

**ANNUAL ACCOUNTS OF WEST
BENGAL STATE ELECTRI-
CITY BOARD**

**THE DEPUTY MINISTER IN THE
MINISTRY OF IRRIGATION AND
POWER (SHRI B. N. KUREEL) :** I beg
to lay on the Table—

- (1) A copy of the Annual Accounts of the West Bengal State Electricity Board for the year 1969-70 together with the Audit Report thereon, under sub-section (5) of section 69 of the Electricity (Supply) Act, 1948, read with clause (c) (iii) of the Proclamation dated the 29th June, 1971 issued by the President in relation to the State of West Bengal. [*Placed in Library. See No. LT-1082/71.*]
- (2) A statement (Hindi and English versions) explaining the reasons for laying the above Accounts before Parliament and for not laying the Hindi version thereof. [*Placed in Library. See No. LT-1083/71.*]

12.55 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY : Sir, I have to report the following messages received from the Secretary of Rajya Sabha :—

- (i) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Uttar Pradesh Cantonments (Control of Rent and Eviction) (Repeal) Bill, 1971, which has been passed by the Rajya Sabha at its sitting held on the 17th November, 1971."
- (ii) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Busi-

ness in the Rajya Sabha, I am directed to enclose a copy of the Arms (Amendment) Bill, 1971, which has been passed by the Rajya Sabha at its sitting held on the 17th November, 1971."

**BILLS AS PASSED BY
RAJYA SABHA**

SECRETARY : Sir, I also lay on the Table of the House the following Bills, as passed by Rajya Sabha :—

- (i) The Uttar Pradesh Cantonments (Control of Rent and Eviction) (Repeal) Bill, 1971.
- (ii) The Arms (Amendment) Bill, 1971

**PUBLIC ACCOUNTS COMMITTEE
TWENTY-FOURTH REPORT**

SHRI SEZHIYAN (Kumbakonam) : I beg to present the Twenty-fourth Report of the Public Accounts Committee regarding action taken by Government on the recommendations contained in their Hundred and Ninth Report (Fourth Lok Sabha) on Audit Report (Civil) 1969 relating to the Departments of Food and Agriculture.

**STAMP AND EXCISE DUTIES
(AMENDMENT) BILL***

**THE DEPUTY MINISTER IN THE
MINISTRY OF FINANCE (SHRIMATI
SUSHILA ROHATGI) :** I beg to move for leave to introduce a Bill further to amend the Indian Stamp Act, 1899, the Central Excises and Salt Act, 1944 and the Union Duties of Excise (Distribution) Act, 1962.

MR. SPEAKER : Motion moved :

"That leave be granted to introduce a Bill further to amend the Indian Stamp Act, 1899, the Central Excises and Salt Act, 1944 and the Union Duties of Excise (Distribution) Act, 1962."

*Published in the Gazette of India Extraordinary Part II, Section 2, dated 23-11-71.

SHRI S M BANERJEE (Kanpur)
 My Speaker, Sir, I rise to oppose the Bill, introduction of which has just been sought by my hon friend, Shrimati Sushila Rohatgi. The statement of objects and reasons says

"In order to meet the expenditure on the relief of Bangla D sh refugees "

The people are being fleeced in the name of Bangla D sh refugees, if there is more corruption, it is in the name of Bangla D sh refugees, increased dearness allowance is denied to government employees in the name of Bangla D sh refugees, whatever Government want to do is done in the name of Bangla D sh refugees. I am really for this

What is happening? A duty of two paise per copy has been imposed on news papers and all other printed periodicals. In the *Explanation*, it is stated 'For the purposes of this item, newspaper' means any printed periodical work containing news or comments on news'

