी हैं। मैं उन सारी बातों का उल्लेख नहीं करता हूँ कि किस प्रकार से यूनाइटेड नेशन्स सिविलियरीटी काउंसिल ने इस बारे में प्रस्ताव पारित करके इस प्रकार के सब टैक्स हैबन्स को कहा कि तुम पूरी सहायता करो जिन-जिन देशों ने, जिन-जिन लोगों ने अपना काला धन वहाँ पर आकर जमा करवाया है। देश ज़रूर चाहेगा कि जिन लोगों ने काला धन विदेशों में जमा करवाया, उनको उसके लिए दंडित भी किया जाएगा।

**श्री अर्जुन राम मेघवाल (बीकानेर):** सभापति जी, मेरा एक पॉइंट ऑफ ऑर्डर है।

MR. CHAIRMAN : What is your point of order?

**श्री अर्जुन राम मेघवाल:** मेरा पॉइंट ऑफ ऑर्डर रूल 219 के तहत है जिसमें लिखा है प्रोसीजर रिगार्डिंग फाइनेंस बिल।

Sir, rule 219 says:

"In this rule "Finance Bill" means the Bill ordinarily introduced in each year to give effect to the financial proposals of the Government of India for the next following financial year and includes a Bill to give effect to supplementary financial proposals for any period."

महोदय, मंत्री जी ने वर्ष 2012-13 का जो फाइनेंस बिल पेश किया है, इसके चैप्टर 1 से 5 तक तो सब ठीक है। फाइनेंस बिल की परिभाषा के अनुसार हमें ठीक लगता है। लेकिन जो चैप्टर 6 है, जिसमें इन्होंने लिखा है- "Amendments to the fiscal responsibility and Budget Management Act, 2003." It is not part of the Finance Bill.

सभापति महोदय, मेरे हिसाब से यह फाइनेंस बिल का पार्ट नहीं है और यह अनकानस्टीट्यूशनल है। मैं यह जानना चाहूँगा कि यह क्यों लाया गया है? इस बारे में मंत्री जी जवाब दें।

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Sir, if you permit me, I can respond to this point while replying to the main debate so that I am not to start again.

MR. CHAIRMAN : The point raised by the hon. Member is already in the notice of the hon. Speaker. She has directed that the Ministries should, as far as possible, avoid drafting of Bills of hybrid nature by separating taxation measures including levy of cess from other matters unless it becomes impossible on constitutional or legal grounds to do so. The point of order is accordingly disposed of.

SHRI PRANAB MUKHERJEE: Mr. Chairman Sir, first of all, I would like to express my gratitude to all the hon. Members who have participated in the debate on the Finance Bill and made their observations. Many valuable suggestions have emerged from their observations.

The debate was initiated by hon. Yashwant Sinha who has the distinction of presenting a very large number of Budgets as Finance Minister of the Union Government.

**16.07 hrs** (Shri Inder Singh Namdhari *in the Chair*)

Normally, there is a saying in the Finance Ministry. The rate of mortality in parliamentary politics is very high. But particularly in the Ministry of Finance, the rate of mortality is much more high. Because of that, you might have noticed a very interesting factor that from 1947 to 1984, no Finance Minister mentioned his name in the Budget including me. For the first time, the name of the Finance Minister was printed in the Budget Speech from 1985 when Shri Vishwanath Pratap Singh succeeded. In that context, Shri Yashwant Sinha is one of the unique exceptions like Shri C.D. Deshmukh or Dr. Manmohan Singh or my colleague, Shri P. Chidambaram who have the distinction of presenting full Budgets for five years consecutively and, even before that, one Interim Budget.

He has, in his long observations, made many important points. But I am encouraged by particularly that part of his speech when he said that Indian growth story cannot come to an end and he pointed out that the Indian economy should revive and must revive.

I also appreciate when he said that when things get tough, only the tough get going. I would only like to add that in the days of coalition era, the tough can get going and the tough should get going together. We shall have to go together to improve the situation, to improve the financial condition and bring back the economy on its track and explore the full potential which it has.

It is because the Indian economy has its resilience. I must say that despite divergent views and despite differences in our approach – in a multi-party democratic system these things are bound to happen – when the real crisis comes, when it knocks at the doors, we have the capacity to respond to that unitedly. Please remember, the major economic reforms about which we talk, as a process of economic liberalisation, would not have been possible, but for the support of all stakeholders, including the opposition parties. At that point of time also, the BJP was the principal opposition party. Of course, there was no coalition Government under Shri P.V. Narasimha Rao. But the ruling Government only had 226 Members in Lok Sabha. Today's Prime Minister and the then Finance Minister could not bring major changes with regard to industrial policy, investment policy, foreign trade policy, opening the economy, participation in the WTO. Later, it was done. It would not have been possible, but for the cooperation of all the stakeholders, including the political parties.

From 1989 to 1999, in this period of ten years, in normal course, there should have been only two general elections, one in 1989 and the other in 1994. But actually we had five General Elections, in 1989, 1991, 1996, 1998 and in 1999. We did it. We made and unmade the Governments. Nobody else was the player. We the political parties, representing different sections, were the players.

I had the privilege of discussing it with hon. Advani ji. I asked him: Could not we think of something that could provide stability in the administrative system and in the parliamentary system? We did not bring any law. But there was an understanding that making and unmaking Governments, thrusting general elections on the people, where 600 to 700 million voters have to participate to elect 543 Members to Lok Sabha, is a luxury and that this political instability is causing harm to the country. Between 1999 and 2004, only one Motion of No- Confidence was moved because we recognised it. In the entire period of UPA I and UPA II – up to now, I do not know what will happen in the next Session or even in the later part of this Session – no formal No-Confidence Motion has been moved. Why? It is because we do not want to play with making and unmaking of Governments. This understanding has come from experiences. We had not to make any law. We had not to bring any legal institutional framework. The short point which I am trying to drive at is that if the political parties decide, as and when the situation demands, they can respond to the situation unitedly.

Please do not mind and come rushing to the conclusion that more often than not we refer to international situation. We ought to refer to international situations. We are not living in isolation. What happens in oil producing countries affects me, affects my farmers, and it affects my transport operators. I cannot remain insulated. If there is a middle-Eastern crisis, if there is a West Asian crisis, if my potassium fertilizer price increases substantially, then availability becomes an issue. It concerns me.

Today the entire world is inter-dependent. Nobody can say that they can insulate themselves from what is happening in other parts of the country. Therefore, this aspect is to be kept in view. There is no denying the fact that `yes' GDP has come down. We were continuously having for a very long period of time high GDP growth, low fiscal deficit, and moderate rate of inflation. But situations do not remain the same. Between 2008 and 2011, two major international crisis had taken place. Shri Yashwant Sinha has referred to and rightly so to the Reports of the International Monetary Fund. Yes, I know. But in the same Report, the hon. Member would see and if he just takes three other Reports of the International Monetary Fund in the same year, how many times they revised or re-revised the growth projection of not merely India, but also of major economies like China, USA and whole of Europe because the situation is changing constantly. Only change is the constant factor. What has happened yesterday or day before yesterday or on Sunday, it is just not confined to the geographical territory of France or that of Greece because all the austerity measures to bring fiscal discipline in Greece or in Europe, in the firewall which has been built; we have also a small contribution. In the firewall built by the European countries themselves, by the European Bank, and in IMF's \$ 600 billion firewall, India also has a contribution. Emerging economies' contribution is in question because of the package which has been prescribed to bring down fiscal deficit, and to reduce the high sovereign debt. If a country is to live with 126 per cent of the debt of its GDP, it cannot live for a very long period of time without declaring itself insolvent. Therefore, these issues are staring at us. When the oil prices are mounting every day, it is just not a phenomenon concerned only with the oil producing countries because we are the oil consuming

country and India is one of the largest consumers. Last year we imported about 170 million tonnes of crude. Our domestic production is 33 million tonnes or 34 million tonnes. Of course, the entire amount we do not consume. As we have built up the refining capacity, the part of it we bring it for export and re-export. But our own consumption is more than 100 million tonnes and our production is just 33 million tonnes or 34 million tonnes. Fortunately, in Rajasthan we have found oil, but it is not going to solve my problem in the next year or year after that and it will take some time. Therefore, today if I am to pay and here I had some preliminary discussions with some of my colleagues; it is not my proposal, but I am asking through my observations and appealing to all stakeholders, political parties represented in the Parliament, in the State Assemblies, State Governments that we have to address this issue. What should we do? Under-recoveries of oil marketing companies would be Rs. 1,39,000 crore.

Right now, the subsidies which we are providing or the under-recoveries which are there, whatever term you may use, in the case of diesel, it is Rs.14.50 per litre; in the case of kerosene, it is Rs.31.88 per litre and in the case of LPG, it is Rs.412 per cylinder of 14 kg. That is the subsidy which we are providing. Is it possible to maintain this level of subsidy? On the other hand, we know the economists, essayists may write down in the newspaper columns saying "increase the price." What would be the effect on the consumers? It would also have its impact on the already volatile inflationary situation. So, the issues are to be addressed. Therefore, I am suggesting to all of us, including ourselves, to consider this: Can we find out a mechanism through which we can do it?

There is a tax component. For instance, in Delhi, if petrol is costing at the refinery gate Rs.36 per litre, with the State taxes and the Central Taxes, it comes to almost Rs.73 per litre. Can we do something collectively, the States and the Centre together so that the Oil Marketing Companies are not reduced to a situation like this? These are all public sector companies. Please remember that if the private sector companies find out that they cannot sell the oil at what price they are buying from abroad, they will stop buying it but the public sector companies cannot do because we are asking them to import so that the availability is there. But if they are broken, who will bring it? Which agencies will bring it? Today, we are talking of high price. For us, tomorrow, we may have to think of availability. If the prices go up to \$ 150 per barrel - it is not merely my imaginary fear – what will be the effect? Today, please remember for two consecutive years, the demand in Europe is low. The demand in the major economy is low because there is no growth. Once the demand in these major economies pick up after the economic recovery, oil prices will go up. It will go up. So, this issue has to be thought of. I have no readymade solution to it. What I am suggesting is that if we can work out a mechanism through which we can do it, it will be good. We need not resort to declaring it as declared goods by amending the necessary law. But if the political wisdom of the country as a whole collectively can decide that every one of us will have to have a hair-cut, perhaps, we can find out a solution. Partly, it will be passed on to the consumers, partly, it will be absorbed by the State Governments and partly, it will be absorbed by the Union Government. But please do not expect that the Centre would be in a position to compensate it. It is not.

Shri Yashwant Sinha, the other day, was correctly telling me that the State taxes are taxes on taxes because these are *ad valorem* on VAT. Therefore, when I am having an import duty or excise duty, their taxes are *ad valorem*. Whatever I earn – Shri Yashwant Sinha was saying that Rs.41,000 crore is a massive resource mobilisation target – I do agree that it is a massive mobilisation by increasing excise duty from 10 per cent to 12 per cent. But please remember that it was 14 per cent. While providing this stimulus package in 2008, I brought it down from 14 per cent to 10 per cent.

