

up this matter tomorrow or day after tomorrow, as the case may be.

SHRI H.D. DEVEGOWDA: If it is tomorrow, then I have no objection.

MR. DEPUTY SPEAKER: Let us proceed with the next item now. We will take up Calling Attention. Shrimati Geeta Mukherjee.

13.07 hrs

CALLING ATTENTION TO MATTER OF
URGENT PUBLIC IMPORTANCE

**Situation arising out of the nationwide
transport strike**

[English]

SHRIMATI GEETA MUKHERJEE (Panskura): sir I call the attention of the Minister of surface Transport to the following matter of urgent importance and request that he may make a statement thereon:-

"The situation arising out of the nationwide transport strike resulting in shortage and shooting prices of essential commodities and the step taken by Government in the matter."

THE MINISTER OF STATE IN THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGADISH TYTLER): Sir, there is a good news for the hon. Members. This is the first time that before the Calling Attention could be discussed, the strike is off. But I still like to...

[Translation]

SHRI MADAN LAL KHURANA (SOUTH DELHI): There are reports that the strike has not been called off in Maharashtra and Bombay.

SHRI JAGDISH TYTLER: Some to this effect had appeared which are before us and which are motivated. Perhaps he must have

told his unions to continue their strike otherwise all the unions of the country have withdrawn their strike unconditionally after negotiations with the Government on their demands. They have suspended their agitation and withdrawn their strike but we have asked them to continue their dialogue and even a discussion was held in the morning today. I would inform you about the decisions which have been taken as a result of negotiations.

[English]

The All India Motor Transport Congress had submitted a Memorandum and Charter of Demands dated March 31, 1992 and threatened an indefinite strike from 1st July, 1992 if their demands were not met. These notices were given to the Central Government as well as all the Chief Ministers of the States.

Discussions with the All India Motor Transport Congress were held on 18.5.92, 24.6.92 and 29.6.92. I had also held discussion with the president and other office bearers of All India Motor Transport Congress on 29.6.92. The stand of the Central Government on the various demands raised by the AIMTC was clearly expressed to them and a number of their demands had been satisfactorily resolved. However, the AIMTC were satisfied and went ahead with the indefinite strike from 1st July, 1992.

The Central Government had, as early as 24.6.92, alerted the State Governments and this was followed up by further telexes on 2.7.92, 3.7.92, 4.7.92 and 5.7.92 to take appropriate measures to deal with the strike and ensure uninterrupted supply of essential commodities.

As a result of the strike, shortages of certain essential commodities were reported from some parts of the country. The situation was closely monitored. Concerned Central Ministers such as Agriculture, Chemicals & Fertilizers, Civil Supplies, Coal, Food, Petroleum & Natural Gas, Steel and the State Governments were requested to take necessary steps to keep the lines of supply

open and to avoid shortage of essential commodities.

A meeting of State Transport Ministers was held on 4.7.92 to discuss the demands of the All India Motor Transport Congress and to review the situation in the States. I held further discussions with the representatives of the AIMTC on 4th and 5th July 1992.

The Union Home Minister also convened a meeting of the Chief Ministers of Haryana, Maharashtra, Gujarat, Orissa, Punjab, Uttar Pradesh, Madhya Pradesh, West Bengal and Rajasthan on 7.7.92.

I am glad to inform the House that in the light of the above, the AIMTC have intimated Government on the evening of 7.7.1992 that they have decided to call off their strike unconditionally.

SHRIMATI GEETA MUKHERJEE: I wish what the hon. Minister claimed is true. But I am afraid it is not so. He has stated that the AIMTC have agreed to withdraw the strike unconditionally. Let me quote from today's *Indian Express*:

"AIMTC general secretary Chittaranjan Das, however, clarified that the strikes was merely being 'suspended for three months' on the basis of the decision to set up a committee to address their grievances."

I want to know the hon. Minister whether it is true. The statement made by them to the effect that the strike was being suspended only for three months, proves that it cannot be termed as an unconditional withdrawal. It is very much a conditional withdrawal. This is the first question that I want to understand because they have stated very clearly that they are suspending the strike only for three months because a committee has been formed to look their grievances.

Sir, my problem is manifold. First of all, this notice was given on 31 March 1992. The Minister now comes and says that

'discussions were held on 18.5.92, 24.6.92, and 29.6.1992' He does not divulge with whom these discussions were held. Obviously, it is not with him because the very next sentence in his statement says: 'I had also held discussions with the president and other office bearers of the All India Motor Transport Congress on 29.6.92.

He held discussions on 29.6.92 when they gave their notice on 31 March. From March onwards, so many months have passed. A strike by the All India Motor Transport Congress is not an ordinary thing. Your description of the people affected, I must say, is rather children. Please do not mind my saying so, because after all, you are a grown up young man. The situation has been very very bad and it still remains very bad in a number of areas. What will happen within these three months and what will this Committee do?

Now, I understand that the AIMTC has raised 15 demands out of which, ten relate to the Central Government and only five pertain to the State Governments. Out of the ten demands concerning the Central Government, six are financial in nature, where as only one issue relating to the States has got financial implications. If this is the situation, naturally, the major part of the question is with the Centre itself without any doubt. Since you had a very satisfactory discussion with them, I would like to know out of 16 demands how many really did the Government concede.

