

MR. DEPUTY-SPEAKER : It is a much broader question.

SHRI SHRI CHAND GOYAL : He has said nothing about the Himachal Pradesh employees.

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL) : Sir, I have not seen a copy of the letter which Shri Madhu Limaye has addressed to the Speaker regarding Samachar Bharati.

SHRI MADHU LIMAYE : And to you.

SHRI I. K. GUJRAL : I said, copy of the letter.

One impression that I would like to remove is that we have never said that we were going to set up some trust or some other authority. We were given some information that some trust was being set up.

We have taken note of the other point that Shri Madhu Limaye has mentioned. The difficulty is, as you know, that news agencies and newspapers are independent in this country.

श्री मधु लिमये : क्या इण्डीपेन्डेंट है ? आप पैसा देते हैं, राज्य सरकारें पैसा देती हैं। मैंने सब चीफ मिनिस्टर्स को लिखा है, आप को लिखा है।

SHRI I. K. GUJRAL : That is right. Our information is that steps in the direction in which Shri Madhu Limaye has indicated, are being taken.

SOME HON. MEMBERS rose—

MR. DEPUTY-SPEAKER : We have finished this. I would request you to cooperate. Otherwise, there is no end to it.

SHRI RAJASEKHARAN : The Deputy Foreign Trade Minister is here. Let him answer my query.

श्री मोलहू प्रसाद : उपाध्यक्ष महोदय,

मेरा व्यवस्था का प्रश्न है। आइटम 38-39 पर विधि मंत्री जो प्रस्ताव पेश करने वाले हैं उस पर कब से चर्चा प्रारम्भ होगी और कितने घंटे चर्चा चलेगी—इस पर आप व्यवस्था दीजिए।

MR. DEPUTY-SPEAKER : I would request you to cooperate. (Interruptions) This way I will not be able to say anything.

श्री मोलहू प्रसाद : तीन महीने से जो प्रश्न चल रहे हैं उन पर तो चर्चा हो रही है। आप व्यवस्था दीजिए कि इस पर कितने बजे चर्चा प्रारम्भ होगी और कितनी देर तक चलेगी।

MR. DEPUTY-SPEAKER : Kindly cooperate with me. If we run the business of the House in a businesslike way, we will be able to reach that.

रेलवे मन्त्रालय में उप-मन्त्री (श्री रोहन लाल चतुर्वेदी) : उपाध्यक्ष महोदय, कटक-परादीप लाइन के बारे में पहले काफी चर्चा हो चुकी है। माननीय सदस्य श्री रवि राय ने जो प्रश्न उठाया कि रेल मन्त्री ने यह आश्वासन दिया था कि सन् 1971 के आखीर तक यह लाइन पूरी हो जायेगी लेकिन बाद में हम लोगों का यह बयान हुआ कि सन् 1972 के आखीर में पूरी होगी तो उसके सम्बन्ध में मुझे यह निवेदन करना है कि यह प्रश्न हम लोगों के सामने इन्फार्मल कन्सल्टेटिव कमेटी में आया और माननीय सदस्यों ने इस पर काफी जोर दिया। इस साल 6 या 7 जनवरी को हमने एक मीटिंग रेल भवन में बुलाई जिसमें दो माननीय सदस्य भी उपस्थित थे—लोक सभा के श्री द्विवेदी जी और राज्य सभा के श्री पात्रा जी। उसमें यह मांग बड़ी जोर की थी और हम भी समझते थे कि यह लाइन जल्दी से जल्दी बननी चाहिए। वहाँ पर इन्जीनियर्स भी थे और यह समझा गया कि किसी भी हालत में, जब तक कि अक्टूबर में बरसात खत्म नहीं होगी, तब तक अर्थ बर्क पूरा नहीं हो पायेगा।

... (अवधान) ... लेकिन मैं इतना आशावादी बन सकता हूँ कि इसके लिए हम जल्दी में जल्दी कोशिश करेंगे आज हम यह नहीं कह सकते हैं कि कौन सी वह एग्जैक्ट डेट होगी परन्तु सन् 72 तक वह जरूर पूरी हो जायेगी।

SHRI RAJASEKHARAN : What about my query ? The Deputy Minister of Foreign Trade is here. Let him answer my question. (Interruptions)

MR. DEPUTY-SPEAKER : Order, please. As I said in the very beginning, so many issues have been raised relating to so many Ministries. Some Ministers may be in a position to reply and others may not be in a position to reply. But all the points that have been raised will be duly noted and the Government should take action. I would request Shri Bal Raj Madhok also to cooperate with me. I called his name but he was not present. Now, we have finished this. If I go back, there will be no end to it.

SHRI BAL RAJ MADHOK : If you had gone to another item, I would not have insisted. But you are still on it... (Interruption)

MR. DEPUTY-SPEAKER : I have allowed all Members to make their submissions. That stage is over now. Now, we go on to the next item.

15.25 hrs.

CENTRAL SALES TAX (AMENDMENT) BILL*

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI P. C. SETHI) : I beg to move for leave to introduce a Bill further to amend the Central Sales Tax Act, 1956.

MR. DEPUTY-SPEAKER : Motion moved :

"That leave be granted to introduce a Bill further to amend the Central Sales Tax Act, 1956."

SHRI SHRI CHAND GOYAL (Chandigarh) : Sir, I will oppose this Bill on four constitutional and legal infirmities.

(1) You will be pleased to know that Clause 14 of the Bill says that this will also be extended to the Districts of Kohima and Mokokchung. I have gone through the provisions of the original Central Sales Tax Act of 1956, and sub-section 2 of the Act says that it extends to the whole of India. I have studied the amendment upto date. In fact there used to be one saving clause that it does not apply to the State of Jammu and Kashmir. But even those words were excluded and deleted in the year 1958 and since then the entire Act has been extended to the whole of India. But this provision that it will also be extended to the districts of Kohima and Mokokchung indicates as if these two districts have been out of the purview of this Act and as if these two new districts have been added to the territory of India. I think this is a legal infirmity for which absolutely there is no justification.

(2) In clause 3 have inserted a new section, Section 6A which throws the burden of proof on the dealer in the case of transfer of goods otherwise than by way of sale. In this respect I wish to submit that the Central Sales Tax or any sales tax is leviable only on the sales. Supposing a dealer transfers his goods from one State to another under a contract of agency or from a principal to his agent or from an agent to his principal, then those transfers cannot be subjected to the levy of sales tax. The Central Sales Tax has adopted the definition of sale from the Sale of Goods Act which says that a sale is a transfer of goods for consideration whether in cash or for deferred payment. My respectful submission in this behalf will be that only sales can be subjected to the levy of sales tax and no other transfer. This new provision is throwing the burden of proof on the dealer. Supposing goods are transferred from one State to another, then the burden is thrown on him to prove that these goods have been transferred not by way of sale but by another mode of transfer. This goes contrary to the provisions of the Indian Evidence Act.

MR. DEPUTY-SPEAKER : Now you are going into the merits of the Bill. You are only to oppose the introduction of the Bill.

SHRI SHRI CHAND GOYAL : I am dealing only with the legal points. I am not going into the merits of the Bill.

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