I have not gone back from 10 per cent 14 per cent; I have rested it at 12 per cent. There too, I am not appropriating the entire Rs.41,000 crore – almost one-third – 32 per cent of it is going to the State Governments. I am receiving criticism; receiving *gaalis*; beneficiaries are others. Therefore, in my Budget, when I say, that I shall have to be kind, I shall have to be cruel to be kind – I am cruel to myself, kind to others because while I am attracting criticism, I have provided the State Governments collectively 32 per cent of my additional resource mobilisation amount.

We are talking of fiscal consolidation. And I do believe that without fiscal consolidation, the economy cannot be brought back to the path of higher GDP growth. Economic distortions cannot be put in place and for that how could we do it? We shall have to mobilise resources. Please remember, we have made all experiments, I too am an old hat. I have seen the higher tax regime in the concept of progressive tax regime where the rich should pay more. We had at one point of time a tax system – for every additional Rs.100 income, one had to pay taxes of Rs.105. Nobody did pay that tax. The situation ultimately resulted in massive tax evasion because there is a law of elasticity. If you try to expand beyond the point, it breaks; it does not go beyond that point because it reached the elasticity limit. After that, we have changed the system. Now, the revenue bonds are there. Figures and numbers are available to everybody. They can check up. What was the tax GDP ratio when we have the highest tax rate? When it is 30 per cent, what is the tax GDP ratio and what is the tax rate? Therefore, my respectful submission would that fiscal consolidation is to be achieved. When I have suggested two per cent of GDP should be the limit, it is not the fancy figure coming out of my piped dreams – though I have given up smoking pipe

for a long time – because it is 1.9 per cent which is already available now. Therefore, if we want, we can keep it there.

I agree with Yashwant Sinha *ji* when he says, it is not an easy task. Yes, it is a very difficult task. It is a stupendously difficult task. But always I shall have to keep in mind that current account deficit of four per cent, fiscal deficit of 5.9 per cent – can the economy bear it? Should we then come back to the path of restoration, recovery, collection and for that, certain strong measures are required. It becomes easier, to take the strong measures. If we can do that, yes, we can say, and I don't say it is not fully justified. Yes, some of the Indian investors also feel shy of making investments in India. And in the price rise debate, when you referred to *the India Today's* six photographs, what did I say? I do believe that if we can see just the three fiscal legislations passed, two major tax reforms passed, the entire atmosphere will be changed.

But with 206 Members of the Congress Party, I cannot get those legislations passed, I cannot have the Constitutional Amendment passed where two-third majority of both the Houses and ratification by 50 per cent States are required, I cannot have that. I am not indulging in any blame sharing or blaming anybody. I am simply sharing certain facts.

Sir, somebody has expressed an apprehension that we may go back to a situation like it was prevailing in 1991. Why? It is because the current account deficit is high and fiscal deficit is also high. Most respectfully I would submit to Yashwant Sinhaji and others that these two situations are not comparable. The level of foreign exchange reserve is much higher today compared to 1991.

The foreign exchange reserve as a percentage of GDP was 1.9 per cent in 1991, today it is 16.9 per cent in 2011-12.

SHRI HARIN PATHAK (AHMEDABAD EAST): What about debt?

SHRI PRANAB MUKHERJEE: I am giving all the figures. That is why I have picked up this piece of paper. Don't worry Harin, to satisfy you, - I know your appetite for figures - I am giving all the figures.

The import cover provided by foreign exchange reserves was for 2 ½ months in 1991. Though it was 14 months when my colleague Shri Chidambaram was presiding over this Ministry, it has come down to half of that, but it is still at the level of 7.3 months now.

The external debt was 28.7 per cent of GDP in 1991 and it was 38.7 per cent of GDP in 1991-92 and for the period from April to December, 2011, – January, February and March, 2012 figures are yet to be compiled – it is 20 per cent of GDP. Therefore, it has come down from 38.7 per cent of GDP to 20 per cent of GDP.

Yashwant Sinhaji raised an issue and I agree with him that we should be extremely careful about short-term borrowing. Short-term external debt as a percentage of reserve was 146.5 per cent in 1991 and this has declined to 26.3 per cent.

The short-term debt flow financed about 11 per cent of the current account deficit in 2011-12 and 23.9 per cent in 2010-11. So, there also we have made substantial improvement.

Sir, I do agree that the current account deficit is a matter of concern. If there is a crisis in food, it does not mean that we shall have to start eating lizards. The situation is not that difficult today. Of course, it is a difficult situation, but we can overcome that situation as we have overcome in the past.

It has been raised that fiscal indiscipline has started from 2008-09 because of stimulus package. I do not deny that fact. Yes, we injected Rs.1,86,000 crore as fiscal expansion in the form of stimulus package. But Mr. Chidambaram is not responsible for that because it was done in the months of December, January and last batch was done in February in my Interim Budget and he left the Ministry of Finance on 1<sup>st</sup> or 2<sup>nd</sup> of December in 2008.

I am not apologetic. Why I am not apologetic? It is because we could correct the situation. If I would not have provided the fiscal stimulus the way GDP was decelerating, we would have ended the year with less than five per cent and we ended the year with 6.6 per cent. Thereafter we had a bounce back; in 2009-10, we had 8.4 per cent and in 2010-11 we had 8.4 per cent.

Again, another crisis came, that is, Eurozone crisis. I cannot ignore the fact that around 20 per cent of my export even today is destined towards Europe and if there is no demand, whatever efforts you may make to diversify the export destination, it will not be enough. But we have done this and that is why the export has gone to more than 300 billion dollars.

But at the same time, I shall have to recognise that export destination change is not easy. It takes time and particularly in a regime where we are extra sensitive. If any commodity price increases, the first target is the export. We resort to switch-off, switch-on policy, like, in many countries. It is not unusual that if a commodity is in short supply, they

maintain their export commitment to retain their presence in external market and import the same commodity. It is not for earnings. But, unfortunately, we have not been able to develop that system. As a result, we not only lose the country destination but also it becomes difficult to build-up the market. Therefore, we shall have to have a steady export-import policy where a component, maybe the same commodities are exported, maybe imported so that the presence in the external market and the reliability on the Indian market as supplier remains intact.

Why did the stock market volatility take place? One of the major reasons was because there was an outflow of the FII. For several years these FIIs are providing necessary support to fund the current account deficit. So, it has to have its adverse impact on the economy and it had. But we are trying to restore it.

Confidence can be brought back, if we can decisively act, the Parliament can decisively assert that yes necessary legislation will be made. We have come out of those debates and we cannot go on having the rigmarole of that debate. After 1991-92, there have been two non-Congress Governments, one Government led by Shri Devegowda and Shri Gujral from 1996 to 1998, and thereafter the NDA. Thereafter the UPA Government came. The UPA is not a Congress Government alone.

There are other partners. Many of them are traditional opponents to Congress. I would not say enemy; nobody is enemy in politics; there may be opponents. Therefore, it has been recognised that some of the basic changes which we have brought in 1991, 1992 are essential. That provides the strength of our basic fundamentals, our economic strength. We shall have to depend on that basic strength. I am quite confident that we will be able to do that.

Now, one issue is being debated – States have expressed concern and Yashwant Sinha ji has also pointed it out – that is Central Sales Tax. If I go back to the history of the Central Sales Tax, of the Sixth Constitutional Amendment in 1956, passage of the CST in 1957 and major change in 1975, it will take a long time. But the short point which I am trying to drive at is this. When Mr. Chidambaram was the Finance Minister, it was recognised by the Empowered Committee of the State Finance Ministers, which hon. Yashwant Sinha ji in his foresight thought it necessary and he has provided a permanent institutional mechanism through which we can interact with the States easily. This is a good mechanism. He has his understanding. CST is not like VAT. VAT was one set of tax replaced by another set of tax. The idea was that Central Sales Tax (CST) is to be phased out and it will have to be submerged in GST. Therefore there is a correlation. During the intervening period, when the CST rate will be brought down from 4 per cent to 3 per cent, from 3 per cent to 2 per cent, from 2 per cent to 1 per cent, from 1 per cent to zero, that is in April 2010, then GST will be in place and it will be compensated. It was not merely through the cash compensation. There were a number of non-monetary measures to be taken, and we have taken those non-monetary measures so far as the CST is concerned. What was suggested was that the States to partly make up their loss will levy taxes on tobacco, sugar and textiles. Second was abolition of default for the purchase by the Government departments. It has been done. Another was restructuring the VAT rates by increasing it to 4 to 5 per cent with effect from 1.4.2008 and further to 6 per cent with effect from 1.4.2009. Therefore it is not correct to say that. If some State Governments take the position that it is my inherent right to decide what would be the VAT rate, you do not take into account while computing the loss of the States. This was the agreement, this was the arrangement agreed by the State Finance Ministers' Empowered Committee and the Union Finance Minister. Thereafter the crisis of 2008 came. I took over the Finance Ministry. I had discussions with the Chairman of the Empowered Committee of the State Finance Ministers and it was agreed that up to 2 per cent you have come, from 4 per cent to 3 per cent and from 3 per cent to 2 per cent; you stop it there. We will not impose increased VAT on tobacco, sugar and textiles. Mr. Sinha has raised a question correctly.

While examining the Demands for Grants relating to the Finance Ministry for the current year, he has found out that at the time of Budget I took the approval of the Parliament to give Rs. 12,000 plus crore as CST compensation to the States, but I have given them around Rs.4173 crores or so and the remaining is there. His question is: "Why have you not given it?" I have not given because that issue still remains unresolved. I told Shri Sushil Modi, when he came to see me as Chairman of the Empowered Committee of the State Finance Ministers that let his officers, some of the State Government's officers, our officers, sit together, work out a mechanism and then I will give that money. But I cannot run after a mirage. I must have some light visible at the end of the tunnel. The years 2010, 2011 and 2012 have passed; let us have the target that by 1<sup>st</sup> of April, 2013, we will be able to do it.

I am really delighted when Shri Yashwant Sinha ji, informed the House yesterday that after DTC he will take up the GST. If these two things we can do, I believe – I request the hon. House to believe me – that there will be a sea change, a major reform in the Indian Tax System which will be transparent; which will be non-discriminatory; which will be viable; and which will provide tax buoyancy, as it has been established with the introduction of VAT.

Please remember, shut your eyes and think of five-six years ago the magnitude of apprehensions you had that the

State will lose huge revenue and today it is accepted and I am quite sure – surely I will not be there, I am not moving anywhere. I am not talking of that. Physically, I cannot remain there – a day will come, when we will see that what tremendous revenue buoyancy would be; how compliance will improve with the introduction of the GST and with the introduction of the DTC.

I thank, once again, Chairman and members of the Standing Committee on Finance for the excellent Report they have given on DTC. But I admit my own shortcomings that I could not fully implement it because I could not fully study it. I knew the proposals but to know the basic proposals and to study, understand and appreciate are different. Perhaps my intelligence level is low, that is why, I require some time to study and thereafter to firm up my view. Somebody's IQ is may be much higher than me but my IQ is little less perhaps and that is why I wanted to read it thoroughly. It is an excellent Report. I have gone through some pages. It is an excellent Report and I am giving you an assurance that if you cooperate, we will get it done; get it passed in the Monsoon Session; and thereafter we can implement it. I have provided some of these provisions. A few of these provisions are already in the Finance Bill of this year.