Secondly, what I am afraid of is the question of octroi. As far as octroi is concerned, I think that the West Bengal Government has made its position clear. But, I must say it is not only the West Bengal Government the other State Governments also have not behaved differently. What is the situation in West Bengal? The octroi brought us Rs. 60 crores annually which happens to be one-fourth of our State's Budget. The hon Minister expects that we will give up one-fourth of our state's Budget and become resourceless. As it is we are in big trouble. Moreover, in the next Finance Commission you have made a provision so

[Shrimati Geeta Mukherjee]

that our share of the total revenues collected can become percentage-wise more. If this be the situation doubtlessly raising of octroi on the part of the State Governments will not be a feasible proposition. You might have managed some people for some time but you cannot manage all people for all time. Therefore, Sir, the problem is very complicated.

If from now on this question of octroi is not given up and some alternate resources to the State be thought over by the Centre, I am afraid, the suspended strikes may again become active after three months. I want to know the reaction of the Government on these specific questions that I have put.

Thank you, Sir.

SHRI CHITTA BASU (Barasat): Sir, I am glad that the truckers strike has been temporarily suspended. I am glad because that has relieved all of us of the great anxiety. Naturally, we are happy at this stage. But it does not mean that credit should go to Shri Tytler or to the Government of India or the Home Minister. Let us understand the importance of transport. Let us understand the enormity of the consequences that have already taken place after this one week's strike.

According to certain information available to me, subject to correction of course, the strike has immobilised about 1.3 million vehicles all over the country. These vehicles are engaged at over 18,000 goods booking and delivery points all over the country, that shows the enormity of the services that have been stopped. It has stopped ferrying 15.6 tonnes of raw materials and finished goods all over the country. It has led to serious shortages and price escalation.

Sir, what has been the role of the Government of India? When all these consequences are imminent, are discernable, the Central Government was always satisfied by remaining content, by issuing *fatwas* to the State Governments to

break the strike and to declare the services essential. Under ESMA, you arrest as many people as you can. I think that was the only solution which was prescribed by the Government of India to the State Governments without understanding the basic problem which has led to this strike.

Sir, I think, you would appreciate that the main demand of the transport workers revolves round two basic issues.

First is the abolition of Octroi. Second is the abolition of Road Tax. In certain States, recently this Road Tax had been imposed. Sir, the collection systems of this Octroi Duty - I am personally a witness to it and I am sure everybody in this House would be a witness to it - has become major instrument of harassment and corruption. At every entry in the towns, this Octroi duty Collection Centres have become an instrument of harassment and corruption. Mr. Minister, you know it very well. There is nothing to deny it.

SHRI JAGDISH TYTLER: Naturally, I want to abolish it.

SHRI CHITTA BASU: Sir, on that account, it should be abolished. There is no different of opinion. But what will happen to the Bombay Corporation? This question I am putting to Mr. Deora. I think a big amount comes from there.

SHRI JAGDESH TYTLER: Rs. 925 crores.

SHRI CHITTA BASU: I think it is about Rs. 1,000 crore. This amount comes from the Octroi Duty for the Corporations like Bombay. Equally - I am not sure about the amount, I think, it is about Rs. 600 crores or Rs. 700 crores - a big amount also come to the Bangalore Corporation. So, this is a major revenue earning mode for the Corporations, the Local Self Government etc.

Now, the problem before the State Governments is this. It is not the question of West Bengal alone but all the State

Governments. The number is not less than nine. How can this revenue loss be adequately compensated? You were not coming out with any formula. You were not saying anything. Take the example of Maharashtra. Maharashtra loses, about Rs. 1000 crores a year. It may be more than that. Let me accept your figure. Then, how can the Government of Maharashtra compensate for it? How can they make up the losses? What are the additional resources mobilisation? Calcutta loses a large part of this revenue. Bangalore loses a large part of this revenue. All the Municipalities or Corporations lose a very important segment of the revenue earning mode. How will you compensate for that?

As Mr. Tytler is aware, Octroi has always remained as a buoyant source revenue earning. It can be increased. As the economic activity increases, the revenue also goes up. Therefore, this buoyancy of resources is very important. Now, I am told that the Central Government is working out a formula by which certain amounts are to be decided for adequately compensating for the losses due to abolition of Octroi Duty. But, it may be fixed at a particular point. But buoyancy is an important factor. Income from Octroi Duty can be increased as the economic activity increases. Therefore, the State Government are very much interested to see that there are alternative sources of revenue earning which are almost equally buoyant as in the case of this octroi duty. Sir, therefore, I want to know this from the hon. Minister. It is not merely the question of truckers' strike, it ultimately devolves on the very basic question of Centre-State financial relation, how the Centre will give more finances to the State Governments. You are not providing for adequate transfer of resources to the State Governments. You are concentrating all the revenue earning resources with you. You are abolishing the Octroi, which is one of the main sources of income. How can you take it that the State Governments would agree to this proposal? I am quite aware that the Finance Minister always goes on lecturing the State Governments. What is the lecturing imposed on the State Governments? That they should not depend on the Central

Government! They cannot expect that the Central Government would bail them out from their financial crises.

