

[Shri N. Sreekantan Nair ]

them. That means, starting public sector undertakings. But they must be run properly. Otherwise, we will be sharing poverty and not wealth. Sharing poverty is not socialism. Therefore, not only the existing public sector undertakings in the country, but all the major industries in this country will have to come under the Government, i.e. under the common ownership of, the people of this country.

One of my friends on this side was thinking that I am against workers' participation. It is not a question of workers' participation. Workers should be brought into the board of management. But I am thinking of some mature mind to help and guide such boards at the most crucial moment in the history of this country which we want to make a test of this. At such a time the benefit of the advice of Competent and experienced people should not be denied to the public sector undertakings merely because they happen to be Members of Parliament. I am prepared to withdraw the Bill. I beg to move for leave to withdraw the Parliament (Prevention of Disqualification). Amendment Bill.

MR. DEPUTY-SPEAKER : The question is :

“That leave be granted to withdraw the Parliament (Prevention of Disqualification) Amendment Bill, 1971”.

*The motion was adopted.*

MR. DEPUTY-SPEAKER : Bill withdrawn by leave.

*The Bill was, by leave, withdrawn over.*

17.52 hrs.

**GIFT-TAX (AMENDMENT) BILL**  
(Amendment of Sections 22, 23 etc.)

SHRI S. C. SAMANTA (Tamluk) : I beg to move :

“That the Bill further to amend the Gift-tax Act, 1958, be taken into consideration”.

In the Statement of objects and Reasons I have mentioned why I have brought forward this Bill. I hope by this time Government have given thought to the reasons given by me.

I want to amend the Act only in a simple way. In the Gift-tax Act as passed in 1958 there are some irregularities which have to be remedied. For instance, under the existing Act the officers impose the tax and within a month the assessee can appeal. He can re-appeal also. The assessee can also pray for revaluation of the property for which the tax has been imposed. This is valuation for the second time. The first time it was valued when he was asked to pay. On appeal he can again have it examined by two valuers, who are to be appointed to revalue the property for which tax has been imposed. If these two valuers agree, then there is no problem. But if they differ in valuation, then it is referred to a third valuer. It takes so much of time, so many irregularities creep in and so many difficulties are felt. Then, when these valuers are appointed they have to be paid and at times Government have also have to pay.

Another thing the costs of any arbitration proceedings shall be borne by the Central Government or the assessee as the case may be at whose instance the question was referred to the valuers. Valuers in disposing of any matter referred to them for arbitration under subsection vi hold or cause to be held such enquiry as they think fit and after giving the appellant and the respondent an opportunity of being heard or such orders thereon as they think fit and shall send a copy of such order to the Appellant Tribunal. But that is not the final, Sir.

So, I have proposed the deletion of some provisions and those people who do not submit the money demanded of him for the gift they are punishable with fine which may extend to Rs. 10 for every day during which the default continues. Here I have suggested that imprisonment should be added also. I say that “shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to Rs. 10 for every day during which the default continues.

These things I have brought before the Government so that easy running of the administration of collecting Gift-tax will be as we wanted it to be in the beginning. So, I am proposing these deletions and hope Government will accept them. If not, Government will let me know what are the difficulties in the way.

MR. DEPUTY SPEAKER : Motion moved :

"That the Bill further to amend the Gift-tax Act, 1958, be taken into consideration".

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH) : Sir, the intention of the mover of this Bill is to remove according to him certain procedural defects in the Gift-Tax Act. Sir, for his information the Government itself wanted to remove some of these and the Select Committee of the Lok-Sabha in connection with the Taxation Laws (Amendment) Bill of 1969 considered the substance of the provisions of the proposed Bill and had recommended that there should be no inhibition on the power of the Assistant Commissioner to admit a belated appeal in deserving cases. The whole purpose of the Bill in amending various sections which the

hon'ble Member has included in his Bill is not acceptable to the Government in the present form because of the fact that the Select Committee of the Lok-Sabha had taken a decision and also because, Sir, that it will defeat the purpose of natural justice and equity. I agree with the hon'ble Member that some of these laws will have to have a second look and it is necessary to find out particularly, when the collection of Income Tax and other Direct Taxes the question of concealment of tax has become a big public issue - it will be necessary to find out some ways so that whatever procedural gaps are there are removed. But in the present form in which the amendment has been moved by the hon. Member, it is not acceptable to the Government.

MR. DEPUTY-SPEAKER : Mr. Samanta : you can reply on the next day.

The House stands adjourned to meet again on Monday at 11 A. M.

13.01 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, July 12, 1971/Asadha 21, 1893 (Saka)*

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