GAAR I had agreed to defer one year not because of any fear or apprehension. I may be a very small man, very little man but one thing I can assure and I can tell the distinguished Members of Parliament that I am not afraid of any consequences. When I borrowed money, I was much younger. Will you enter into the Extended Funding Facilities with International Monetary Fund by entering into a borrowing agreement of 5 billion SDRs which was the highest at that point of time? On the very floor of this House, many people told that you will ruin the Indian economy. India will have to be bailed out because IMF's history is that one loan leads to another loan, to further loan and nobody has come out of the debt trap by borrowing money from the International Monetary Fund.

But I came out with my head on my shoulder; I came out, not on stretcher but on my foot, out of the IMF building declaring that India will not withdraw the last tranche of IMF borrowing of 1.2 billion SDR. I do not know whether it has happened in any other country. We did it. It is not an individual credit. It has nothing to do with the individuality or personality of Pranab Mukherjee. It is the strength of the Indian economy; it is the resilience of the Indian economy. The contribution is by Indian farmers, Indian workers, Indian managers, Indian experts, Indian technicians.

From 10 million tonnes of crude production in the early Eighties, we increased it to 29 million tonnes. We could meet the 1979 Oil Crisis by substantially improving our own indigenous production and by reducing our imports so that the Balance of Payments situation improved.

I am concerned that today there are difficulties. But we shall have to address those difficulties. About the CST, I can assure the hon. Members that I will discuss and sort it out with them. But please help us to have the necessary reforms in the introduction of the GST.

I would also like to share some important parameters so that there is no apprehension on the current account deficit and Balance of Payments situation. I am repeating that there is difficulty but the difficulty is not insurmountable because a large number of Members have spoken on it. The current account deficit as a percentage of the GDP, in 1990-91 was three per cent; in 1991-92, it was 0.3 per cent; in 2007-08, it was 1.3 per cent; in 2008-09, it was 2.3 per cent; in 2009-10, it was 2.8 per cent; in 2010-11, it was 2.7 per cent; in 2011-12, it was four per cent. Naturally, there is a substantial change from three per cent to four per cent; and moreover from 2.7 per cent to four per cent. Obviously, it is because of the huge 184.9 billion dollars trade deficit in 2011-12 on customs basis.

The FII flow has been reduced because the mutual funds, banks and other financial institutions of Europe, who invested in India, in Indian market, had to withdraw because of the crisis in their countries; and to contribute to build up the firewall, they had to protect them. But if we take into account the other parameters then we will find that it would be substantially helpful. As they have given the figure, total external debt to the GDP ratio is 20 per cent. From 38.7 per cent, it has come down to 20 per cent in 2011-12. About the import cover, I have already stated. It is 7.3 months. The foreign exchange reserves today is 294.397 billion US dollars that is at the end of March 2012.

For current account deficit, why had I to impose the import duty on gold? As Mr. Baalu has correctly pointed out that last year, our import bill on gold was 69 billion US dollars. Sir, 170 billion US dollars was the import bill of the petroleum products and 69 billion US dollars was the import bill of gold. I know the Indian people. Gold is a part of our culture. That is why I have removed the excise duty on jewellery. But I want to retain the import duty on the gold bars. I have imposed a duty of just four per cent. I do hope that to some extent, the import of gold would be reduced. The non-residents who are staying for six months can bring up to one kilogram gold ornaments. Anybody, who is staying for six months in any country as an NRI, can bring gold ornaments worth Rs.30 lakh.

There is another impact also. There are a large number of jewellers, millions of jewellers who work on gold. If ready-made

jewels come from other countries, to that extent their demand will be affected. Therefore, I have to reduce it. Earlier it was 10 kilograms which they could bring. I have reduced it to one kilogram. In monetary value, at current prices it would be above Rs.30 lakh.

Mr. Chairman, Sir, I would not like to take more time but I would like to address a couple of issues which have been raised. Regarding sovereign credit ratings, yes, particularly in the assessment of Standard and Poor, they are negative. Outlook is negative but not sovereign debt. Sovereign debt is not negative. If you notice, they have said on four parameters. Our sovereign debt rating is reasonably high. It is satisfactory. That is why, when the Standard and Poor's rating assessment came, I said it is a signal and it is an alarm. I do not ignore it. I take note of it that corrective measures are to be taken.

The corrective measure is that we shall have to confine our fiscal deficit. The corrective measure is that we shall have to ensure the environment for investment, for more flow of fund and more flow of technology but at the same time, keeping our eyes on the factors which I described as domestic demand driven growth factors. We have one unique advantage which other countries do not have, that is, a huge untapped market of one billion plus people, 122 crore people. We have a huge market of consumer goods, consumer durables.

It has been pointed out and I also discussed it with my colleague, Mr. Thomas because yesterday, in the morning Sharad Pawar Ji and many others expressed their concern about the availability of jute bags and the storing facilities of the food grains because this year the total food grain production would be 253 million tonnes. Earlier the system was, normally the FCI used to procure 25-30 per cent of the total food grains. The private sector used to intervene and they have their own facilities, arrangements of storing the procurement which they used to do. But today, either the State agencies or the Union agencies like the FCI are procuring more than 50 per cent, and I do agree that there is a mismatch between the creation of storing facilities and the level of procurement which is taking place.

If we do not go for procurement, then the farmers will be left at the hands of the private marketeers and they will have the compulsory sales. In some areas, we have found out that the rice millers, who were entrusted to procure, did not give the right type of Minimum Support Price, MSP, which was declared by the Government for paddy. Last year it happened in some parts in the kharif season. Instead of Rs.1000 per quintal of paddy, they got Rs.500 or Rs.600 per quintal. Therefore, the Government agencies have to purchase it.

When purchase is done by the Government agencies, there is a mismatch between the level of procurement and the quantum of storing facility. We are having a three-pronged strategy. I had a detailed discussion with the Food Minister. He is also fully aware of it. I think he has discussed it with the Leader of the Opposition, Sushma Ji. By middle of this month, the additional jute bags will be made available. Yesterday, I requested the West Bengal Industries Minister to be in touch with the jute industry because mostly the jute industries are located in Kolkata and surrounding areas so that they can step up their production.

### **17.00 hrs.**

There are many important trade union leaders from our Left Front and from Trinamool Congress, who can also persuade the jute mill owners to step up the production because this year's procurement is much more. For instance, Madhya Pradesh Government suggested that they will procure 65 lakhs of it, but actually it is 85 lakhs. When the farmers bring it, no agency will say that we cannot take it from you and it is impossible. Therefore, the procurement level has also increased. But, I would not agree to the suggestion that jute packaging material should be substituted by the plastic material because that may help us temporarily but it will cause a permanent damage. A day will come when this jute will be used all over the world because it is a biodegradable packaging material, which is the packaging material of the future. Therefore, we cannot destroy this industry; we cannot destroy this packaging material.

In respect of certain other issues, I have mentioned in my initial observations yesterday that I would revert with certain relief proposals relating to Customs and Central Excise Duties. In that context, I propose to provide concessions in Central Excise Duty to chassis for commercial vehicles, ballpoint pen ink, polyester fibre and yarn made from waste, and certain parts of footwear.

Among the major relief on the customs side are exemptions to wood pulp, goods required for the setting up of solar power projects and certain raw materials for the manufacture of the solar cells. I do not wish to take the time of the House as regards the other minor changes. A notification to give effect to these changes would be issued in due course and laid on the Table of the House. Apart from these changes, there will be certain other minor changes, which we will come to know from the notification.

The last point, which was referred to by Shri Advani ji, is about the operation against black money. My whole argument on

the Vodafone was on that point. It is because my point is very simple. I would like to be guided either by the Double Taxation Avoidance Agreement or tax. There cannot be a situation where somebody will make money on an asset located in India and will not pay tax either to India or to the country of its origin by making some arrangements to certain tax haven areas, to certain tax haven locations through a complicated setting up of a series of subsidiaries, and having huge capital gains on the assets located in India.

I have explained that retrospective effect, to clarify the legislative intention, must be with reference to the date of enactment. How can the intentions of the legislature have any other reference point than the date of enactment, whether it is 1961 or 1951 or 1948? If clarificatory retrospective arrangement is to be made, it will be with reference to the date of enactment. But, the effect of the retrospective amendment in respect of the taxation will be covered by other laws. Here, the Income Tax Act Section 161 says that no tax can be levied beyond six years. Therefore, the mention of 1961 is academic, but the tax liability will arise retrospectively, six years before, from the current date of assessment.

Yesterday I clarified three issues. The assessment which has been closed, which has been made, there is no question of re-opening it. One hon. Member mentioned about a British amendment exactly of similar nature. In the year 2008, they made an amendment in the Finance Bill, of Section 58 which gave effect to it from 1987. It means that they are having a retrospective legislation in respect of taxation law which becomes effective from 21 years back. I. If they are entitled, surely India is equally entitled. India is not an inferior country compared to any other country. Therefore, we have that right.

We cannot declare India as a tax haven simply to attract the foreign investment. I want foreign investment for technology, for development, for resources.

SHRI BASU DEB ACHARIA : For employment.

SHRI PRANAB MUKHERJEE: I can have. We are having and we shall have. I have no doubt.

Please remember that when the investment was also not there, we did not eat lizards. Till today, the investment requirement is substantially met by the rate of our domestic savings. Today it has come down to 33 per cent or 34 per cent, but it had reached as high as 35 per cent or 36 per cent of GDP. The rate of investment was 37 per cent or 38 per cent. Therefore, we are not in that distressed a situation that a country of 121 crore people will be treated as tax haven like Cayman Island, The Isle of Man or Virgin Islands. We cannot be equated with them.

Either you pay tax here or you pay tax in your own country with which we have a Double Taxation Avoidance Agreement. It is as simple as that. The rule of law is there. Our Supreme Court has given a verdict. Somebody has said how we could go against the judgement of the Supreme Court. Many eminent lawyers are here. They are Ministers. I am not like them, but most respectfully I would say that I am fully aware of my right as a legislator. Law-making power only vests with the Parliament. The Supreme Court may interpret law, but equally the Parliament has the right, Legislature has the right to express its intention by making amendment to correct the judgement of the Supreme Court. The very first amendment to Constitution of India, which is not an ordinary law, for insertion of Article 35A and introducing certain other relevant changes, was done in 1951. It arose out of the judgement of the then Supreme Court. Parliament considered that the Supreme Court did not reflect the intention of the law-makers. So, the Constitution, the basic document, was changed. When did we not fight with the Supreme Court? Did we not fight against it in Golaknath case and Keshvanand Bharati case?