15.26 hrs

[SHRI SHARED DIGHE *in the Chair*]

Now on the one hand concentrations are being encouraged for the revenue at the Centre, on the other hand you are depriving the State Governments of the buoyancy source of revenue earning like that of Octroi and now the Centre, your Finance Minister says that you should not expect anything from the Centre so far as the financial transactions of the States are concerned. Mr. Minister, I think that is the whole crux of the problem. In this case, I want to know what transpired in the meeting of the State Chief Ministers and Transport Ministers, presided over by the Home Minister. Has there been a successful solution to the problem regarding this basic question of transfer of resources from the Centre to the States to be taken after the abolition of the Octroi?

Sir, then I come to another important issue, that is, road tax. Certain governments have imposed road tax as a matter of a source of additional resource mobilisation. There is a case pending before the Supreme Court which will be taken up tomorrow. The Attorney-General of our Government has been advised to take the position that the Government of India is opposed to the imposition of road tax. Now on the one hand, you want to abolish Octroi tax, you have already taken the decision of abolishing Octroi in Union Territories, in Delhi and other places. On the other hand you are saying that you are also opposed to road tax. This is just a confusion. That is why, I want to know what is the rationale of taking the position of opposing road tax.

Lastly, Sir, the Minister knows that there was about to be a strike in 1988. Somehow, some agreement was reached. The truckers had got the grievance that during the last four years the agreements which entered into, last in 1988 had not been seriously

implemented and that non-implementation has given rise to the present problem for the truckers. If that is so, what are those problems which remain unresolved after conclusion of the agreement of 1988 and how does the Government propose to resolve these unresolved despite some of the disputes, I would like to bring to his notice.

SHRI JAGDISH TYTLER: I have got all the details. I will give those details to you. (Interruptions)

SHRI CHITTA BASU: Again your Government comes in. Somebody says that AIMTC vice-president O.P. Agarwal recalls that both Mr. Chavan and Mr. Sharad Pawar during their tenures as Maharashtra Chief Ministers had promised to scrap octroi. That promise, however never materialised; that cannot be materialised. I think you would not support that. I think no Member from Maharashtra supports the idea of abolition of octroi because that will diminish the resources of Maharashtra, which no State Government can afford to accept. To what extent are you going to relieve of these hardships not only to the Maharashtra Government but the West Bengal and Orissa Governments as also the other States? What method would you propose to take compensate for the losses due to abolition of octroi?

There has been an increase in the prices of many raw-materials. For example, during the past five years the price of one pair of tyres has gone up from Rs.6,500 to Rs.16,500.

MR. CHAIRMAN: It is not a general discussion. You can ask for clarifications.

SHRI CHITTA BASU: The price of tyres has increased manifold. Reduction of tyre prices is one of their main demands.

SHRI JAGDISH TYTLER: When I reply, I will give you all the details.

SHRI CHITTA BASU: Will the Government consider a proposal *de jure* that the prices of tyres and spare parts be controlled by the Bureau of Industrial Costs

and Prices (BICP)? Will that be brought under BICP?

During the Gulf War, surcharge was imposed on diesel and petrol. It is still there. Are you going to withdraw it because the Gulf War is over?

SHRI JAGDISH TYTLER: Then how can you expect us to run the country?

SHRI CHITTA BASU: I explained it. If you do not explain it, if you do not provide these reliefs, then how can we expect that the transport workers will not go on strike again? Therefore, I want that the Government should explain these points and take effective steps, genuine steps so that there may not be resumption of strike after months as mentioned by the AIMTC, as has been recently announced by the Vice-President and the President of AIMTC.

[*Translation*]

SHRI MADAN LAL KHURANA: Mr. Chairman, Sir, the statement made by the hon. Minister displays utter ignorance of facts. He has stated that strike has been called off and things have returned to normal. But the general public had to face a great ordeal during last seven to eight days. As Geeta didi has also said that the strike has not been called off unconditionally. In Maharashtra the strike is still going on. As a result of this strike there was acute shortage of essential commodities resulting in price-rise and it has given rise to a sort of confrontation between the States and the Centre on the Question of distribution of economic resources. I am very sorry to say that during all this period of strike, the Central Government played a politically motivated role of double talk. I am calling it double talk because on the one hand, our Minister is replying.... (*Interruptions*)

The statement given by the Government in the Supreme Court is in favour of transporters and against the State Governments. It stated that road tax has been levied by the State Governments

unconstitutionally. On the one hand, such a statement is being issued by the Transport Ministry and on the other hand, the Finance Minister has stated at the meeting of the Chief Ministers that he is against abolition of octroi and any other source of revenue in this critical period of economy.

THE MINISTER OF STATE IN THE
MINISTRY OF SURFACE TRANSPORT
(SHRI JAGDISH TYTLER): (a) Who did say so?

SHRI MADAN LAL KHURANA: Your Finance Minister said so yesterday Newspapers have reported that he said so at the meeting of Chief Ministers. He has said it clearly that the Central Government is not in a position to compensate the loss incurred recently by abolishing octroi or any other tax. This is what your Finance Minister is saying.

I may clarify one point here. You have just asked whether the C.P.M. and the Bharatiya Janata Party want to abolish octroi? It is there in our election manifesto and it is not levied in three out of the four states i.e. in Madhya Pradesh, Himachal Pradesh and Uttar Pradesh where our party is in power. In order to find out ways to abolish octroi, the Rajasthan Government has constituted a committee. I would like to clarify that when we talk of abolishing octroi and sales tax etc, we try to see how to simplify it and how the inconveniences caused to the people are mitigated but at the same time we want to ensure that the Government may not part with a potential source of its revenue. Since they are principally in favour of abolishing octroi, the Government of Rajasthan has constituted a committee to go into finding alternative sources of revenue.