It has not even been mentioned that those newspapers having a circulation of 15,000 or 20,000 will be exempt from this blanket impost. It applies to all news papers. Newspapers in Calcutta, at least the *Anand Bazar Patrika* and others have raised the price of their issue by 5 paise on the ground of increase in newsprint price. This is in addition to the 2 paise. In addition to that they impose another two paise as excise duty on the basis of this ordinance. So, the newspapers cost today 28 paise—whether it is *Anand Bazar Patrika* or *Juganta* and today, all the newspaper hawkers are on strike, and we could not get newspapers in our houses for so many days and rightly so. I can understand the monopoly press is earning a lot. They may be taxed, but why this should be levied on the consumer? We want to increase the circulation of newspapers we want our people, both in the countryside and in the urban areas, to read newspapers. There is tension in the country and at this time this excise duty is levied, and the newspapers, taking advantage of this, have increased the cost by five paise, seven paise and eight paise in the name of the increase in the

cost of newsprint and again two paise on the basis of this ordinance. This is a very retrogressive measure.

Again, I say that while the State Governors were consulted, the Chief Ministers were consulted, this Parliament was never consulted. It may not be a coincidence. Shrimati Sushila Rohatgi may say that again it is a coincidence, she never knew that Parliament was meeting on the 15th. It is a sad commentary on the functioning of the Ministers. When Parliament was going to meet, it cannot be a coincidence. It is a deliberate attempt to ignore Parliament and therefore I oppose this.

MR SPEAKER Since both of you come from Kanpur also, it is also a coincidence!

SHRI INDRAJIT GUPTA (Alipore)
 Mr Speaker, Sir, this is yet another money Bill just like the others which were introduced yesterday. I must repeat once again our very strong objection on principle that this kind of money Bill is first legislated by ordinance without consulting the Parliament or the State Assemblies, and then that is done in a way which is calculated to act as an affront to Parliament. I think this is rubbing salt into the wound if I may say so that is adding insult to injury, when the hon. Minister comes and says that it is just a matter of coincidence that these new duties and taxes are coming into force from the date on which Parliament assembled, that it just happens to be a coincidence. Coincidence is generally a thing which happens because somebody is not conscious of that particular thing and it happens accidentally. If this is the way in which they regard the summoning of Parliament by the Rashtrapati on a particular day, all that I can say is that this is a cavalier attitude that the Ministry and the Government have taken.

In the case of the other three allied Bills yesterday, it was said that the time-lag was necessary in order to make certain preparations. In the case of the railway fares, she said—or the other Minister said I forget who—that because advance reservations are made this ought to be done well before-hand so that money can be collected

In the case of inland air fares, the same argument was advanced, that advance reservations are to be done. In case of the postal charges, it was said that time is required to print these new stamps with "refugee relief" embossed on them. May I know what is there in this particular case of the newspapers? They are not going to have any stamps on them or any new thing has to be produced or added. What was the need in this particular case not to wake until Parliament assembled? This is a tax not only on the people but it is a tax on knowledge; this is a more shortsighted measure that they are introducing. The immediate effect will be to reduce the circulation of newspapers, and therefore, the amount which they have calculated here, in the Statement of Objects and Reasons, as accruing to them is also absolutely misleading the house, because, what is going to happen in our country? People who cannot make two ends meet, who are leading very difficult lives today—the middle class particularly will have to cut down on reading newspapers. The circulation will fall. That is what is going to happen.

13 hrs.

Also, as Mr. Banerjee has pointed out, we read in the newspapers that some exemption is proposed for newspapers with a circulation of 15,000 or less. I find no such thing in the Bill at all. It is a blanket tax on all newspapers and all periodicals. That means that if there is a paper with a circulation of 5000 it will have to pay two paise per copy and that will pass it on to the consumer or reader and a paper with 50,000 circulation will also pay two paise. In an inverted way if you look at it, it is a discrimination against smaller papers. I read in the papers today that some petition has been presented already to the High Court in Orissa on behalf of some small newspaper challenging the right of the Government to discriminate in this way. Therefore some papers may be forced to resort to dishonest practices. They will try to show that their circulation is less than it actually is in order to evade or lessen the incidence.