From 1950 to 1968, the general perception was that Indian Parliament can make any amendment to the Constitution. In Golaknath case, the verdict came that Parliament cannot alter Fundamental Rights, and a series of legal enactments, social legislations, were declared null and void by the Supreme Court, including the Banks Nationalisation Act, Privy Purses (Abolition) Act. Then, Lok Sabha was dissolved in 1970. The then Prime Minister, Shrimati Indira Gandhi, went to the electorate saying 'I want to bring social legislations. I want to transform the society. I want the power to amend the Constitution.' She said, "I do not have two-thirds majority, give me two-thirds majority." The Indian electorate gave her two-thirds majority, and there came the Twenty-fourth Amendment to the Constitution where the 'constituent power' was vested in Parliament. If you read the text of the Constitution from 1950, before the Twenty-fourth Amendment made to Article 368, you will not find the word 'constituent power'. 'Constituent power' of Parliament was first invented and put in the text of the Article 368 of the Constitution through that Twenty-fourth Amendment.

Not only in India but everywhere, in all developed societies, Legislature's intention is what matters because we are representing more than 70-crore people of this country. Each constituency has 1.5 million or 1.6 million voters. Therefore, their intention is what matters. Yes, as far as the Supreme Court and the Judiciary is concerned, the Constitution has given



them the power to interpret the law. However, the law is to be framed by us. If we find that there is a conflict between the 'intent' of the Legislature and the 'interpretation' of the Constitution, most respectfully I submit that by interpretation of the law, our right of amending it or asserting our right is not taken away. That is the power of the Constitution which is vested in us.

Advani Ji has raised the issues of black money and White Paper. I am bringing the White Paper before the Parliament Session adjourns – not on 22<sup>nd</sup>, but I will try to bring it much earlier. The drafting is in the final stages. I will try to give all the relevant and possible information. He has raised two specific points, one of which is about the names which we have received. There is one problem. I have shared it with the others. They have stated that I could disclose the names when we prosecute the people. As Shri Yashwant Sinha Ji was correctly pointing out, those names against whom prosecution has been launched by the Income Tax can be divulged. There is no problem in it. However, what we get is raw information. In that raw information, only the names are there. Therefore, the Department has to scrutinize to see whether they have the legal permission, whether they have the authorization from the Reserve Bank and whether they have any other business where they are entitled to have it. We have to first establish that the amount which they are depositing is illegal. For asserting the legality or the illegality, it will have to be scrutinized. After that, where it is found that there is no legal sanction, the prosecution will have to start. When the prosecution starts, then the names can be disclosed. So, when the prosecution will start, we will give you whatever names we have got.

I do not know why it happens at the time of talking about money or finance, but my voice starts cracking at the time of replying to the discussion on the Budget or the Finance Bill!

In respect of estimates of black money, three institutions are studying it independently and they will give their reports at the end of an 18-month period, and that period is coming to a close around July or August. We have not yet received their reports. I will share that information with you, as soon as I get the reports from those three independent Study Groups. But the White Paper containing other relevant information will be made available to the hon. Members and I will lay it on the Table of the House.

Thank you, Mr. Chairman, Sir, for giving me this opportunity. *â€¦(Interruptions)*

MR. CHAIRMAN: The question isâ€¦

*â€¦(Interruptions)*

SHRI ARJUN RAM MEGHWAL: I am on a point of order *â€¦(Interruptions)* This is technically wrong. *â€¦(Interruptions)*

SHRI PRANAB MUKHERJEE: Your point of order has been disposed of by saying that it is part of the FRBM Act. We have disposed of it because it is part of the Fiscal Responsibility and Budget Management Act. *â€¦(Interruptions)*

MR. CHAIRMAN : The question is:

"That the Bill to give effect to the financial proposals of the Central Government for the financial year 2012-2013, be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: The House will now take up clause-by-clause consideration of the Bill.

The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

Clause 3 Amendment of section 2

*Amendment made:*

Page 4, *after* line 41, *insert*—

'(iii) in clause (24), after sub-clause (x), the following sub-clause shall be inserted with effect from the 1<sup>st</sup> day of April, 2013, namely:—

"(x) any consideration received for issue of shares as exceeds the fair market value of the shares referred to in clause (vii) of sub-section (2) of section 56;"'. (7)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 3, as amended, stand part of the Bill."

*The motion was adopted.  
Clause 3, as amended, was added to the Bill.  
Clause 4 was added to the Bill.*

Clause 5 Amendment of section 10

*Amendment made:*

Page 5, *after* line 50, *insert* —

'(BA) after clause (23BBG), the following clause shall be inserted with effect from the 1<sup>st</sup> day of April, 2013, namely: -

25 of  
1990

"(23BBH) any income of the Prasar Bharati (Broadcasting Corporation of India) established under sub-section (1) of section 3 of the Prasar Bharati (Broadcasting Corporation of India) Act, 1990;"'. (8)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That Clause 5, as amended, stand part of the Bill."

*The motion was adopted.  
Clause 5, as amended, was added to the Bill.  
Clauses 6 to 20 were added to the Bill.*

Clause 21 Amendment of section 56

*Amendment made:*

Page 10, *for* lines 20 and 21, *substitute*—

"Provided that this clause shall not apply where the consideration for issue of shares is received—

(i) by a venture capital undertaking from a venture

capital company or a venture capital fund; or

(ii) by a company from a class or classes of persons as may be notified by the Central Government in this behalf."

(9)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 21, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 21, as amended, was added to the Bill.*

*Clauses 22 to 24 were added to the Bill.*

### **Motion Re: Suspension of Rule 80(i)**

SHRI PRANAB MUKHERJEE: Sir, I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 10 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 10 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

*The motion was adopted.*

### **New Clause 24A**

*Amendment made:*

Page 11, *after* line 15, *insert*—

'**24A.** After section 80CCF of the Income-tax Act, the following section shall be inserted with effect from the 1<sup>st</sup> day of April, 2013, namely:—

"80CCG. (1) Where an assessee, being a resident individual, has, in a previous year, acquired listed equity shares in accordance with a scheme, as may be notified by the Central Government in this behalf, he shall, subject to the provisions of sub-section (3), be allowed a deduction, in the computation of his total income of the assessment year relevant to such previous year, of fifty per cent. of the amount invested in such equity shares to the extent such deduction does not exceed twenty-five thousand rupees.

(2) Where an assessee has claimed and allowed a deduction under this section for any assessment year in

Insertion of  
new section  
80CCG.  
Deduction  
in respect  
of  
investment  
made under  
an equity  
savings  
scheme.

respect of any amount, he shall not be allowed any deduction under this section for any subsequent assessment year.

(3) The deduction under sub-section (1) shall be subject to the following conditions, namely:—

(i) the gross total income of the assessee for the relevant assessment year shall not exceed ten lakh rupees;

(ii) the assessee is a new retail investor as may be specified under the scheme referred to in sub-section (1);

(iii) the investment is made in such listed equity shares as may be specified under the scheme referred to in sub-section (1);

(iv) the investment is locked-in for a period of three years from the date of acquisition in accordance with the scheme referred to in sub-section (1); and

(v) such other condition as may be prescribed.

(4) If the assessee, in any previous year, fails to comply with any condition specified in sub-section (3), the deduction originally allowed shall be deemed to be the income of the assessee of such previous year and shall be liable to tax for the assessment year relevant to such previous year." (10)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That New Clause 24A be added to the Bill."

*The motion was adopted.*

*New Clause 24A, was added to the Bill.*

*Clauses 25 to 29 were added to the Bill.*

Clause 30 Insertion of New Part

MR. CHAIRMAN: Mr. Rajesh, are you moving your amendment?

SHRI M.B. RAJESH (PALAKKAD): Yes Sir, I am moving my amendment.

Sir, I beg to move:

Page 12, lines 13 and 14,—

*for*

"(b) a co-operative society engaged in carrying on the business of banking (including a co-operative land mortgage bank or a co-operative land development bank); or"

*substitute*

"(b) a co-operative land mortgage bank or a co-operative land development bank; or". (1)

MR. CHAIRMAN: I shall now put amendment no. 1 moved by Shri M.B. Rajesh to the vote of the House.

*The amendment was put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 30 stand part of the Bill."

*The motion was adopted.*

*Clause 30 was added to the Bill.*

*Clauses 31 to 39 were added to the Bill.*

Clause 40 Insertion of New Chapter X-A

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): I beg to move:

Page 16, line 49, *for* "2013", *substitute* "2014" 11.

Page 17, *omit* lines 12 to 15. 12.

Page 17, line 16, *for* "(3)", *substitute* "(2)" 13.

Page 17, line 31, *for* "would not have been so located for",

*Substitute* "is without". 14.

MR. CHAIRMAN : Now the question is:

SHRI BASU DEB ACHARIA : Sir, I am asking for a Division. Why is the GAAR deferred for one year?

MR. CHAIRMAN: Do you want a Division?

SHRI BASU DEB ACHARIA: Yes, I want a Division.

MR. CHAIRMAN: Let the Lobbies be cleared –

*...(Interruptions)*

MR. CHAIRMAN : Shri Yashwant Sinha.

SHRI YASHWANT SINHA (HAZARIBAGH): Sir, as far as this amendment is concerned, the Standing Committee on Finance, as I said yesterday, had recommended that GAAR should be introduced but with the safeguards that the Committee was recommending. The Finance Minister in his introductory remarks yesterday has accepted some of the important suggestions that the Committee has made. And, therefore, in my speech I had welcomed the postponement of GAAR and I have got up to say that we are in support of this amendment.

MR. CHAIRMAN: Now, Secretary-General to inform the hon. Members about the voting procedure for division.

SECRETARY-GENERAL: Kind attention of the hon. Members is invited to the following points in the operation of the Automatic Vote Recording System:

1. Before a division starts, every hon. Member should occupy his or her own seat and operate the system from that seat only.
2. As may kindly be seen, the "red bulbs above display boards" on either side of hon. Speaker's chair are already glowing. This means the voting system has been activated.
3. For voting please press the following two buttons simultaneously immediately after sounding of first gong. viz., One "red" button in front of the hon. Member on the headphone plate and also any one of the following buttons fixed on the top of desk of seats:  
Ayes - Green Colour  
Noes - Red colour  
Abstain - Yellow colour
4. It is essential to keep both the buttons pressed till the second gong sound is heard and the red bulbs are "Off". Important: The hon. Members may please note that the vote will not be registered if both buttons are not kept pressed simultaneously till the sounding of the second gong.
5. Please do not press the amber button (P) during division.
6. Hon. Members can actually "see" their vote on display boards and on their desk unit.
7. In case vote is not registered, they may call for voting through slips.

MR. CHAIRMAN: The Lobbies have been cleared.

Now I will put Amendment Nos. 11 to 14 moved by hon. Finance Minister to vote of the House.

The question is:

Page 16, line 49, *for* "2013", *substitute* "2014" (11)

Page 17, *omit* lines 12 to 15. (12)

Page 17, line 16, *for* "(3)", *substitute* "(2)" (13)

Page 17, line 31, *for* "would not have been so located for",  
*Substitute* "is without". (14)

*The Lok Sabha divided:*

**AYES 17:25 hrs.**

Aaron Rashid, Shri J.M.

Adhikari, Shri Sisir

Adhi Sankar, Shri

Aditya Nath, Yogi

Advani, Shri L.K.

Agarwal, Shri Jai Prakash

Agrawal, Shri Rajendra

Ahir, Shri Hansraj G.

Ahmed, Shri Sultan

Ajmal, Shri Badruddin

Alagiri, Shri S.