I want to submit that the Union Minister of Transport has taken a none-sided decision in respect of Delhi. According to my information, octroi is the main source of revenue for Delhi Administration. How would that be compensated? You have abolished octroi but you took one-sided decision while abolishing it in Delhi and Union Territories. I would like to know whether you had consulted

the Finance Minister before taking this decision? Was any approval sought from the Finance Minister? In case approval was sought, I would like to know as to what would be the alternative sources of revenue worth crores of rupees? How the expenditure for Delhi will be met? Since the Finance Minister is saying, I am quoting from his statement, I am against the abolition of sources of income like octroi at this critical period of economy. He has expressed his inability to compensate the loss suffered by States. If it is so, Delhi is also likely to become a State. If the Finance Ministry does not compensate this loss, how would the expenses of the Delhi Administration be met?

Secondly, there is the question of Entry Tax, which is also called road tax for which they have said that it is unconstitutional. By saying so they have created a problem not only for the States ruled by the Opposition but also for the Congress-ruled States like Maharashtra and Karnataka. Haryana was the first to levy it and that State is against the Government as it does not want to withdraw it. In Northern India, Haryana and Rajasthan levied it first. In Himachal Pradesh road tax is not levied but the transporters there are requesting the State Government to levy it there as well since it is already levied in Haryana and Rajasthan. They took a decision in respect of Delhi and Union Territories as a statesman. But I would like to submit that when they were going to call a meeting of the Ministers the next day, they should have taken that decision after consulting them and then abolished tax in Delhi and Union Territories. But they thought they would win the sympathy of the owners by announcing a one-sided decision. They have tried to put all the States in the dock by doing so. They posed as if they were their greatest well-wishers. I would like to ask to what is the policy of the Congress Government, it should clarify its policies. If their policy is to abolish octroi, it should abolish it in all the Congress-ruled States.

SHRI MURLI DEORA (Bombay South):
It would be announced during elections in Delhi.

SHRI MADAN LAL KHURANA: If the Government is sympathetic towards them, then why is it not withdrawing the additional duty levied on diesel and tyers during war-time. It should have also been withdrawn. It was also one of their demands, why did it not fulfill that demand. As he has said that truck-owners had submitted their charter of demands on 31st March, They called a meeting or two with them first and now when the strike has been called off, they are calling a meeting with the Ministers of the States. They had called the meeting of the Chief Ministers on a later date. I want to point out that they could have called this meeting earlier. When there was strike and people throughout the country had to face great hardships, then they called the meeting. I want to submit that they were silent for three long months from 31st March to 1st July and then took one-sided action. This was one of the reasons of the strike.

In the end, I would like to submit one more thing either in the form of a question or in the form of a suggestion. As I have already stated this strike has caused confrontation between the Centre and the States including States whether there is an opposition Government in the State or whether there is a Congress Government there. In Karnataka, the Congress Government is there, that Government imposed ESMA in the State and arrested people.

SHRI JAGDISH TYTLER: 'ESMA' is imposed nowhere in the country.

SHRI MADAN LAL KHURANA: I was in Bangalore on that day, the newspapers reported that the Karnataka Government had imposed 'ESMA'

SHRI JAGDISH TYTLER: 'ESMA' has been withdrawn. Now Essential Commodities Act is in force.

SHRI MADAN LAL KHURANA: Essential Commodities Act is also like a mini MISA. On the one hand, the Central Government is making a statement in Supreme Court in favour of the transporters and on the other hand, the Congress Government is taking

steps to arrest people in one State. Therefore, I would like to know, from the Government through you, whether it is considering to have a co-ordinated policy? The Government is aware that States have very limited resources and if it octroi and road tax is abolished, will the Government compensate the loss? Would the Government compensate the losses incurred in Delhi to Delhi Administration on account of abolition of octroi? These are few questions. I would like the hon. Minister to answer these questions when he gives a reply. Thanks.

[English]

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI (Garhwal): Sir, most of the problems connected with the suspended transport strike have been brought out.

One thing that worries me in this regard is the type of message that you have been sending across the country in our handling of these strikes. The nation has been subjected to seven days of agony, and hardship, entirely because of indifference, incompetence and complete lack of foresight by this Government. It seems that the Government is in a perpetual state of paralysis and slumber and every time it needs to be shaken up rudely by violent activities or by threats or by gherapos or similar activities in orde the Government to react. It does not seem to act at all. It is only reacting when the crisis is over their head.

The Minister has informed us that the notice was given on 31st March. As per his statement, 18th May was the first day when some activity was started. As the clarification was given - I do not know whether it is correct or not with dialogue with the transporters, the things started on 26th June.

