

agreements made with certain State Governments—Bombay, Madras and so on—in regard to the imposition of a Sales Tax and not excise duty—on tobacco be abrogated as a result of these recommendations that they have made in regard to the sharing of the excise duty. Now, the amounts that will be allocated to the State as a result of this allocation would be considerably larger than what we are paying them as a matter of compensation, but it should be remembered that it was compensation for not exercising a right which the Constitution has already vested in these Governments, and therefore, I think it is only logical that we should now restore to them the freedom that they had before these agreements were made. In any case, we have no constitutional method by which we can ask them to continue to forego a certain source of revenue. Therefore, it is really a consequential step that we are taking as a result of the allocation of excise duties, and I am afraid that the only remedy is a sense of moderation on the part of the State Government concerned.

**Shri Nambiar:** Can I expect that there will be at least a recommendation or an advice given to the Madras Government in this respect? I have received two or three telegrams from Sriakulam tobacco growers and Trichinopoly and other areas. The tobacco dealers as well as growers are agitating in the matter and we are getting so much representation. Will the Central Government at least advise the Madras Government in this respect to practise moderation?

**Shri G. H. Deshpande (Nasik—Central):** Are we discussing Madras or Pepsu?

**Shri Nambiar:** Pepsu, Sir.

**Mr. Deputy-Speaker:** All that the hon. Member means is that whereas in Pepsu there is no legislature, Madras has a legislature. In Madras there are as capable hon. Members in the Assembly as there are Members in the Parliament here, and therefore, they are expected to take charge and even see that no sales tax is imposed on tobacco. Under these circumstances, enough has been said on the floor of this House. All sections in India are watching these proceedings. How can any advice be given. The hon. Member will consider this leisurely. It will be resented by the various local Legislatures and Governments.

The question is:

“That the Bill to authorise payment and appropriation of a certain further sum from and out of the

17 P.S.D.

Consolidated Fund of India for the service of the financial year 1952-53, be taken into consideration..”

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Enacting Formula were added to the Bill.

**Shri C. D. Deshmukh:** I beg to move:

“That the Bill be passed.”

**Mr. Deputy-Speaker:** The question is:

“That the Bill be passed.”

The motion was adopted.

#### ADMINISTRATION OF EVACUEE PROPERTY (AMENDMENT) BILL

**The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle):** I beg to move:

“That the following amendment made by the Council of States in the Bill further to amend the Administration of Evacuee Property Act, 1950, be taken into consideration:

“That in clause 13, in the proposed section 40, in sub-clause (1) of clause (c) of sub-section (2) for the words “three thousand” the words “five thousand” shall be substituted.”

When this Bill was first introduced, it was the intention of the Government to keep this amount, as it was originally, at Rs. 5,000. Subsequently, when the Bill went before the Select Committee, they decided that the amount should be reduced to Rs. 3,000, and the House passed the Bill accordingly. Subsequently, when the Bill went up to the Upper House, and an amendment was moved whereby it was suggested that the amount be increased to Rs. 5,000 from Rs. 3,000, the hon. Minister of Rehabilitation accepted that amendment. Now that amendment has come down to this House for passing. I hope the House will pass it.

**Mr. Deputy-Speaker:** The question is:

“That the following amendment made by the Council of States in the Bill further to amend the Administration of Evacuee Property Act, 1950, be taken into consideration:

“That in clause 13, in the proposed section 40, in sub-clause

(1) of clause (c) of sub-section (2) for the words "three thousand" the words "five thousand" shall be substituted."

The motion was adopted.

**Shri J. K. Bhonsle:** I beg to move:

"That the amendment made by the Council of States in the Bill be agreed to."

**Mr. Deputy-Speaker:** Motion moved:

"That the amendment made by the Council of States in the Bill be agreed to."

**Shri N. Sreekantan Nair** (Quilon *cum* Mavelikkara): On a point of order, Sir. When the House is so very thin, on a very important question which involves some constitutional questions, regarding the rights of the Upper House and those of the Lower House, I do not think it will be correct to push through the proceedings at this rate.

**Mr. Deputy-Speaker:** There is no point of order in this, nor any constitutional issue involved.

**Pandit Thakur Das Bhargava** (Gurgaon): With your permission, Sir, I would support the hon. gentleman who has just spoken. This is a question of very great importance. There was a Bill produced before this House, and then the matter was referred to the Select Committee. In the Select Committee, there was practically a compromise between opposing views, and we accepted that Rs. 3,000 should be the amount. And this House passed that measure and fixed that amount. In the Council of States, instead of the figure 3,000, the figure of 5,000 has been substituted, now. I would respectfully beg of you to place this before the House when the Members are present in

greater numbers. Just now, when there is hardly a quorum, I would beg of you not to place it before this House. It is a very important question which raises many issues.

So far as this aspect of the case is concerned, we have to see what the policy of Pakistan is. The reasons which we have already advanced in this House when we accepted the figure of 3,000 are all very relevant. I would therefore beg of you to kindly postpone this measure at this stage and take it up when there is bigger attendance in the House.

**Mr. Deputy-Speaker:** I am afraid both of the hon. Members are a little too late. The motion for consideration has been carried already.

**Pandit Thakur Das Bhargava:** Though the motion for consideration has been carried, this is also the proper time for raising this point. We do not want that it may be postponed indefinitely. It may be taken up on the next day, and if necessary even tomorrow.

**Mr. Deputy-Speaker:** I am informed that as early as 2nd March, the amendment by the Council of States was circulated to hon. Members. It is a matter that was agreed to. I am afraid I will have to put the motion to the House. The question is:

"That the amendment made by the Council of States in the Bill be agreed to."

The motion was adopted.

**Mr. Deputy-Speaker:** The House will now stand adjourned and meet again at 2 P.M. tomorrow.

*The House then adjourned till Two of the Clock on Friday, the 27th March, 1953.*