Amlabe, Shri Narayan Singh

Anandan, Shri M.

Antony, Shri Anto  
Argal, Shri Ashok  
Aron, Shri Praveen Singh  
Awale, Shri Jaywant Gangaram  
Azad, Shri Kirti  
Azharuddin, Mohammed  
Baal, Shri T.R.  
Babbar, Shri Raj  
Bairwa, Shri Khiladi Lal  
Bais, Shri Ramesh  
Baite, Shri Thangso  
Baliram, Dr.  
Balmiki, Shri Kamlesh  
Banerjee, Shri Kalyan  
Bansal, Shri Pawan Kumar  
Bapiraju , Shri K.  
Basavaraj, Shri G. S.  
Basheer, Shri Mohammed E.T.  
Bavalia, Shri Kunvarjibhai Mohanbhai  
Besra, Shri Devidhan  
Bhadana, Shri Avtar Singh  
Bhagat, Shri Sudarshan  
Bhagora, Shri Tara Chand  
Bhaiya, Shri Shivraj  
Bhoi, Shri Sanjay  
Biswal, Shri Hemanand  
Bundela, Shri Jitendra Singh  
Chang, Shri C.M.  
Chakravarty, Shrimati Bijoya  
Chaudhary, Dr. Tushar  
Chauhan, Shri Dara Singh  
Chauhan, Shri Mahendrasinh P.  
Chauhan, Shri Sanjay Singh  
Chavan, Shri Harishchandra

Chidambaram, Shri P.  
Chitthan, Shri N.S.V.  
Choudhary, Shri Harish  
Choudhry, Shrimati Shruti  
Choudhury, Shri Abu Hasem Khan  
Chowdhary, Shrimati Santosh  
'Commando', Shri Kamal Kishor  
Das, Shri Bhakta Charan  
Dasmunsi, Shrimati Deepa  
Dastidar, Dr. Kakoli Ghosh  
Davidson, Shrimati J. Helen  
De, Dr. Ratna  
Deka, Shri Ramen  
Deo, Shri V. Kishore Chandra  
Deora, Shri Milind  
Deshmukh, Shri K.D.  
Devi, Shrimati Ashwamedh  
Devi, Shrimati Rama  
Dhanapalan, Shri K. P.  
Dhotre, Shri Sanjay  
Dhruvanarayana, Shri R.  
Dhurve, Shrimati Jyoti  
Dias, Shri Charles  
Dikshit, Shri Sandeep  
Dubey, Shri Nishikant  
Dutt, Shrimati Priya  
Elangovan, Shri T.K.S.  
Engti, Shri Biren Singh  
Ering, Shri Ninong  
Gaddigoudar, Shri P.C.  
Gadhvi, Shri Mukesh Bhairavdanji  
Gaikwad, Shri Eknath Mahadeo  
Gandhi, Shri Rahul  
Gandhi, Shrimati Sonia



Gandhiselvan, Shri S.  
Ganeshamurthi, Shri A.  
Gavit, Shri Manikrao Hodlya  
Ghatowar, Shri Paban Singh  
Gogoi, Shri Dip  
Gouda, Shri Shivarama  
Guddu, Shri Premchand  
Handique, Shri B.K.  
Haque, Shri Mohd. Asrarul  
Hari, Shri Sabbam  
Harsha Kumar, Shri G.V.  
Hazari, Shri Maheshwar  
[\\*Hegde, Shri K. Jayaprakash](#)  
Hooda, Shri Deepender Singh  
Hossain, Shri Abdul Mannan  
Hussain, Shri Ismail  
Hussain, Shri Syed Shahnawaz  
Jadhav, Shri Baliram  
Jagannath, Dr. Manda  
Jagathrakshakan, Dr. S.  
Jain, Shri Pradeep  
Jaiswal, Dr. Sanjay  
Jaiswal, Shri Shriprakash  
Jakhar, Shri Badri Ram  
Jardosh, Shrimati Darshana  
Jat, Shrimati Poonam Veljibhai  
Jawale, Shri Haribhau  
Jena, Shri Mohan  
Jena, Shri Srikant  
Jhansi Lakshmi, Shrimati Botcha  
Jigajinagi, Shri Ramesh  
Jindal, Shri Naveen  
Joshi, Dr. Murli Manohar  
Joshi, Shri Mahesh

Joshi, Shri Pralhad  
Judev, Shri Dilip Singh  
Kachhadia, Shri Naranbhai  
Kalmadi, Shri Suresh  
Kamal Nath, Shri  
Kamat, Shri Gurudas  
Kashyap, Shri Dinesh  
Kaswan, Shri Ram Singh  
Kataria, Shri Lalchand  
Kateel, Shri Nalin Kumar  
Kaur, Shrimati Preneet  
Kaypee, Shri Mohinder Singh  
Khan, Shri Hassan  
Khandela, Shri Mahadeo Singh  
Kharge, Shri Mallikarjun  
Khatgaonkar, Shri Bhaskarrao Bapurao Patil  
Khatri, Dr. Nirmal  
Khursheed, Shri Salman  
Killi, Dr. Kruparani  
Kowase, Shri Marotrao Sainuji  
Krishnasswamy, Shri M.  
Kumar, Shri P.  
Kumar, Shri Ramesh  
Kumar, Shri Shailendra  
Kumar, Shri Virendra  
Kumari, Shrimati Chandresh  
Kurup, Shri N. Peethambara  
Lakshmi, Shrimati Panabaka  
Lal, Shri Pakauri  
Madam, Shri Vikrambhai Arjanbhai  
Mahajan, Shrimati Sumitra  
Mahant, Dr. Charan Das  
Maharaj, Shri Satpal  
Mahato, Shri Baidyanath Prasad

Mahtab, Shri Bhartruhari  
Maken, Shri Ajay  
Mandal, Shri Mangani Lal  
Mani, Shri Jose K.  
Manian, Shri O.S.  
Manjhi, Shri Hari  
Maran, Shri Dayanidhi  
Meena, Shri Namu Narain  
Meena, Shri Raghuvir Singh  
Meghe, Shri Datta  
Meghwal, Shri Arjun Ram  
Meghwal, Shri Bharat Ram  
Meinya, Dr. Thokchom  
Mirdha, Dr. Jyoti  
Mishra, Shri Govind Prasad  
Mishra, Shri Mahabal  
Mohan, Shri P.C.  
Moily, Shri M. Veerappa  
Mukherjee, Shri Pranab  
Munde, Shri Gopinath  
Muniyappa, Shri K.H.  
Muttemwar, Shri Vilas  
Naik, Dr. Sanjeev Ganesh  
Naik, Shri P. Balram  
Naik, Shri Shripad Yesso  
Napoleon, Shri D.  
Narah, Shrimati Ranee  
Narayanasamy, Shri V.  
Naskar, Shri Gobinda Chandra  
Natrajan, Kumari Meenakshi  
Nirupam, Shri Sanjay  
Noor, Kumari Mausam  
Ola, Shri Sis Ram

**Owaisi, Shri Asaduddin**

Pal, Shri Jagdambika  
Pal, Shri Rajaram  
Pala, Shri Vincent H.  
Palanimanickam, Shri S.S.  
Pandey, Dr. Vinay Kumar  
Pandey, Kumari Saroj  
Pandey, Shri Gorakhnath)  
Pandey, Shri Ravindra Kumar  
Paranjpe, Shri Anand Prakash  
Paswan, Shri Kamlesh  
Patel, Shri Devji M.  
Patel, Shri Dinsha  
Patel, Shri Kishanbhai V.  
Patel, Shri Lalubhai Babubhai  
Patel, Shri Nathubhai Gomanbhai  
Patel, Shri Praful  
Patel, Shri Somabhai Gandalal Koli  
Patel, Shrimati Jayshreeben  
Pathak, Shri Harin  
Patil, Shri A.T. Nana  
Patil, Shri C.R.  
Patil, Shri Sanjay Dina  
Patil, Shri Pratik  
Patle, Shrimati Kamla Devi  
Pilot, Shri Sachin  
Prabhakar, Shri Ponnarn  
Pradhan, Shri Amarnath  
Prasada, Shri Jitin  
Premdas, Shri  
Purandeswari, Shrimati D.  
Purkayastha, Shri Kabindra  
Raghavendra, Shri B.Y.  
Rahman, Shri Abdul  
Rai, Shri Prem Das

Rajagopal, Shri L.  
Rajendran, Shri C.  
Raju, Shri M.M. Pallam  
Rajukhedi, Shri Gajendra Singh  
Ramachandran, Shri Mullappally  
Ramasubbu, Shri S.S.  
Rana, Shri Rajendrasinh  
Rane, Shri Nilesh Narayan  
Rao, Dr. K.S.  
Rao, Shri Rayapati Sambasiva  
Rathwa, Shri Ramsinh  
Rawat, Shri Harish  
Ray, Shri Bishnu Pada  
Ray, Shri Rudramadhab  
Reddy, Shri Gutha Sukhender)  
Reddy, Shri K.J.S.P  
Reddy, Shri M. Sreenivasulu  
Reddy, Shri S. Jaipal  
Reddy, Shri S.P.Y.  
Roy, Prof. Saugata  
Roy, Shri Arjun  
Roy, Shrimati Shatabdi  
Ruala, Shri C.L.  
Sachan, Shri Rakesh  
Sahay, Shri Subodh Kant  
Sahu, Shri Chandu Lal  
Sai Prathap, Shri A.  
Sangma, Kumari Agatha  
Sanjoy, Shri Takam  
Sardinha, Shri Francisco Cosme  
Satyanarayana, Shri Sarvey  
Sayeed, Shri Hamdullah  
Selja, Kumari  
Semmalai, Shri S.