What sort of a message we want to convey to the country when we tell the people that only when that only when you strike then we will start considering various options? I would like to know what the Minister of the Government was doing from 31st March, through entire months of April and

May and till 26th June? There was a flurry of activities once the strike started. There was a Transport Ministers meeting, overnight Chief Ministers were called, the Government announced withdrawal of octroi from Union Territories. I request the hon. Minister to let me know what prevented him from doing all these things in the month of April. After all, these decisions were taken by the Centre and they did not have to consult anyone else. Why could not we decide these things at the right time; convey the right message. At the moment, every time whether it is this strike or that strike, the message is going across that unless you resort to violence nothing happens whether it is a transporters strike or whether it is a demand for Jharkhand or a demand for Arunachal. You want people to come on to the roads. You want people to come and strike. You want people to get violent and then you will consider their demands. I think this is a very bad tendency and this is doing immense harm to the nation. It is time that this tendency which is going on over the years is ruthlessly curbed. You be fair, be just and give them what is right and once you have decided what is just and right then do not succumb to strike and other things. It is not fair to the nation then you want to give concessions to the people only when they strike. It is the type of message which is causing immense harm to this nation. I would therefore, like to know from the hon. Minister as to what has happened during the month of April; what has happened since 18th of May and why the Government did not enter into a dialogue with the transporters till 26th June, almost when the time-limit of three months was getting over.

There have been 15 or 16 demands, out of which 10 are pertaining to the Centre and out of the financial ones, 6 pertaining to the Centre and one pertains to the States. I would like to know from the hon. Minister as to what has been done to all these problems which are pertaining to the Centre. An impression has been created through the media that it is with the States, that all the problems and solutions are with the States and as far as the Centre is concerned, everything is being done. I would like to know very clearly whether out of these ten or

eleven problems which are with the Centre—Six out of the which are financial problems—what has been done? Has a view been taken? Have the transporters been told that you are going this far and no further or are you going to keep on delaying it till the things get worse: till the things get more violent; till the people suffer more and then only we will give them concession? Therefore, I would like to know from this Government as to what exactly has been done on all these things.

Coming to the problem of Octroi, often it has been said that there is a loss of revenue. If revenue is being today collected, the money is coming; in what ever form it is coming? But, it is being made available to various agencies whether it is a Nagarpalika or it is a State Government. I would request the hon. Minister to work as an honest co-ordinator, as a sincere co-ordinator and evolve a methodology whereby this money can be collected painlessly and give to the people who are getting it presently. I do not see why it cannot be done if the Centre were to take initiative. I would like to know from the hon. Minister: Have they given any concrete proposal to the States to resolve this problem of collection of this octroi whatever other taxes by a simplified method whereby no harm is caused to various people and this corruption which is rampant is eliminated?

At the end, I would like to know from the hon. Minister as to what proposals have been offered to the transporters? I would like to know whether after three months, we will again be in the same stage as we are today or will the hon. Minister assure us that whatever the view or the final decision the Government wants to take, at least on the issues which are pertaining to the Centre, will be taken now during this period. Thereafter, once the Government has taken that decision, I hope, the Government has the guts to stand by those decisions and not succumb to unnecessary pressure.

[Translation]

SHRI RAM VILAS PASWAN (Roser): Mr. Chairman, Sir, I would like to draw the attention of the hon. Minister towards a

[Sh. Ram Vilas Paswan]

couple of matters. In his reply he said that a meeting of the Chief Ministers was convened on the 7th, but he did not elaborate on the suggestions made by the Chief Ministers. Chief Ministers from Haryana, Maharashtra, Gujarat, Orissa, West Bengal, Punjab, U.P. and Madhya Pradesh, belonging to various political parties attended the meeting. I would like to know the suggestions, put forward by them. The hon. Minister also mentioned that the Government held talks with the representatives of the All India Motor Transport Congress on July 5, 1992. What are the grievances of the truck owners? Unless and until we come to know of the demands of the truck operators and the reaction of the Chief Ministers, we will keep on throwing suggestions in the air and the problem will remain unresolved. Therefore, it is necessary that we are aware of the grievances of the truck owners and the suggestions made by the Chief Ministers.

We still remember the incident that took place a few days back. Our friends may also remember that a truck owner was killed in police custody in Ghaziabad. We had gone there. According to the driver, the truck was impounded and taken to the police station. Subsequently, the truck owner went to the Police Station and asked them as to why they had impounded the truck, as he was paying 'Hafta' regularly. He said that he pays them money both on weekly and monthly basis. This led to a heated argument and he was shot. Thus, there are two factors. One is the aspect pertaining to the State Governments. If you look into that, the hon. Minister may kindly correct me, if the figures are incorrect. Now, West Bengal earns an annual revenue of Rs. 165 crores from octroi i.e. 1/4 of their total revenue. The State getting maximum amount from octroi is Maharashtra. It earns around Rs. 925 crores from this source i.e. 50% of the total revenue is earned from Octroi collection... (Interruptions). These figures were published in yesterday's issue of 'Jansatta'. It could be incorrect. What I want to say is that octroi is a major source of income for the State Governments. A feeling is also gaining ground that this strike

conspiracy is a result of some financial agreement between the Centre and the truck owners. Otherwise, when the truck owners had given a notice to the Government stating that if their demands were not met, they will go on strike, then why the centre didn't convene a meeting of the Chief Ministers earlier? Further, the Centre abolished Octroi in the Union Territory of Delhi, before the meeting of the Chief Ministers. As a result, the truck owners started exerting pressures on the State Governments. There are two ways in which this impasse could be resolved. I don't agree with the idea that octroi should be totally abolished and the centre would compensate the State Governments for it. If this is done, then the State Governments would be forced to beseech the Centre for even the smallest things. Thus, there are two factors. The Government should look into the grievances of the truck owners. Truck prices have gone up. Now the Government has declared it an essential service. While on the one hand, tyre prices are going up, on the other the Government has declared it as an essential service and people are facing hardships for the last seven days. Once the price of a commodity goes up in the market, it does not come down. So, who is benefiting from it? To sum up, it could be said that the poor and middle class people have been severely affected, as a result those strike.