In other cases where papers have been known to be inflating their circulation

figures in order to get additional newsprint which they can sell in the blackmarket, nothing is done by the Government in order to mop up that black money and use them for refugee relief. Here all newspaper readers are going to be penalised. Mr. Banerjee pointed out that the Ananda Bazar Patrika of Calcutta taking advantage of this has increased its price from 20 paise to 28 paise, some other papers have increased to 24 paise and some to 26 paise, on the plea that the costs are going up and the Government is also putting this tax on them. Are prices going to go up like this? What is this? It is a monstrous impost on the reading public of this country which will add to the very great disincentive, especially the small papers and periodicals. Therefore, our group unconditionally and totally objects to this. We oppose it lock, stock and barrel. It is a calculated insult to Parliament; Parliament was not consulted before bringing this Ordinance.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Once again I rise to oppose the introduction of this Bill. Firstly, I oppose the manner in which it has been brought here, showing utter disregard for a national forum like Parliament and also the State Assemblies.

This Bill has two parts—one is about the stamps and other one about newspaper taxation. The stamp part, the money bags will no doubt pass on to the consumer as additional burden, with perhaps a little more advantage to themselves.

As for taxation on newspapers, our country is one of the lowest as far as newspaper reading is concerned, the lowest figure being 22 papers per thousand and the highest has not exceeded 68 papers per thousand population. If you add this amount, in Calcutta they have made it 28 paise which is outside the reach of many readers. Many will discontinue reading newspapers. Is that the Government's intention? Today there is a strike and there is no paper in West Bengal; it is going on for the last few days and the Government has done nothing at all to solve the problem. The Government has no control over the price of newspaper. 28 paise per paper is outside the reach of the common man. Where is the

[Shri Jyotirmoy Bosu]

purchasing power of the common man ? What has the Government done to increase his purchasing power ? People are groaning. We see in today's paper that a family of four committed suicide due to economic reasons, due to poverty. The Chief Ministers were consulted but Parliament and Assemblies were bypassed and ignored. What is it except political gimmick ? What prevented the Government from bringing a budget and taxing the corporate sector and people with high personal incomes ? They were left alone in the last budget. They talk about industrial stagnation ? They are concealing the true profit and siphoning it out as black money. Therefore there is dearth of money, they are not investing their money. The arrears of income-tax come to Rs 900 crores. Smuggling takes away about Rs 400 crores a year. Over-invoicing and under-invoicing to please the foreign monopolies are allowed to the tune of Rs 400 crores a year, the magnitude of the circulation of black money is not known. Indeed it will be anything between 3000 to 4000 crores. In the circumstances, the Government has no right to bring such a Bill adding fuel to the fire, particularly when the people are groaning under severe press ures.

SHRIMATI SUSHILA ROHATGI : At the very outset, I would like to say that it is only due to the compulsion of circumstances that the Government had to bring these ordinances and it is not the intention of Government to ignore or bypass Parliament, as suggested by Mr. Indrajit Gupta and others. It is not the privilege of the Government to take a cavalier attitude. It is the privilege of the opposition to bring in any matter they like—it may be the Government employees or corruption or something else, I do not know how we can relate these things together but they have the privilege and they can do it. What I meant by coincidence was this. We knew long before that Parliament was meeting on 15th November, but a certain preparatory stage was necessary. Yesterday with reference to the ordinance about railway fares also, I was saying that some time was needed for the preparation. Incidentally, it could have been done on the 12th. (Interruptions)

SHRI INDRAJIT GUPTA : What is the preparation needed ?

SHRIMATI SUSHILA ROHATGI : I will explain it. As I was saying, when 15th was chosen as the date, it was not done with the intention of ignoring or bypassing Parliament. I stick to it. Just as any other elected member of this House or of the other House, we also do not relish introducing ordinances. That fear should be set at rest. I am not trying to justify the ordinances. We still say that ordinances should be brought forward only when they are absolutely necessary and in exceptional cases. As you yourself observed yesterday, we should normally avoid it. It is in deference to the desire of hon. Members and your own observations, Sir, that I would like to point out that there are certain extenuating circumstances.