Shanavas, Shri M.I.  
Sharma, Dr. Arvind Kumar  
Shariq, Shri S.D.  
Sharma, Shri Jagdish  
Shekhar, Shri Neeraj  
Shekhawat, Shri Gopal Singh  
Shetkar, Shri Suresh Kumar  
Shinde, Shri Sushilkumar  
Shivkumar, Shri K. alias J.K. Ritheesh  
Sibal, Shri Kapil  
Siddeshwara, Shri G.M.  
Singh, Chaudhary Lal  
Singh, Dr. Bhola  
Singh, Dr. Sanjay  
Singh, Rao Inderjit  
Singh, Shri Bhoopendra  
Singh, Shri Dushyant  
Singh, Shri Ganesh  
Singh, Shri Ijyaraj  
Singh, Shri Jagdanand  
Singh, Shri Jitendra  
Singh, Shri Murari Lal  
Singh, Shri Pashupati Nath  
Singh, Shri Pradeep Kumar  
Singh, Shri R.P.N.  
Singh, Shri Rajnath  
Singh, Shri Rakesh  
Singh, Shri Ratan  
Singh, Shri Ravneet  
Singh, Shri Sukhdev  
Singh, Shri Uday  
Singh, Shri Uday Pratap  
Singh, Shri Vijay Bahadur  
Singh, Shri Virbhadra

Singh, Rajkumari Ratna  
Singh, Shrimati Meena  
Singla, Shri Vijay Inder  
Sinha, Shri Shatrughan  
Sinha, Shri Yashwant  
Solanki, Dr. Kirit Premjibhai  
Solanki, Shri Bharatsinh  
Solanki, Shri Makansingh  
Sudhakaran, Shri K.  
Sugavanam, Shri E.G.  
Sugumar, Shri K.  
Suklabaidya, Shri Lalit Mohan  
Sule, Shrimati Supriya  
Suresh, Shri Kodikkunnil  
Sushant, Dr. Rajan  
Swaraj, Shrimati Sushma  
Tagore, Shri Manicka  
Tamta, Shri Pradeep  
Tandon, Shri Lalji  
Tandon, Shrimati Annu  
Tanwar, Shri Ashok  
Taviad, Dr. Prabha Kishor  
Taware, Shri Suresh Kashinath  
Tewari, Shri Manish  
Thakor, Shri Jagdish  
Thakur, Shri Anurag Singh  
Thamaraiselvan, Shri R.  
Thambidurai, Dr. M.  
Tharoor, Dr. Shashi  
Thirumaavalavan, Shri Thol  
Thomas, Shri P.T.  
[\\*](#)Tirath, Shrimati Krishna  
Tomar, Shri Narendra Singh  
Trivedi, Shri Dinesh

Udasi, Shri Shivkumar  
Vardhan, Shri Harsh  
Venugopal, Dr. P.  
Venugopal, Shri D.  
Venugopal, Shri K.C.  
Verma, Shri Sajjan  
Verma, Shri Beni Prasad  
Vijayan, Shri A.K.S.  
Vishwanath, Shri Adagooru H.  
Vishwanath Katti, Shri Ramesh  
Viswanathan, Shri P.  
Vivekanand, Dr. G.  
Vundavalli, Shri Aruna Kumar  
Vyas, Dr. Girija  
Wasnik, Shri Mukul  
Yadav, Prof. Ranjan Prasad  
Yadav, Shri Arun  
Yadav, Shri Dharmendra  
Yadav, Shri Dinesh Chandra  
Yadav, Shri Hukmadeo Narayan  
Yadav, Shri Anjankumar M.  
Yadav, Shri Mulayam Singh  
Yaskhi, Shri Madhu Goud

**NOES**

Acharia, Shri Basu Deb  
Baske, Shri Pulin Bihari  
Bauri, Shrimati Susmita  
Biju, Shri P.K.  
Chowdhury, Shri Bansa Gopal  
Das, Shri Khagen  
Dome, Dr. Ram Chandra  
Haque, Sk. Saidul



Karunakaran, Shri P.  
Kumar, Shri Kaushalendra  
Lingam, Shri P.  
Mahato, Shri Narahari  
Majumdar, Shri Prasanta Kumar  
Malik, Shri Sakti Mohan  
Natarajan, Shri P.R.  
Panda, Shri Prabodh  
Rajesh, Shri M.B.  
Ram, Shri Purnmasi  
Riyan, Shri Bajju Ban  
Roy, Shri Mahendra Kumar  
Saha, Dr. Anup Kumar  
Tarai, Shri Bibhu Prasad

MR. CHAIRMAN: Subject to correction\*, the result of the Division is:

Ayes: 340

Noes: 22

*The motion was adopted.*

MR. CHAIRMAN: The question is:

"That clause 40, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 40, as amended, was added to the Bill.*

*Clause 41 was added to the Bill.*

SHRI PRANAB MUKHERJEE: Sir, I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 15 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject

matter of the clause to which it relates, in its application to the Government amendment No. 15 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

*The motion was adopted.*

New Clause 41A

*Amendment made:*

Page 20, *after* line 5, *insert* –

'**41A.** In section 112 of the Income-tax Act, in sub-section (1), with effect from the 1<sup>st</sup> day of April, 2013,—  
(A) in clause (c), for sub-clause (ii), the following sub-clauses shall be substituted, namely:—  
" (ii) the amount of income tax calculated on long term capital gains arising from the transfer of a capital asset, being unlisted securities, calculated at the rate of ten per cent. on the capital gains in respect of such asset as computed without giving effect to the first and second proviso to section 48."; and  
" (iii) the amount of income tax on long term capital gains arising from the transfer of a capital asset, being unlisted securities, calculated at the rate of ten per cent. on the capital gains in respect of such asset as computed without giving effect to the first and second proviso to section 48.";

(iii) the amount of income tax on long term capital gains arising from the transfer of a capital asset, being unlisted securities, calculated at the rate of ten per cent. on the capital gains in respect of such asset as computed without giving effect to the first and second proviso to section 48.";

(B) in the *Explanation*, for clause (a), the following clauses shall be substituted, namely:—

(a) the expression "securities" shall have the meaning assigned to it in clause (h) of section 2 of the Securities Contracts (Regulation) Act, 1956;

(aa) "listed securities" means the securities which are listed on any recognised stock exchange in India ;

(ab) "unlisted securities" means securities other than listed securities;'. .

(15)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That New Clause 41A be added to the Bill."

*The motion was adopted.*

*New Clause 41A was added to the Bill.*

*Clauses 42 to 45 were added to the Bill.*

### **Clause 46 Amendment of Section 115 JB**

*Amendments made:*

Page 20, *for* lines 44 and 45, *substitute*—

"46. In section 115JB of the Income-tax Act,—

(A) in sub-section (2), with effect from the 1<sup>st</sup> day

of April, 2013,—". (16)

Page 21, *after* line 11, *insert*—

'(iii) after *Explanation 2*, the following *Explanation* shall be inserted, namely:—

"*Explanation 3.*— For the removal of doubts, it is hereby clarified that for the purposes of this section, the assessee, being a company to which the proviso to sub-section (2) of section 211 of the Companies Act, 1956 is applicable, has, for an assessment year commencing on or before the 1st day of April, 2012, an option to prepare its profit and loss account for the relevant previous year either in accordance with the

1 of 1956 provisions of Part II and Part III of Schedule VI to the

Companies Act, 1956 or in accordance with the provisions of the Act governing such company.";

(B) after sub-section (5), the following sub-section shall be inserted and shall be deemed to have been inserted with effect from 1<sup>st</sup> day of April, 2001, namely:—

"(5A) The provisions of this section shall not apply to any income accruing or arising to a company from life insurance business referred to in section 115B.". (17)

(Shri Pranab Mukherjee)

MR. CHAIRMAN : The question is:

"That clause 46, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 46, as amended, was added to the Bill.*

*Clauses 47 to 52 were added to the Bill.*

### **Motion Re: Suspension of Rule 80 (i)**

SHRI PRANAB MUKHERJEE: I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No.18 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No.18 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

*The motion was adopted.*

New Clause 52A

*Amendment made:*

Page 21, *after* line 51, *insert*--

'52A. After chapter XII-BA, the following Chapter shall be inserted with effect from the 1<sup>st</sup> day of April 2013, namely:--

"Chapter XII-BB

SPECIAL PROVISIONS RELATING TO CONVERSION OF  
INDIAN BRANCH OF A FOREIGN BANK INTO A  
SUBSIDIARY COMPANY

115JG. (1) Where a foreign company is engaged in the business of banking in India through its branch situated in India and such branch is converted into a subsidiary company thereof, being an Indian company (hereafter

Insertion  
of new  
Chapter  
XII-BB.

Conversion  
of an  
Indian  
branch of  
Foreign

referred to as an Indian subsidiary company) in accordance with the scheme framed by the Reserve Bank of India, then, notwithstanding anything contained in the Act and subject to the conditions as may be notified by the Central Government in this behalf,—

Company  
into  
subsidiary  
Indian  
company.

(i) the capital gains arising from such conversion shall not be chargeable to tax in the assessment year relevant to the previous year in which such conversion takes place;

(ii) the provisions of this Act relating to treatment of unabsorbed depreciation, set off or carry forward and set off of losses, tax credit in respect of tax paid on deemed income relating to certain companies and the computation of income in the case of the foreign company and the Indian subsidiary company shall apply with such exceptions, modifications and adaptations as may be specified in that notification;

(2) In case of failure to comply with any of the conditions specified in the scheme or in the notification issued under sub-section (1), all the provisions of this Act shall apply to the foreign company and the said Indian subsidiary company without any benefit, exemption or relief under sub-section (1).

(3) Where, in a previous year, any benefit, exemption or relief has been claimed and granted to the foreign company or the Indian subsidiary company in accordance with the provisions of sub-section (1) and, subsequently, there is failure to comply with any of the conditions specified in the scheme or in the notification issued under sub-section (1), then,—

(i) such benefit, exemption or relief shall be deemed to have been wrongly allowed;

(ii) the Assessing Officer may, notwithstanding anything contained in this Act, re-compute the total income of the assessee for the said previous year and make the necessary amendment; and

(iii) the provisions of section 154 shall, so far as may be, apply thereto and the period of four years specified in sub-section (7) of that section being reckoned from the end of the previous year in which the failure to comply with the condition referred to in sub-section (1) takes place.

(4) Every notification issued under this section shall be laid before each House of Parliament."'. (18)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That new clause 52A be added to the Bill."

*The motion was adopted.*

*New clause 52A was added to the Bill.*

*Clause 53 was added to the Bill.*

#### Clause 54 Amendment of Section II5U

*Amendments made:*

Page 22, line 22 *for* "for sub-section (4), the following sub-section shall be substituted", *substitute* "after sub-section (4), the following sub-section shall be inserted.". (19)

Page 22, line 23, *for* "(4)", *substitute* "(5)". (20)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 54, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 54, as amended, was added to the Bill.*

*Clauses 55 was added to the Bill.*

#### Clause 56 Amendment of Section 139

*Amendment made:*

Page 23, line 3, *after* "being a resident", *insert* "other than not ordinarily resident in India within the meaning of clause (6) of section 6". (21)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 56, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 56, as amended, was added to the Bill.*

*Clauses 57 and 58 were added to the Bill.*

#### Clause 59 Insertion of New Section 144 BA

*Amendments made:*

Page 23, line 37, *for* "2013", *substitute* "2014". (22)

Page 24, *for* lines 40 to 42, *substitute* –

"(14) The Board shall, for the purposes of this section, constitute an Approving Panel consisting of not less than three members, being—"

(i) income tax authorities not below the rank of Commissioner; and

(ii) an officer of the Indian Legal Service not below the rank of Joint Secretary to the Government of India."

(23)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 59, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 59, as amended, was added to the Bill.*

*Clauses 60 to 72 were added to the Bill.*

#### Clause 73 Insertion of New Section 194 LAA

MR. CHAIRMAN: The question is:

"That clause 73 stand part of the Bill."

*The motion was negatived.*

#### Clause 74 Insertion of New Section 194 LC

*Amendment made:*

Page 30, for lines 14 to 39, *substitute--*

'194LC. (1) Where any income by way of interest referred to in sub-section (2) is payable to a non-resident, not being a company or to a foreign company by a specified company, the person responsible for making the payment, shall at the time of credit of such income to the account of the payee or at the time of payment thereof in cash or by issue of a cheque or draft or by any other mode, whichever is earlier, deduct the income-tax thereon at the rate of five per cent.