Therefore, it is my submission that the Government should look into the genuine grievances of the truck owners. It should see to it that they are not forced to pay octroi at ten different places, that they are not forced to bribe the police and that they get tyres at reasonable rates. Price control should be exercised over private tyre manufacturers. On the other hand, I would also like to add that there is no need to unnecessarily bow before the truck owners. The Central Government should adopt a balanced view in this regard. The interests of the State Government too should be protected as Octroi is one of their major sources of income. The Centre should not formulate any such policy which would create the impression that while the Centre has a very progressive outlook, the State Governments are

reactionary and if the State Governments implement it, their entire financial structure would collapse. The present financial condition of various States is an open secret.

The Government should give a serious thought to the grievances of the truck owners. At the same time, it should keep in mind the interests of the people as well as the State Governments. The Government should ponder over the two-three questions that I had raised. The Government should give a serious thought to the grievances of the truck owners and also consider as to why the Chief Minister's meeting was not convened, immediately after the receipt of the notice and the reasons behind the issuance of Center's recommendation to abolish octroi, immediately after the conference. With these words, I conclude.

[English]

SHRI JAGDISHTYTLER: Mr. Chairman, Sir, I am happy that most of the hon. Members have given their opinion and expressed their views. Somehow or the other there are quite a number of issues that have been raised. I am with you all. I would like to make one thing clear that this strike would not have come about. I am not talking politics. I am not trying to blame the States. As soon as these truck operators had given the notice of strike - notice was not issued to the Central Government also but notice was issued to the Central Government as well as the State Governments, to the Chief Ministers and to the Transport Ministers - I am to say that as far as the Centre is concerned, I started the dialogue within a month's time. Not a single State - whether Congress or BJP or any other party - was left out. I talked to them and I called them also. You do not blame that I am taking to these people, I am calling the Chief Ministers or the State Ministers because the truck operators created a strike.

I would like to inform the House that most of the things concerning the Ministry of Surface transport has been settled by me before the strike. Since you had asked, I would like to mention one or two lines on all the sixteen demands. I would like to inform

you that not for a moment these people went on strike because they were dis-satisfied by the talks held by me or by my officers which were held before the strike concerning only the issues of Ministry of Surface Transport. No doubt they had their demands regarding the Ministry of Industry and the Ministry of Finance. They had raised these questions which you had also raised. But as far as my Ministry is concerned, I had solved all their problems. I would like to tell you that they were very satisfied. I also told them that it is not possible to remove the surcharge, to which they had listened to my reasoning and they did not insist. I told them that I will not be able to lower the rates of tyers. To that also they listened to my reasoning and they did not press this issue. But the only two things they pressed were- they are not, for a moment, concerned that we remove the octroi or we remove the path kar or the entry tax which is not their business and which is the Government's business - and which were their grievances were that they had to pay crores of rupees all over the country as bribes to the police officers and the people who make them stay on the stops. I calculated that over Rs. 3,000 crores are lost to the Central Government because the engines are running for 2 to 3 hours idely. The trucks are standing on the border idly. We lose money on that. They are harassed on checking of documents, checking of insurance papers and checking whether the conductors are carrying proper papers or not, They are harassed on every known way they can get some money out of the truck operators.

I would like to give you a quote in this regard. As soon as the announcement of removal of octroi in Delhi was announced, some people, whom I had known,, met me and said: " Thank you very much Mr. Tytler. We used to pay regularly Rs. 1,000 per truck which passed through Delhi which is stopped now ". One small businessman used to have two trucks passed through Delhi in a month for which he was paying Rs. 1,000 per truck., Can you imagine the huge money involved? Can you imagine what kind of money must be passing through the people as so many trucks are passing through different States

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and different roads? Why we have talked to these people when the strike was announced? It is not because they have blackmailed us or they have put pressure. Pressure started coming when the things started becoming very difficult. Every day goods which were supposed to reach the people were not going to the people, fertilizer was not being picked up, from refineries petrol was not being picked up, I myself have seen, I for a moment agree. It is not that we are very happy about it, and I would like to inform Mr. Khurana that octroi is not the only source of income for M.C.D.; property tax is the biggest tax which we receive and I would like to tell you also that it is not that the Finance Minister said in the Meeting that 'I am against octroi'. He said, 'I am against the Centre giving money to the States. The States must find an alternative source of money'. Your State has done it. There are three States who have done it. How did they manage? Rather I would like to say this, even in the Chief Ministers' Meeting, even in the Meeting of the State Transport Ministers, a very good proposal was given by Rajasthan and they said. 'We have taken a decision to abolish octroi, but we are working out as to how we will collect this money'. I have seen the Delhi Administration has also set a proposal on how the alternative source of money would come. So, it is not that the Corporation is going to lose money. It is not that Rajasthan is going to lose money, it not that Orissa is also going to lose money. The Chief Ministers of Maharashtra Government for the last four years have taken a decision that 'we will abolish octroi'. But till today they are not able to find an alternative source and when they did find it, I believe a certain other section of them went on strike and the pressure came. Even losing the jobs and all, it is for the State Governments to see how best they can do because the money is going to come. It is not that it is not going to come. As far as the Centre is concerned, it is not that since I had taken over, that is a new thing that which has come. We are against octroi and entry tax. Tomorrow we are privatising roads. I have hundreds of people from foreign countries

