

Shivnath Singh, Shri  
Sinha, Shri R. K.  
Sonar, Dr. A. G.  
Sunder Lal, Shri  
Tewari, Shri Chandra Bhal Mani  
Tewari, Shri Shankar  
Uikey, Shri M. G.  
Unnikrishnan, Shri K. P.  
Vekaria, Shri  
Yadav, Shri R. P.

**NOES**

Banera, Shri Hamendra Singh  
Banerjee, Shri S. M.  
Bhattacharyya, Shri S. P.  
Bosu, Shri Jyotirmoy  
Chandrappan, Shri C. K.  
Chaudhary, Shri Ishwar  
Chaudhuri, Shri Tridib  
Dandavate, Prof. Madhu  
Godfrey, Shrimati M.  
Goswami, Shrimati Bibha Ghosh  
Gowder, Shri J. M.  
Gupta, Shri Indrajit  
Kachwai, Shri Hukam Chand  
Lalji Bhai, Shri  
Manjhi, Shri Bhola  
Mayavan, Shri V.  
Mehta, Shri P. M.  
Mody, Shri Pilloo  
Mukherjee, Shri Samar  
Panda, Shri D. K.  
Pandeya, Dr Laxminarain  
Parmar, Shri Bhaljibhai  
Patel, Shri H. M.

Ramkanwar, Shri  
Rao, Shri M. Satyanarayan  
Reddy, Shri B. N.  
Reddy, Shri Y. Esware  
Sezhiyan, Shri  
Singh, Shri D. N.  
Sivasamy, Shri M. S.  
Subravelu, Shri  
Vajpayee, Shri Atal Bihari.

MR. SPEAKER. The result\* of the division is :

*Ayes* 102; *Noes* 32

*The motion was adopted.*

SHRI K. R. GANESH : I introduce† the Bill

12.57 hrs.

**STATEMENT *Re.* TAX ON POSTAL  
ARTICLES ORDINANCE**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : On behalf of Shri Y. B. Chavan, I beg to lay on the Table a copy of the explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Tax on Postal Articles Ordinance, 1971, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha

**RAILWAY PASSENGER FARES BILL‡**

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : Sir, I beg to move for leave to introduce a Bill to provide for the levy of a tax on railway fares.

\* The following members also recorded their votes :

*Ayes* : Sarvashri B. K. Daschowdhury, Sheopujan Shastri and R. V. Swaminathan.

*Noes* : Sarvashri Birender Singh Rao, Sarjoo Pandey and C. T. Dhandapani.

† Introduced with the recommendation of the President.

‡ Published in Gazette of India Extraordinary, Part II, section 2, dated 22-11-71.

**SHRI S. M. BANERJEE (Kanpur) :** Sir, I am extremely sorry to oppose the Bill. The hon. Minister also comes from Kanpur, but still I oppose her Bill because she is levying taxes, on poor people Sir, my grounds are the same. Sir, from the notices given by me, you will kindly see that I am opposing item No. 12 and this one. I am not opposed to increase of tax on air travel. I know people who can possibly go by plane can pay more. They don't bother about 5 per cent increase. But here what will happen if you charge higher rates for the third-class passengers, the second-class passengers and the sleepers? I do not mind if they tax only the air conditioned accommodation. They can pay more. There is this particular class of Government servants, getting between Rs. 200 and 300, who are entitled to First Class. They are also affected. I would only request you, Mr. Speaker to ask her to withdraw this Bill. I oppose this Bill lock, Stock and barrel. I hope there will be a chain reaction in the country because of this, which will not be in the interest of the country.

**SHRI JYOTIRMOY BOSU (Diamond Harbour) :** I oppose this Bill. That they have introduced such a measure shows only the bankruptcy of this Government. The Railways during the last 25 years of Congress rule has been only in doldrums. The increased fares that are charged on passengers who have very limited income are very high. They have introduced again another rise. The Government was apprehensive of the mood of the House. If they had brought it in the shape of a Bill on the 15th November, they could get it through with the vast majority that they enjoy. But they chose to take this line.

13.00 hrs.

In spite of that, they have chosen to bring it in the shape of an ordinance. 13 ordinances have been brought forward in one inter-session period. It is really a record in history. So, I would request you to turn down this Bill and not allow this Bill to go through and not allow that ordinance to be regularised through this forum. So, I oppose this Bill once again.

**MR. SPEAKER :** Now the hon. Minister.

श्री हुकम चन्द कछवाय (पुरेना) :  
अध्यक्ष महोदय . . .

अध्यक्ष महोदय : आपने मुझे लिखकर नहीं भेजा है ।

**SHRIMATI SUSHILA ROHATGI :** At the very outset, I would like to clarify a few points.

The first point raised with the greatest emphasis was that the ordinance had been brought into force on the day that parliament was meeting. We quite share the concern and the anxiety of hon. Members, and I would like to tell them that Government under no circumstances would do so unless it be that it was absolutely essential or urgent. It is rather a coincidence that the dates have synchronised. The urgency can be explained by the fact that when the Chief Ministers and the Governors and the Finance Ministers met on the 12th October, it was realised...