Taking the newspaper industry, a levy of two paise has been introduced. May be in Calcutta the price of the newspaper is 28 paise, we are not fully aware of it. But so far as the Government is concerned, it is only a levy of two paise. This decision was taken after careful deliberation and thought. And, may I point out that 90 per cent of the newspapers will not be affected by this ?

SHRI INDRAJIT GUPTA : That is not there in the Bill.

SHRIMATI SUSHILA ROHATGI : All that will come when it is taken up for consideration.

SHRI INDRAJIT GUPTA : We have before us only the Bill as it is sought to be introduced. We do not know what they propose to do later on. We are objecting to the Bill as it is now.

SHRIMATI SUSHILA ROHATGI : When the statutory resolution comes up, these things can be considered. The small newspapers will not be affected, it is only 10 per cent of the newspapers, whose circulation exceeds 15,000 copies, which will be affected. Some time was necessary for the newspapers to get used to the licensing formalities, self-removal procedure, etc. If the newspaper was published and if it were not circulated, the industry would have been dislocated. That had to be taken

into consideration because some time was necessary so that they could get familiar with the formalities of excise duty.

The second part is about stamps. About 70 crores of these stamps have to be printed. That takes some time. The Nasik Printing Press which is entrusted with the printing of these stamps has its machinery earmarked for the printing of stamps of various denominations. Therefore, it is not easy all of a sudden to use all these machines only for the printing of this type of stamps. So, some time was necessary for the printing of these 78 crores of stamps.

Coming to the justification for the Ordinance, because of the delay in implementing this measure we were losing Rs. 1½/ lakhs every day which we could ill afford. At the same time, the Ordinance could not be brought into force immediately because the stamps have to reach the various treasuries and sub-treasuries all over the country. Otherwise, all the disbursements would be dislocated because the stamped receipt happens to be one of the instruments on which levy has been imposed. So, the measure was brought into force as early as we could.

MR. SPEAKER : The question is :

“That leave be granted to introduce a Bill further to amend the Indian Stamp Act, 1899, the Central Excises and Salt Act, 1944 and the Union Duties of Excise (Distribution) Act, 1962.”

The Lok Sabha divided :

[Division No.]	AYES	13.15 hrs.
Agrawal, Shri Shrikrishna		
Balakrishniah, Shri T.		
Banerji, Shrimati Mukul		
Barupal, Shri Panna Lal		
Basappa, Shri K.		
Bhagat, Shri P. R.		

Bhagat, Shri H. K. L.
 Bhuvarahan, Shri G.
 Chanda, Shrimati Jyotsna
 Chandrakar, Shri Chandulal
 Chavan, Shri Yeshwantrao
 Chawla, Shri Amar Nath
 Dalbir Singh, Shri
 Darbara Singh, Shri
 Daschowdhury, Shri B. K.
 Dhamankar, Shri
 Dharamgaj Singh, Shri
 Dhusia, Shri Anant Prasad
 Dinesh Singh, Shri
 Doda, Shri Hiralal
 Dumada, Shri L. K.
 Dwivedi, Shri Nageshwar
 Gandhi, Shrimati Indira
 Ganesh, Shri K. R.
 Gangadeb, Shri P.
 Gogoi, Shri Tarun
 Goswami, Shri Dinesh Chander
 Gowda, Shri Pampan
 Hari Kishore Singh, Shri
 Jitendra Prasad, Shri
 Joshi, Shri Popatlal M.
 Kader, Shri S. A.
 Kailas, Dr.
 Kamble, Shri T. D.
 Karan Singh, Dr.
 Kaul, Shrimati Sheila
 Khadilkar, Shri R. K.
 Kureel, Shri B. N.
 Kushok Bakula, Shri
 Lakshmikanthamma, Shrimati T.
 Lakshminarayanan, Shri M. R.
 Mahajan, Shri Y. S.
 Majhi, Shri Gajadhar
 Majhi, Shri Kumar
 Malaviya, Shri K. D.
 Mandal, Shri Jagdish Narain
 Marandi, Shri Iswar