who are saying that; Mr. Tytler. we would like to come by express ways. We would like to build roads which are there in other countries'. Nobody is going to come and say that in every State they have to put a rassi and say, "please stop and give us a toll tax.' But we must find — I do not want the State to lose for a moment because I know the kind of restraint they are having. I can understand that, Delhi or West Bengal, because in the State Ministers' Meeting or even in the Chief Ministers' Meeting, let me tell you, except for West Bengal all other Chief Ministers said that 'if you arrange the Centre to give us money.' And ultimately even the Finance Minister of West Bengal said. 'You arrange the money to be given to us, we will start considering'. On that the Finance Minister reacted saying that 'the State cannot arrange, but you will have to find an alternative source as to how it is going to be done, like the U.P. has done it. Sixty per cent of the States have already made arrangement and there is no octroi in 60 per cent of the States. But the rest of them — I do not want to comment on something which is in the Supreme Court and even the truck operators have accepted that whatever the decision that the Supreme Court takes, it is binding on all of us. But I would like to say, in the end, which will probably answer all the hon. Members that what actually was their demand, to what extent that I have agreed and what is going to happen like you said that they have not withdrawn but temporarily, it is true. When I talked to them they said, 'Mr. Tytler, unconditionally we withdraw'. Then I said, 'Are you sure that you are going to withdraw? They said, 'We are suspending it.' This is what they said., So, I do not, for a moment, doubt that. You have listened to me about their 16 demands. They were satisfied, and they were satisfied because in the Chief Ministers' Meeting everybody has agreed. What was the last part of it? It says:

" Government agrees to set up a Committee consisting of representatives of Central Government and the State Governments which would examine all issues pertaining to octroi and path kar.

So, that means it is not that they closed We have not said, 'We have closed it, we are not going to do it'. We have not said that octroi is going to be abolished and it is not their business to ask us 'whether you are going to abolish octroi or not'. They are only concerned to say, 'Please don't stop octroi, don't ask us to pay bribes to the police, don't ask us to check the documents which the police have no authority to do. So, on that basis they had given 16 demands and out of 16 demands, 9 are with the Centre and 7 are with the States. About path kar and octroi we had talked to them. It is one of the things which came up. They said, 'Okay. Since you are in Delhi, why don't you show a gesture by abolishing it from Delhi?' This proposal was in our Congress Party's manifesto and we thought that this is the right time and also because our party had already gone on record in Delhi that we will abolish octroi. By the way, Madan Lal Khuranaji, your colleague Shri Vijay Kumar Malhotra has welcomed it. Of course, he has asked for my removal from the Government, but he has welcomed the abolition of octroi from Delhi.'

So we are all committed that the octroi and the path kar should be removed. But of course, an alternative source of financing will also have to be thought out and that is why this Committee has been set up. The third part was about the insurance. This was also referred to the Supreme Court. I do not want to go into the details of it, The Supreme Court has given a direction and the insurance people had already called a meeting by the end of this month and the first week of next month. The fourth demand was about the multiple enforcement agencies. I said that six items are dealt by my Ministry and I will do it, because I felt that this is a major sources of corruption and for the exchange of a lot of money from the truck operators to the authorities which are checking this. So, I said that overloading should not be checked by the police checking of permits should not be done by the police; checking of permit conditions must not be done by the police and checking of insurance certificates, licences of conductors and certificate of fitness should not be done by the police, because these are the things which are

supposed to be checked by the State Government. They have nothing to do with the police. So, this is the direction which my Ministry has given for which the truck operators were very happy. Regarding the amendment which is required in the Motor Vehicles Act, I said I am going to come with that amendment most probably in this Session of Parliament itself, because I felt that this relief must be given to them.

Then, there is a penalty now for overloading of the vehicles. Some of the States are not implementing it, but we are going to give a direction to see that these are the small things which should be implemented so that we save the lives of the tyers, we save the fuel and also we eliminate a source of corruption., then regarding the driving licence, they wanted a suitable amendment to Section 7 of the Motor Vehicles Act, whereby the eligibility for obtaining a learner's licenses would be the possession of a light or medium motor vehicle's driving licence for a period of one year. they wanted us to do away with this. For this I said, 'no'. First it was three years. Now, there is a lot of shortage of drivers in our country, because a large number of drivers have gone to the Gulf countries and there is a big shortage of drivers all over the country. I said I am prepared to come down to one year but they also must go to the learners schools. I have instructed the State Governments to be liberal in giving licences for learners' schools keeping the conditions which are already there for giving the licences.

Regarding taxes and duties, it was explained on behalf of the Ministry of Surface Transport that on the basis of the recommendation of the Committee on the rationalisation of taxes, a paper had been presented for consideration by the Inter-State Council. So far as the invoking of the powers of the Central Government to lay down the principles of taxation on road transport, specific suggestions of the road transport owners in this regard may be made available for the examination. and consideration of the Government for which they had agreed.