**SHRI S. M. BANERJEE :** It was a meeting with Governors and no M. Ps. or representatives of the people.

**SHRIMATI SUSHILA ROHATGI :** I am sorry to oppose Shri S. M. Banerjee because we both happen to come from the same town and it is no pleasure either for me to oppose him. But I would only like to say that the urgency behind this has been stressed by almost all the parties irrespective of their affiliations, namely that the Bangla Desh crisis exists and resources are necessary. As regards the ordinances coming into force on the 15th November, it just happens to be so, and there is nothing political behind it. The fact is that we would be collecting it for one month more only, when throughout the year, we may be collecting nearly Rs. 70 crores; and we need quite a lot of money. Since the money is going for a good object, I do not think that this opposition, lock, stock and barrel, should have come from hon. Members.

**SHRI INDRAJIT GUPTA (Alipore) :** Why should the rich men's money not be taken for this ?

**SHRIMATI SUSHILA ROHATGI :** The second point to which I would come was the point raised by Shri Atal Bihari Vajpayee, namely : पाणियामेंट की उद्वेक्षा की जा रही है, उसकी व्यवहलना की जा रही है ।

I would only like to remind him that it was the very same Government which brought forward in the last session the Constitution (Twenty Fourth) Amendment Bill which had raised the prestige of the House to a much higher level and restored to Parliament the right which it possessed.

**SHRI JYOTIRMOY BOSU :** After giving Rs. 20 lakhs as compensation every month for nationalisation of general insurance.

**SHRIMATI SUSHILA ROHATGI :** So, how could the same Government be now expected to erode and erode the powers of Parliament ? I do not think, therefore, that he really meant it when he said that. There is no question of treating the House contemptuously whatsoever. It is just a coincidence that 15th happened to be the date on which the ordinance come into force and 15th happened to be the date on which Parliament was also meeting.

Especially when we are dealing with railway passenger fares Bill, hon. Members know that advance reservation can be done 20 days earlier. If people had started their journey by that time and made reservations, then it might have been rather delicate and difficult to realise money at that stage.

So, while Government share the concern on hon. Members that taxation normally should not be resorted to by ordinance, I would like to say that there have been a number of ordinances, issued earlier, but we would not like to repeat that history. It was only because of the extreme urgency of the case that we had to issue the ordinance.

Therefore, I would request hon. Members to withdraw their disapproval of this Bill.

**MR. SPEAKER :** The question is :

"That leave be granted to introduce a Bill to provide for the levy of a tax on railway fares."

Let the Lobby be cleared.

*The Lok Sabha divided :*

Division No. 3]

13-08 hrs.

**AYES**

Agrawal, Shri Shrikrishna  
Ahmed, Shri F. A.  
Ambesh, Shri  
Appalanaidu, Shri  
Arvind Netam, Shri  
Bahuguna, Shri H. N.  
Balakrishaniah, Shri T.  
Banerji, Shrimati Mukul  
Basumatari, Shri D.  
Bhagat, Shri H. K. L.  
Bhuvaraman, Shri G.  
Chavan, Shri Yashwantrao  
Chawla, Shri Amar Nath  
Chellachemi, Shri A. M.  
Choudhary, Shri B. E.  
Choudhury, Shri Moinul Haque  
Dalip Singh, Shri  
Darbara Singh, Shri  
Daschowdhury, Shri B. K.  
Deo, Shri S. N. Singh  
Dharia Shri Mohan  
Dhusia, Shri Anant Prasad  
Doda, Shri Hiralal  
Dube, Shri J. P.  
Dumada Shri L. K.  
Dwivedi, Shri Nageshwar  
Gandhi, Shrimati Indira

**Ganesh, Shri K. R.**  
**Ganga Devi, Shrimati**  
**Gohain, Shri C. C.**  
**Goswami, Shri Dinesh Chander**  
**Gotkhinde, Shri Annasaheb**  
**Gowda, Shri Pampan**  
**Jagjivan Ram, Shri**  
**Jitendra Prasad, Shri**  
**Joshi, Shri Popatlal M.**  
**Kader, Shri S. A.**  
**Kailas Dr.**  
**Kamakshaiah, Shri D.**  
**Kamble, Shri T. D.**  
**Karan Singh, Dr.**  
**Kaul Shrimati Sheila**  
**Kedar Nath Singh, Shri**  
**Krishnan, Shri G. Y.**  
**Lakshmikanthamma, Shrimati T.**  
**Lakshminarayanan, Shri M. R.**  
**Laskar, Shri Nihar**  
**Mahata, Shri Debendra Nath**  
**Malaviy, K. D.**  
**Malhotra, Shri Inder J.**  
**Maurya, Shri B. P.**  
**Mirdha, Shri Nathu Ram**  
**Mishra, Shri Bibhuti**  
**Mishra, Shri G. S.**  
**Mishra, Shri Jagannath**  
**Mohammad Tahir, Shri**  
**Mohammad Yusuf, Shri**  
**Mohapatra, Shri Shyam Sunder**  
**Murthy, Shri B. S.**  
**Nahata, Shri Amrit**  
**Oraon, Shri Tuna**  
**Oza, Shri Ghanshyam**  
**Pahadia, Shri Jagannath**  
**Pandey, Shri Krishna Chandra**  
**Pandey, Shri Narsingh Narain**  
**Pandey, Shri R. S.**  
**Panigrahi, Shri Chintamani**  
**Pant, Shri K. C.**  
**Parashar, Prof. Narain Chand**  
**Partap Singh, Shri**