Income by  
way of  
interest  
from  
Indian  
company.

(2) The interest referred to in sub-section (1) shall be the income by way of interest payable by the specified company,â€”

(i) in respect of monies borrowed by it at any time on or after the 1st day of July, 2012 but before the 1st day of July, 2015 in foreign currency, from a source outside India,--

(a) under a loan agreement; or

(b) by way of issue of long-term infrastructure bonds,

as approved by the Central Government in this behalf; and

(ii) to the extent to which such interest does not exceed the amount of interest calculated at the rate approved by the Central Government in this behalf, having regard to the terms of the loan or the bond and its repayment.

*Explanation.*â€”For the purpose of this sectionâ€”

(a) "foreign currency" shall have the meaning assigned to it in clause (m) of section 2 of the Foreign Exchange Management Act, 1999;

42 of 1999

(b) "specified company" means an Indian company.'. (24)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 74, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 74, as amended, was added to the Bill.*

*Clause 75 was added to the Bill.*

*Amendment made:*

Page 31, for lines 14 and 15, substitute—

Amendment of  
section 197A.

'76. In section 197A of the Income-tax Act, with effect from the 1st day of July, 2012,—

(a) in sub-section (1C), for the words "sixty-five years", the words "sixty years" shall be substituted;

(b) after sub-section (1E), the following sub-section shall be inserted, namely:—

"(1F) Notwithstanding anything contained in this Chapter, no deduction of tax shall be made from such specified payment to such institution, association or body or class of institutions, associations or bodies as may be notified by the Central Government in the Official Gazette, in this behalf." (25)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 76, as amended, stand part of the Bill. "

*The motion was adopted.*

*Clause 76, as amended, was added to the Bill.*

*Clauses 77 and 78 were added to the Bill.*

**श्री राजेन्द्र अग्रवाल (मेरठ):** महोदय, मेरा संशोधन अनब्रैंडेड ज्वैलरी पर एक्साइज ड्यूटी हटाने के लिए था। माननीय वित्त मंत्री जी ने वह कर दिया है, इसलिए मैं अपना संशोधन करने की जरूरत नहीं समझता।

**सभापति महोदय :** श्री मुरली मनोहर जोशी जी।

**डॉ. मुरली मनोहर जोशी (वाराणसी):** महोदय, नहीं।

Clause 79

*Amendments made:*

Page 32, after line 6, insert—

"(aa) in sub-section (1A), after the words "articles or things", the words "or for the purposes of generation of power" shall be inserted;" (26)

Page 32, for lines 8 to 11, substitute—

"(1D) Every person, being a seller, who receives any amount in cash as consideration for sale of bullion (excluding any coin or any other article weighing ten grams or less) or jewellery, shall, at the time of receipt of such amount in cash, collect from the buyer, a sum equal to one per cent. of sale consideration as income-tax, if such consideration,—

(ii) for bullion, exceeds two hundred thousand rupees;  
or

(ii) for jewellery, exceeds five hundred thousand rupees." (27)

(Shri Pranab Mukherjee)

**श्रीमती सुषमा स्वराज (विदिशा):** सभापति जी, इस एमेंडमेंट के लिए मैं पूरे सर्जफा व्यापारियों की तरफ से धन्यवाद देना चाहती हूँ। मैं जब पर्सनली आकर आपसे मिली थी तो आपने मुझे आश्वासन दिया था, आज उस आश्वासन की पूर्ति हुई है। बहुत दिनों से उन लोगों ने हड़ताल रखी हुई थी। आज उस आश्वासन की पूर्ति हुई है तो पूरे व्यापारियों की तरफ से आपका बहुत-बहुत धन्यवाद। ...*(व्यवधान)*

MR. CHAIRMAN: The question is:

"That clause 79, as amended, stand part of the Bill. "

*The motion was adopted.*

*Clause 79, as amended, was added to the Bill.*

*Clauses 80 and 81 were added to the Bill.*

**Motion Re: Suspension of Rule 80(i)**

SHRI PRANAB MUKHERJEE: I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 28 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 28 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

*The motion was adopted.*

New Clause 81A

*Amendment made:*

Page 33, after line 23, insert –

**'81A.** In section 220 of the Income-tax Act, after sub-section (2A), the following sub-section shall be inserted, with effect from the 1st day of July, 2012, namely:--

Amendment  
of section  
220.

"(2B) Notwithstanding anything contained in sub-section (2), where interest is charged under sub-section (1A) of section 201 on the amount of tax specified in the intimation issued under sub-section (1) of section 200A for any period, then, no interest shall be charged under sub-section (2) on the same amount for the same period." (28)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That new clause 81A be added to the Bill. "



*The motion was adopted.*

*New clause 81A was added to the Bill*

*Clauses 82 to 87 were added to the Bill.*

**Motion Re: Suspension of Rule 80(i)**

SHRI PRANAB MUKHERJEE: I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 29 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 29 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

*The motion was adopted.*

New Clause 87A

*Amendment made:*

'87A. In section 245N of the Income-tax Act, with effect from the 1<sup>st</sup> day of April, 2013,â€”

Amendment  
of section  
245N.

(I) in clause (a), after sub-clause (iii) and before the proviso, the following sub-clause shall be inserted, namely:—

"(iv) a determination or decision by the Authority whether an arrangement, which is proposed to be undertaken by any person being a resident or a non-resident, is an impermissible avoidance arrangement as referred to in Chapter X-A or not.";

(II) in clause (b),â€”

(i) in sub-clause (iii), for the word "and", occurring at the end, the word "or" shall be substituted;

(ii) after sub-clause (iii), the following sub-clause shall be inserted, namely:—

"(iiia) is referred to in sub-clause (iv) of clause (a); and".  
(29)

(Shri Pranab Mukherjee)

MR. Chairman: The question is:

"New clause 87A be added to the Bill. "

*The motion was adopted.*

*New clause 87A was added to the Bill.*

*Clause 88 was added to the Bill.*

### **Motion Re: Suspension of Rule 80(i)**

SHRI PRANAB MUKHERJEE: I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 30 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 30 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

*The motion was adopted.*

*Amendment made:*

Page 34, *after* line 14, *insert*â€”

'**88A.** In section 245R of the Income-tax Act, in sub-section (2), in the first proviso, in clause (iii), after the word, figures and letter "section 245N", the words, brackets, figures and letters "or in the case of an applicant falling in sub-clause (*iiia*) of clause (*b*) of section 245N" shall be inserted with effect from the 1<sup>st</sup> day of April, 2013.'. (30)

Amendment  
of section  
245R.

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That new clause 88A be added to the Bill."

*The motion was adopted.*

*New Clause 88A was added to the Bill.*

*Clauses 89 to 108 were added to the Bill.*

### **Motion Re: Suspension of Rule 80 (i)**

SHRI PRANAB MUKHERJEE : Madam, I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 31 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

MADAM SPEAKER: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 31 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

*The motion was adopted.*

**New Clause 108A**

*Amendment made:*

Page 39, *after* line 11, *insert*—

**'108A.** In the Fourth Schedule to the Income-tax Act, in Part A, in rule 3, in sub-rule (1), in the first proviso, for the words, figures and letters "the 31<sup>st</sup> day of March, 2012", the words, figures and letters "the 31<sup>st</sup> day of March, 2013" shall be substituted with effect from the 1<sup>st</sup> day of April, 2012.'. (31)

Amendment of  
Fourth  
Schedule.

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That New clause 108A be added to the Bill"

*The motion was adopted.*

*New clause 108A was added to the Bill.*

*Clauses 109 to 119 were added to the Bill.*

**Clause 120** Amendment of section 1042 of 1974

*Amendment made:*

"Page 41, *for* lines 21 to 35, *substitute*—

120. In section 104 of the Customs Act, for sub-section (4), the following sub-sections shall be substituted, namely:-

"(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any offence relating to —

(a) prohibited goods; or

(b) evasion or attempted evasion of duty exceeding fifty lakh rupees,

shall be cognizable.

(5) Save as otherwise provided in sub-section (4), all other offences under the Act shall be non-cognizable.

(6) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences under the Act shall be bailable." (32)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 120, as amended, stand part of the Bill"

*The motion was adopted.*

*Clause 120, as amended, was added to the Bill.*

**Clause 121** Insertion of new section 104 A

MR. CHAIRMAN: The question is :

"That clause 121 stand part of the Bill."

*The motion was negatived.*

**Clause 122 Amendment of section 122**

MR. CHAIRMAN: The question is:

"That clause 122 stand part of the Bill"

*The motion was adopted.*

*Clause 122 was added to the Bill.*

**Clause 123 Substitution of new section 138**

MR. CHAIRMAN: The question is :

"That clause 123 stand part of the Bill."

*The motion was negatived.*

**Clause 124 to 130**

**Amendment of Section 153,**

**Special provisions exempting additional duty  
of customs on import of foreign going vessels  
into India,**

**Amendment of Section 8C,**

**Amendment of First and Second Schedule  
and**

**Amendment of Section 4 and 9**

MR. CHAIRMAN: The question is:

"That clauses 124 to 130 stand part of the Bill"

*The motion was adopted.*

*Clauses 124 to 130 were added to the Bill.*

**Clause 131 Amendment of section 9A**

MR. CHAIRMAN: The question is :

"That clause 131 stand part of the Bill."

*The motion was negatived.*

**Clause 132 to 134 Amendment of section 11A, 11C, 12F**

MR. CHAIRMAN: The question is:

"That clauses 132 to 134 stand part of the Bill"

*The motion was adopted.*

*Clauses 132 to 134 were added to the Bill.*

**Clause 135 to 138 Substitution of new section for section  
13 and 18, omission of section 19 and amendment of section 20**

MR. CHAIRMAN: The question is :

"That clauses 135 to 138 stand part of the Bill."

*The motion was negatived.*

**Clause 139 Amendment of notification issued under  
section 5A of Central Excise Act**

*Amendments made:*

"Page 46, line 3, *for* " notification", *substitute* " notifications".

(33)

Page 46, *for* line 4, *substitute*"

" numbers G.S.R.62 (E), dated the 6<sup>th</sup> February, 2010 and G.S.R.163(E), dated the 17<sup>th</sup> March, 2012 (hereinafter referred to as the said notifications),".

(34)

Page 46, line 8, *for* " notification", *substitute* " notifications".

(35)

Page 46, line 10, *for* " notification", *substitute* " notifications".

(36)

Page 46, line 11, *for* " notification", *substitute* " notifications".

(37)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is :

"That clause 139, as amended, stand part of the Bill"

*The motion was adopted.*

*Clause 139, as amended, was added to the Bill.*

### **Motion Re: Suspension of Rule 80 (i)**

SHRI PRANAB MUKHERJEE : I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 38 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

MR. CHAIRMAN : The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 38 to the Finance Bill, 2012 and that this amendment may be allowed to be moved."

*The motion was adopted.*

### **New Clause 139A**

*Amendment made:*

Page 46, *after* line 15, *insert*"

1 of 1944.  
58 of 1957.