Maurya, Shri B. P.
 Mirdha, Shri Nathu Ram
 Mishra, Shri Bibhuti
 Mishra, Shri G. S.
 Misra, Shri S. N.
 Murthy, Shri B. S.
 Pandey, Shri R. S.
 Panigrahi, Shri Chintamani
 Pant, Shri K. C.
 Partap Singh, Shri
 Paswan, Shri Ram Bhagat
 Patnaik, Shri J. B.
 Peje, Shri S. L.
 Qureshi, Shri Mohd. Shafi
 Raghu Ramaiah, Shri K.
 Raj Bahadur, Shri
 Ramshekhar Prasad Singh, Shri
 Rana, Shri M. B.
 Rao, Shrimati B. Radhabai A.
 Rao, Dr. K. L.
 Rathia, Shri Umed Singh
 Rohatgi, Shrimati Sushila
 Sankata Prasad, Dr.
 Sant Bux Singh, Shri
 Sarkar, Shri Sakti Kumar
 Shankar Dayal Singh, Shri
 Shankaranand, Shri B.
 Sharma, Shri Nawal Kishore
 Shastri, Shri Biswanarayan
 Shastri, Shri Raja Ram
 Shastri, Shri Sheopujan
 Shenoy, Shri P. R.
 Shivanath Singh, Shri
 Shukla, Shri Vidya Charan
 Sokhi, Shri Swaran Singh
 Sonar, Dr. A. G.
 Swaminathan, Shri R. V.
 Swamy, Shri Sidrameshwar
 Swaran Singh, Shri
 Tiwary, Shri D. N.

Uikey, Shri M. G.
 Unnikrishnan, Shri P. K.
 Vidyalankar, Shri Amarnath
 Yadav, Shri Chandrajit
 Yadav, Shri R. P.

NOES

Banera, Shri Hamendra Singh
 Banerjee, Shri S. M.
 Bhagirath Bhanwar, Shri
 Bhattacharyya, Shri, S. P.
 Bosu, Shri Jyotirmoy
 Chaudhary, Shri Ishwar
 Chaudhuri, Shri Tridib
 Chavda, Shri K. S.
 Deo, Shri P. K.
 Dhandapani, Shri C. T.
 George, Shri Varkey
 Godfrey, Shrimati M.
 Goswami, Shrimati Bibha Ghosh
 Gowder, Shri J. M.
 Guha, Shri Samar
 Gupta, Shri Indrajit
 Hazra, Shri Manoranjan
 Horo, Shri N. E.
 Jha, Shri Bhogendra
 Jhunjunwala, Shri Bishwanath
 Joshi, Shri Jagannathrao
 Kachwai, Shri Hukam Chand
 Krishnan, Shri E. R.
 Lalji Bhai, Shri
 Manjhi, Shri Bhola
 Mehta, Shri P. M.
 Mohanty, Shri Surendra
 Pandeya, Dr. Laxminarain
 Parmar, Shri Bhaljibhai
 Patel, Shri H. M.
 Reddy, Shri B. N.
 Saksena, Prof. S. L.
 Sambhali, Shri Ishaq
 Sezhiyn, Shri
 Singh, Shri D. N.

Vajpayee, Shri Atal Bihari
Verma, Shri Phool Chand

MR. SPEAKER : The result* of the
division is : Ayes : 92; Noes : 37.

The Motion was adopted.

SHRIMATI SUSHILA ROHATGI ·
Sir, I introduce** the Bill.

13.15 hrs.