Then, comes the highway robbery. This

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is the eighth point. I said that this is not dealt by the Centre, but the Chief Ministers as well as the State Transport Ministers had agreed that they will have more patrolling to see that truck operators are not robbed on the highways. This is something which also have been worrying them. Then, regarding permit requirements, we said that in the next meeting we will take it up for which they had agreed. Then, regarding the age of the vehicles, they wanted the present age of 9 years to be increased. I said, I will form a technical committee, because this is not a matter for a committee of officers to look into it, but some technical people must sit. I also said that within three months, they will come back with the suggestions and we could increase the age of the vehicles beyond 9 years, to which they were very happy. Updating of Carrier Act, we are taking up when I bring this Amendment. Withdrawal of Gulf Sur-charge on the price of diesel, we have made it very clear to them that the Government is unable to accept the demand, to which also they did not insist.

They had also said that diesel outlet should be given on priority basis to association cooperatives, which is a very good idea. I am already taking it up with the Ministry of Petroleum. I think, this also satisfies them.

Toll on bridges is the 14th point. There was a certain feeling in the minds of the operators that after the cost of the bridge is recovered, the toll is still charged. They said, you should give us a list of money spent on the bridge and the money collected so that they know and tell the Association that by certain date, the bridge cost is recovered and there is no need to charge the toll. I said, We are prepared to do it.

Another point is the prices of vehicles and tyres. As far as the vehicles and tyres are concerned, I have told them, the Government has no power to impose any price control. But I would take up the price of tyres and it is for the Finance Ministry to decide. They accept this position.

On the reduction of excise duty on light commercial vehicles, that has already been done when last time the Finance Minister gave some concessions.

I had discussion on all the 16 demands. I want to make it clear what did the Chief Ministers say when they met. The Chief Ministers made it very clear, that "Mr. Tytler and the Home Minister, in the present situation, if you would say, abolish octroi—we did not discuss Entry Tax because that is in the Supreme Court—then we cannot abolish octroi at this particular moment. Either the Centre gives the money to which we are collecting or we have to think of an alternative" That is why, on that basis, a committee was formed which will go into it and I hope most of the these things will satisfy them. We discussed these things in the Chief Ministers' Conference. After that, ultimately the Association people came and told me. Mr. Tytler, we would like to withdraw the strike unconditionally". It is very good of them because I made them realise that the country is going to have a bad time. It is not that I take the credit or the Central Government takes the credit. The credit goes to the truck operators also who have thought that enough has been done and they have made their points and they have withdrawn the strike, I wanted to thank them and I want to thank them here.

I hope that I will keep this dialogue going on so that the situation never arises after three months where they have to go and hold the country to ransom. But we are all prepared, The State Governments are prepared. All these things are taken care of., the Essential Commodities Act has been invoked, which is very necessary, You cannot hold nation to ransom. Prices were going up. You know certain elements which are playing havoc with the economy. We tried to talk to them. I have no confrontation with them for a moment even. I talked to them to last day. Even when they did not come at 5 O'clock the other day, though the time was fixed earlier, I said, never mind. Probably, they wanted to discuss with other colleagues. But when the things ultimately were going to hit the economy and the people then we had

to go about it. I do not think any person who thinks of the people would question why has the Essential Commodities Act been invoked. We are very happy with the Orissa people because they saw to it that the goods reached the places. We are very happy with the West Bengal people because they saw to it that the commodities reached the required places. There are certain States who really did a good job. I will say with confidence that the railways did a good job; Civil Supplies did a good job. Everybody was preparing for the final thing that in case the strike continues, at least, we would have seen that the essential commodities would have moved.

I want to thank all the Members who have raised it. I hope I was able to answer all the points.

MR. CHAIRMAN: We go to the next item-legislative business.

SHRI AMAL DATTA (Diamond Harbour): May I draw your attention. Tomorrow there is a discussion coming on Bank scam. But the two reports of the Janakiraman Committee have not been circulated to the Member yet. May I ask you to give instructions to the Minister so that adequate number of copies of the two reports are made available to the Members before time.

Now it is coming up for discussion tomorrow.

MR. CHAIRMAN: Parliamentary Affairs Minister is here. He will take note of it.

AN. HON. MEMBER: The two reports have appeared in the newspapers.

SHRI AMAL DATTA: But they should be made available to the Members.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF

OCEAN DEVELOPMENT) (SHRI RANGARAJAN KUMARAMANGLAM): We will do our best to see that copies are available in the Library.

SHRI AMAL DATTA: What is this?

MR. CHAIRMAN: No discussion on that point please.

SHRI RANGARAJAN KUMARAMANGALAM: At the moment, copies are available in the Library.

SHRI AMAL DATTA: Copies should be made available to the Members.

SHRI RANGARAJAN KUMARAMANGALAM: I am not denying that, We are getting them printed, we should try to see that they are made available to all the Members.

16.07 hrs.

JAMMU AND KASHMIR STATE
LEGISLATURE (DELEGATION OF
POWERS) BILL.*

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIM. M. JACOB): Sir, on behalf of Shri S.B. Chavan I beg to move for leave to introduce a Bill to confer on the President the power of the Legislature of the State of Jammu and Kashmir to make laws.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill to confer on the President the power of the Legislature of the State of Jammu and Kashmir to make laws".

The motion was adopted.