**Parthasarathy, Shri P.**  
**Patel Shri Ramubhai**  
**Patil, Shri Krishnarao**  
**Qureshi, Shri Mohd. Shafi**  
**Raghu Ramalah, Shri K.**  
**Rai, Shrimati Sahodrabai**  
**Raj Bahadur, Shri**  
**Rajdeo Singh, Shri**  
**Ram Swarup, Shri**  
**Ramshekhar Prasad Singh, Shri**  
**Rao, Shri P. Ankinedu Parasada**  
**Rathia, Shri Umed Singh**  
**Richhariya, Dr. Govind Das**  
**Rohatgi, Shrimati Sushila**  
**Sarkar, Shri Sakti Kumar**  
**Satpathy, Shri Devendra**  
**Sethi, Shri P. C.**  
**Shambhu Nath, Shri**  
**Sharma, Shri Nawal Kishore**  
**Sharma, Dr. Shankar Dayal**  
**Shastri, Shri Biswanarayan**  
**Shastri, Shri Sheopujan**  
**Sher Singh, Prof.**  
**Shivnath, Singh Shri**  
**Sokhi, Shri Swaran Singh**  
**Sonar, Dr. A. G**  
**Sunder Lal, Shri**  
**Swaminathan, Shri R. V.**  
**Tewari, Shri Chandra Bhal Mani**  
**Tiwary, Shri D. N.**  
**Tiwary, Shri K. N.**  
**Uikey, Shri M. G.**  
**Unnikrishnan, Shri K. P.**  
**Vekaria, Shri**  
**Yadava, Prof. D. P.**

### NOES

**Banera, Shri Hamendra Singh**  
**Banerjee, Shri S. M.**  
**Bhattacharyya, Shri S. P.**  
**Birender Singh Rao, Shri**  
**Bosu, Shri Jyotirmoy**

Chandrappan, Shri C K.  
 Chaudhary, Shri Ishwar  
 Dandavate, Prof. Madhu  
 Dhandapani, Shri C T  
 Godfrey, Shrimati M.  
 Goswami, Shrimati Bibha Ghosh  
 Gowder, Shri J. M.  
 Gupta, Shri Indrajit  
 Kachwala, Shri Hukam Chand  
 Lalji Bhai, Shri  
 Mayavan, Shri V  
 Mehta, Shri P. M  
 Mukherjee, Shri Samar  
 Nayak, Shri Baks  
 Pandey, Shri Sarjoo  
 Pandeya, Dr. Laxminarain  
 Parmar, Shri Bhaljibhai  
 Patel, Shri H. M.  
 Ramkanwar, Shri  
 Rao, Shri M Satyanarayan  
 Reddy, Shri B N.  
 Subravelu, Shri  
 Vajpayee, Shri Atal Bihari

13-07 hrs.

STATEMENT *Re.* RAILWAY PAS-  
 Senger FARES ORDINANCE

THE DEPUTY MINISTER IN THE  
 MINISTRY OF FINANCE (SHRIMATI  
 SUSHILA ROHATGI) On behalf of Shri  
 Y B Chavan, I beg to lay on the table...

SHRI ATAL BIHARI VAJPAYEE  
 (Gwalior) This is not proper The hon  
 Minister Shri Yeshwantrao Chavan is  
 himself present here So, he should lay it  
 on the Table

MR SPEAKER What has happend is  
 that I have already received intimation  
 that the Deputy Minister would be laying  
 it on the Table of the House

THE MINISTER OF FINANCE  
 (SHRI YESHWANTRAO CHAVAN)  
 It is just because of the division that I  
 happen to be here

श्री अटल बिहारी वाजपेयी अध्यक्ष  
 महोदय, हम डिप्टी मिनिस्टर को श्री चव्हाण  
 की उपेक्षा नहीं करने देगे। वह इस सदन में  
 सशरीर मौजूद है।

MR. SPEAKER The result\* of the  
 division is .

Ayes : 105                      Noes 28

*The Motion was adopted.*

SHRIMATI SUSHILA ROHATGI .  
 I introduce† the Bill.

SHRI YESHWANTRAO CHAVAN :  
 I beg to lay on the Table a copy of the  
 explanatory statement (Hindi and English  
 versions) giving reasons for immediate  
 legislation by the Railway Passenger Fares  
 Ordinance, 1971, as required under rule  
 71 (1) of the Rules of Procedure and  
 Conduct of Business in Lok Sabha.

\* The following members also recorded their votes.

Ayes Sarvasbri Y. S, Mahajan, T. Sohan Lal and M. Bheeshmadev.

Noes Sarvasbri Lambodar Baiyar, M. S. Purty and M. S. Sivasamy.

† Introduced with the recommendation of the President.