"139A. (1) In the notification of the Government of India in the Ministry of Finance (Department of Revenue) number G.S.R. 254(E), dated the 16<sup>th</sup> March, 1995, issued under sub-section (1) of section 5A of the Central Excise Act, 1944 read with sub-section (3) of section 3 of the Additional Duties of Excise (Goods of Special Importance) Act, 1957, in the TABLE, after S.No. 19 and the entries relating thereto, the following S.No. and the entries shall be and shall be deemed to be inserted retrospectively with effect from the 20<sup>th</sup> day of April, 2011, namely:—"

(1)	(2)	(3)
"20.	All goods falling under heading 8607	If the goods are ,- (i) manufactured by a factory belonging to the Central Government; and  (ii) intended for use by any Department of the Central Government."

(2) For the purposes of sub-section (1), the Central Government shall have and shall be deemed to have the power to amend the notification referred to in sub-section (1) with retrospective effect as if the Central Government had the power to amend the said notification under sub-section (1) of section 5A of the Central Excise Act, 1944 read with sub-section (3) of section 3 of the Additional Duties of Excise (Goods of Special Importance) Act, 1957 retrospectively at all material times."  
(38)

(Shri Pranab Mukherjee)

1 of 1944.  
58 of 1957.

MR. CHAIRMAN: The question is:

"That New clause 139A be added to the Bill."

*The motion was adopted.*

*New clause 139A was added to the Bill.*

*Clauses 140 to 142 were added to the Bill.*

### **Clause 143 Amendment Act 32 of 1994**

*Amendments made:*

Page 48, line 13, *after* "business", *insert* "or profession". (39)  
Page 49, *for* lines 4 and 5, *substitute*—

'(30) "interest" means interest payable in any manner in respect of any



moneys borrowed or debt incurred (including a deposit, claim or other similar right or obligation) but does not include any service fee or other charge in respect of the moneys borrowed or debt incurred or in respect of any credit facility which has not been utilised;". (40)

Page 49, line 21 *omit* "Indian". (41)

Page 49, *for* lines 23 to 25, *substitute*—

"similar instrument but shall not include any currency that is held for its numismatic value;". (42)

Page 50, *after* line 14, *insert*—

"(ia) such transfer, delivery or supply of any goods which is deemed to be a sale within the meaning of clause (29A) of article 366 of the Constitution; or". (43)

Page 50, *after* line 30, *insert*—

"Explanation 1A.— For the purposes of this clause, transaction in money shall not include any activity relating to the use of money or its conversion by cash or by any other mode, from one form, currency or denomination to another form, currency or denomination for which a separate consideration is charged.". (44)

Page 51, *for* lines 8 and 9, *substitute*—

"out, repair, maintenance, renovation, alteration of any moveable or immovable property or for carrying out any other similar activity or a part thereof in relation to such property;". (45)

Page 51, line 46, *after* "agriculture" *insert* "or agricultural produce". (46)

Page 52, lines 33 and 34, *for* "vessel of less than fifteen tonne net" *substitute* "vessel, between places located in India". (47)

Page 52, lines 40 and 41, *for* "to the first customs station of landing" *substitute* "up to the customs station of clearance". (48)

Page 54, line 41, *after* "sub-section (1)", *insert* "(except the period of eighteen months of serving the notice for recovery of service tax)". (49)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 143, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 143, as amended, was added to the Bill.*

*Clauses 144 to 150 were added to the Bill.*

### **Clause 151 Amendment of schedule to Act 47 of Act 1974**

SHRI BASU DEB ACHARIA : I beg to move:

Page 58, line 34,-

*for* "Rupees four thousand five hundred per tonne"

*substitute* "Rupees two thousand five hundred and one per tonne." (3)

MR. CHAIRMAN: I shall now put Amendment No.3 moved by Shri Basu Deb Acharia to the vote of the House.

*The amendment was put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 151 stand part of the Bill.

*The motion was adopted.*

*Clause 151 was added to the Bill.*

*Clause 152 was added to the Bill.*

**Clause 153 Amendment of section 98 of Act 23 of 2004**

SK. SAIDUL HAQUE (BARDHMAN-DURGAPUR): I beg to move:

Page 58, line 40,-

for "0.1 per cent."

substitute "0.5 per cent.". (4)

Page 58, line 42,-

for "0.1 per cent."

substitute "0.5 per cent.". (5)

MR. CHAIRMAN: I shall now put Amendment Nos. 4 and 5 moved by Sk. Saidul Haque to the vote of the House.

*The amendments were put and negatived.*

*Amendment made:*

Page 58, for lines 37 to 42, substitute –

Amendment of  
Act 23 of  
2004.

'153. In the Finance (No.2) Act, 2004, with effect from the  
1st day of July, 2012, –

Amendment  
of Act 23 of  
2004.

(a) in section 97, -

(i) after clause (5), the following clauses shall be  
inserted, namely: –

15 of 1992.

'(5A) "initial public offer" has the meaning assigned  
to it in clause (p) of sub-regulation (1) of regulation  
2 of the Securities and Exchange Board of India  
(Issue of Capital and Disclosure Requirements)  
Regulations, 2009 made under the Securities and  
Exchange Board of India Act, 1992;

15 of 1992.

(5B) "lead merchant banker" means a merchant  
banker appointed as lead merchant banker in  
accordance with sub-regulation (1) of regulation 5  
of the Securities and Exchange Board of India  
(Issue of Capital and Disclosure Requirements)  
Regulations, 2009 made under the Securities and  
Exchange Board of India Act, 1992.;

(ii) in clause (13), after sub-clause (a), the  
following sub-clause shall be inserted, namely: –

"(aa) sale of unlisted equity shares by any  
holder of such shares under an offer for sale to  
the public included in an initial public offer and  
where such shares are subsequently listed on a  
recognised stock exchange; or";

(b) in section 98, in the Table,-

(i) against Sl. No. 1, under column (3) relating to rate, for the figures and words "0.125 per cent.", the figures and words "0.1 per cent." shall be substituted;

(ii) against Sl. No. 2, under column (3) relating to rate, for the figures and words "0.125 per cent.", the figures and words "0.1 per cent." shall be substituted;

(iii) after Sl. No.5, and the entries relating thereto, the following Sl. No. entries shall be inserted, namely:--

1	2	3	4
"6.	Sale of unlisted equity shares under an offer for sale referred to in sub-clause (aa) of clause (13) of section 97.	0.2 per cent.	Seller";

(c) in section 100,--

(i) after sub-section (2), the following sub-section shall be inserted, namely:--

"(2A) The lead merchant banker appointed by the company in respect of an initial public offer shall collect the securities transaction tax from every person who enters into a taxable securities transaction referred to in sub-clause (aa) of clause (13) of section 97 at the rate specified in section 98.";

(ii) in sub-section (3),--

(A) after the words, brackets and figure "sub-section (2)", the words, brackets, figure and letter "or sub-section (2A)" shall be inserted;

(B) after the words "Mutual Fund", the words "or the lead merchant banker in the case of an initial public offer" shall be inserted;

(iii) in sub-section (4), after the words, "Mutual Fund", the words "or the lead merchant banker in the case of an initial public offer" shall be inserted;

(d) in section 101, after the words "in the case of every Mutual Fund", the words "or the lead merchant banker in the case of an initial public offer" shall be inserted.'. (50)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That clause 153, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 153, as amended, was added to the Bill.*

*Clauses 154 to 156 were added to the Bill.*

## The First Schedule

### *Amendments made:*

Page 62, line 24, for "section 115E", substitute "section 115E or sub-clause (iii) of clause (c) of sub-section (1) of section 112". (51)

Page 64, after line 3, insert –

"(GA) on income by way of long-term capital gains referred to in sub-clause (iii) of clause (c) of sub-section (1) of section 112 (52) 10 per cent.;"

Page 64, line 4, for "income", substitute "other income". (53)

Page 65, after line 13, insert –

"(vii) on income by way of long-term capital gains referred to in sub-clause (iii) of clause (c) of sub-section (1) of section 112 (54) 10 per cent.;"

Page 65, line 14, for "income", substitute "other income". (55)

Page 66, line 8, column 2, for "Rs. 10,00,000", substitute "Rs. 5,00,000". (56)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The Lobbies may be opened.

The question is:

"That the First Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*The First Schedule, as amended, was added to the Bill.*

*The Second Schedule was added to the Bill.*

## Third Schedule

### *Amendments made:*

Page 72, omit line 34. (57)

Page 72, omit lines 39 to 44. (58)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That the Third Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*The Third Schedule, as amended, was added to the Bill.*

*The Fourth Schedule was added to the Bill.*

### **Fifth Schedule**

*Amendments made:*

Page 74, line 6, for "G.S.R.62 (E)", substitute "1. G.S.R.62 (E)". (59)

Page 74, after line 12, insert "â€" (60)

"2. G.S.R. 163(E), dated the 17 <sup>th</sup> March, 2012 [12/2012- Central Excise, dated 17 <sup>th</sup> March, 2012]	In the said notification, in the Table, in Sl.No. 199, against item (I),â€"	1 7 t h day of March, 2012"
	(a) for the entry in column (4), the entry "Nil" shall be substituted;	
	(b) the entry in column (5) shall be omitted.	

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That the Fifth Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*The Fifth Schedule, as amended, was added to the Bill.*

*The Sixth Schedule was added to the Bill.*

### **Seventh Schedule**

MR. CHAIRMAN: Shri Rajendra Agarwal : Not present

Dr. Murli Manohar Joshi : Not present.

SHRI BASU DEB ACHARIA : Sir, since the Government has announced the withdrawal of the Duty on jewellery, I am not

moving my amendment.

*Amendments made:*

Page 77, line 23, *for* "10%+Rs. 1218 per thousand", *substitute* "Rs. 1463 per thousand". (61)

Page 77, line 29, *for* "10%+Rs. 809 per thousand", *substitute* "Rs. 1034 per thousand". (62)

Page 77, line 30, *for* "10%+Rs. 1218 per thousand", *substitute* "Rs. 1463 per thousand". (63)

Page 77, line 31, *for* "10%+Rs. 1624 per thousand", *substitute* "Rs. 1974 per thousand". (64)

Page 77, line 32, *for* "10%+Rs. 1948 per thousand", *substitute* "Rs. 2373 per thousand". (65)

Page 85, *omit* line 1. (66)

Page 85, *omit* lines 6 to 11. (67)

Page 86, line 15, *after* "tariff items", *insert* "of headings 8601 to 8606". (68)

Page 86, line 16, *after* "8604 00 00", *insert* "and in all the tariff items of heading 8607, 8608 and in tariff item 8609 00 00". (69)

(Shri Pranab Mukherjee)

MR. CHAIRMAN: The question is:

"That the Seventh Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*The Seventh Schedule, as amended, was added to the Bill.*

*The Eighth Schedule to the Tenth Schedule were added to the Bill.*

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

SHRI PRANAB MUKHERJEE: Sir, I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

MR. CHAIRMAN: Hon. Members, eight new clauses have been added and eight clauses have been deleted from the Finance Bill, 2012. Besides, as a result of amendments adopted, certain additions and omissions have been made in the Bill. I, therefore, direct that the clauses, sub-clauses and other items may be re-numbered accordingly in the Finance Bill, 2012.

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