STATEMENT RE STAMP AND
EXCISE DUTIES (AMEND-
MENT) ORDINANCE

THE MINISTER OF FINANCE (SHRI
YASHWANTRAO CHAUHAN: Sir, I beg to
lay on the Table a copy of the explanatory
statement (Hindi and English versions)
giving reasons for immediate legislation by
the Stamp and Excise Duties (Amendment)
Ordinance, 1971, as required under rule
71 (1) of the Rules of Procedure and Con-
duct of Business in Lok Sabha.

RE DEVELOPMENT ON INDO-PAK
BORDER AND STATEMENT RE SHOOT-
ING DOWN OF THREE INTRUDING
PAKISTANI SABRES NEAR BOYRA,
NORTH-EAST OF CALCUTTA.

श्री अटल बिहारी वाजपेयी (ग्वालियर) :
अध्यक्ष महोदय, मैं आपकी इजाजत से एक
महत्वपूर्ण विषय की ओर आपका और सदन
का ध्यान खींचना चाहता हूँ। पार्लियामेंट की
बैठक 15 तारीख को आरम्भ हुई। उस दिन
एक काल अटैशन मोशन था। जवाब में सुरक्षा
मंत्री ने सीमा की स्थिति के बारे में एक
वक्तव्य दिया था। आज 23 तारीख हो गई है,
सीमा पर निरन्तर पाकिस्तान की आक्रमणा-

त्मक गतिविधियाँ हो रही हैं। हमारी वायु
सीमा का उल्लंघन किया जा रहा है। कल तो
पाकिस्तान फौज के जहाज 65 मील भारतीय
सीमा में घुस आये और हमारे नेट विमानों ने
उनका पीछा किया। हमारे जवान मारे जा रहे
हैं, निर्दोश नागरिक मौत के घाट उतारे जा
रहे हैं, देश में एक अधोषित युद्ध की स्थिति
विद्यमान है। बड़े ताज्जुब की बात है कि इस
स्थिति के बारे में सदन को विश्वास में नहीं
लिया गया। जो कुछ हमें पता है वह समाचार
पत्रों से। जो बातें समाचार पत्रों को बतलाई
जा सकती है, सुरक्षा मंत्रालय के अधिकारी
समाचार-पत्रों को जो खबरे दे सकते हैं क्या
उनके बारे में इस सदन को विश्वास में नहीं
लिया जा सकता? क्या सदन को अंधेरे से
रख कर लड़ाई लड़ी जा सकती है? मेरा आप से
निवेदन है कि आप मंत्री महोदय को, प्रधान
मंत्री को या सुरक्षा मंत्री को निर्देश दे कि वह
र-य सीमा की ताजा स्थिति के बारे में सदन
को सूचित करें। अगर वह कालअ टेशन मोशन
मानने की स्थिति में नहीं हैं, हमारे टेढ़े मेढ़े
सवाल से बचना चाहते हैं तो वह खुद आकर
वक्तव्य दे सकते हैं, और फिर हम आपकी
इजाजत से स्पष्टीकरण पूछ सकते हैं, लेकिन
सदन के साथ इस तरह का व्यवहार करना न
तो सदन की प्रतिष्ठा को उदाता है और न इस
संकट की स्थिति में देश के मनोबल को बनाये
रखने में सहायक होता है। हमको ससद को
तस्वीर में रखना चाहिये। जो घटनायें हो रही
हैं उनके बारे में हमें मंत्री महोदय से पता
लगना चाहिये न कि समाचार पत्रों से।

SHRI S. M. BANERJEE (Kanpur) : We
tabled a calling-attention motion on this.

**Introduced with the recommendation of the President.

The following Members also recorded their Votes :

AYES : Sarvashri Durgadas Bhatia, K. N. Tewari, Shankerrao Savant, M. C. Daga
and Chakleshwar Singh.

NOES : Sarvashri Baksi Nayak, Sarjoo Pandey, M. K. Krishnan and Bharat Singh
Chowhan.