

12.37 Hrs.

MATTER UNDER RULE 377

**PUBLICATION OF LISTS OF INCOME-TAX
DEFAULTERS, ETC. IN WEST BENGAL PRESS**

SHRI SAMAR GUHA (Contai) :

Sir, I want to draw your attention and the attention of the Finance Minister to a notice issued by the Commissioner of Income-tax, which appeared in the West Bengal press on the 23rd March. Many names, including unfortunately the names of the Chief Minister of West Bengal, the Finance Minister of West Bengal and a few other elected representatives including a Member of Parliament are there. My intention is not to denigrate any of these representatives. On the contrary, I want to defend their position in the sense that I would request the Government to come out with a statement explaining the circumstances in which their names have appeared in the defaulters' list, so that there may not be any misunderstanding. I want to know whether it is only about the year ending 31st March 1971 or whether there is any accumulated amount etc., because the names of the Chief Minister and Finance Minister of West Bengal are there and they should start their business with a cleanimage.

As far as I remember, there was an assurance given by the Finance Minister on the floor of the House that in the case of elected representatives, Members of Parliament, Ministers, etc., prior notice would be given to them before publishing their names in the press, because otherwise it creates a lot of difficulty not only for them but for the whole institution of elected representatives. Therefore, I would request the Government to clarify the position as to how their names have been published as income-tax defaulters and the circumstances and the whole facts thereof and also to ensure that in future before the names of elected representatives are published, prior notice would be given to them, so that they can clear the income-tax arrears.

**THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI K.R.
GANESH) :** As soon as the notice reached us, the Chairman of the Board of Direct Taxes is in communication with the Com-

missioner of Income-tax, Calcutta, to find out the facts. But I can give certain interim facts.....

MR. SPEAKER : You can make one final statement.

SHRI K.R. GANESH : May be some of the misrepresentation and some of the doubts may be removed by whatever facts I have got now.

Under section 287(1) of the Income-tax Act, the department furnishes the lists of defaulters. Under this section, the Commissioner of Income-tax issued the first notification giving the names of defaulters, which were 46 in number. Further, the same section authorises the Income-tax Department to issue—(a) a list of those on whom a penalty of Rs. 5,000 has been imposed; (b) a list of those individuals and HUFs who have been assessed for incomes over Rs. 1 lakh and (c) a list of names of firms and companies which have been assessed for incomes exceeding Rs. 10 lakhs. As far as Shri Sidhartha Shankar Ray is concerned, his name comes in Schedule II, in which the names of those who are assessed for an income of Rs. 1 lakh and above have been given. As far as the other names which have been mentioned by the hon. Member are concerned we are trying to find out the facts. But the name of Shri Sidhartha Shankar Ray appears under the Schedule which gives the names of those who are neither defaulters nor penalised or any such thing.

SHRI S.M. BANERJEE (Kanpur) : Sir, I want to make a submission. About 13,000 workers belonging to two mills in Kanpur have started a strike on the bonus issue. The workers demand bonus under the Khadiiikar formula. Now that Shri Khadiiikar has come back, let him make a statement. The strike has already started.

MR. SPEAKER : When I send a message you should take it as my message; it is not Secretary's message.

SHRI S.M. BANERJEE : I am saying that the strike has already taken place. So, I want the Minister to make a statement,

MR. SPEAKER : Strikers are taking place in all corners of the country.

SHRI S.M. BANERJEE : The strike is about the implementation of the Khadilkar formula. Let the Minister make a statement.

12.41 Hrs

ARMED FORCES (ASSAM AND MANIPUR) SPECIAL POWERS (AMENDMENT) BILL

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K.C. PANT) : I beg to move :

"That the Bill to amend the Armed Forces (Assam and Manipur) Special Powers Act, 1958, as passed by Rajya Sabha, be taken into consideration."

This is a simple Bill and I need explain its provisions only briefly. The Armed Forces (Assam and Manipur) Special Powers Act, 1958, which had application in the erstwhile State of Assam and the Union Territory of Manipur empowered the Governor of Assam and the Administrator of Manipur to declare certain areas as disturbed. In such areas the Armed Forces have certain special powers such as to destroy arms dumps and shelters of hostiles, to make searches of premises for the recovery of unauthorised arms and ammunition, to check by the use of force the unlawful and violent activities of rebels, etc. The Act had also been applied to the erstwhile Union Territory of Tripura. Another law containing analogous provisions namely, the Armed Forces (Special Powers) Regulation, 1958 is in force in Nagaland but will cease to be in force on the 5th April, 1972. Subsequent to the reorganisation in the north-eastern region, the Armed Forces (Assam and Manipur) Special Powers Act, 1958 now has application in the States of Assam, Meghalaya, Manipur and Tripura and the Union Territories of Arunachal Pradesh and Mizoram. But, the power of the Governor of Assam to declare certain areas as disturbed has not hereby become available to the Administrators of the Union Territories of Mizoram and Arunachal Pradesh. The object of the present Bill is three fold. Firstly, it is proposed that the Armed Forces (Assam and Manipur) Special

Powers Act, 1968, may have uniform application in all the five States and the Union Territories in the north-eastern region. Secondly, it is sought to state clearly that the Governor of these States and the Administrators of the two Union Territories will have the power to declare areas as disturbed. Thirdly, it is proposed to take that power also for the Central Government.

SHRI ATAL BIHARI VAJPAYEE (Gwalior): Why for the Central Government ?

SHRI K.C. PANT : You will understand it, if you will hear me. It is hardly necessary to explain in any detail the need for these proposals. In the north-eastern region the situation is no doubt more peaceful generally than it was in the past. However, in view of the continuing activities of the Naga underground and the Mizo hostiles the need for vigilance in this area continues to be paramount. If any untoward situation were to develop in any part of this region, enabling powers should be available under the law so that the Armed Forces are in a position to act quickly to nip the trouble in the bud.

It is also necessary that under the law the Central Government should be empowered to declare areas as disturbed. In view of the foreign links which some of the tribal groups had developed over the past few years, it is of the utmost importance to check their trans-border movements. To ensure that the security forces have the requisite powers to deal with the activities of such groups it is necessary that the Central Government should be enabled to declare certain areas as disturbed.

I am sure that the legislative proposals before the House will have its whole-hearted approval.

MR. SPEAKER : Motion moved :

"That the Bill to amend the Armed Forces (Assam and Manipur) Special Powers Act 1958, as passed by Rajya Sabha, be taken into consideration."

SHRI S. M. BANERJEE (Kanpur) : How much time has been allotted for this ?