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Mr. M. R. Masani's speech during the consideration of the Taxation Laws (Amendment) Bill in the Lok Sabha on August 11, 1960, in so far as it relates to the development rebate on road transport vehicles.

Mr. M. R. Masani: Sir, Professor Harold Laski once raised a furore by alleging that the British people had a very strange sense of sportsmanship. When they lost a game that was played according to the rules, they changed the rules of the game! The present Congress Government is an expert in that kind of sportsmanship because they introduce a Bill, they get Parliament to pass a law in language which they frame, and when they find that the Courts, in the pursuit of their duties, and quite rightly, interpret the law and their motives are thwarted, their unfortunate rapacious intentions are frustrated, then they come before the House and say: "Let us change the rules of the game". This is one of the numerous series of instances where a complete lack of respect for the rule of law and the judiciary is being shown by the Government in office.

It is a thoroughly pernicious amendment that the Government are moving both in principle and in point of merit. It is not only the Courts that this amendment seeks to flout. Shri Mahavir Tyagi has already expressed his distress at the manner in which the Report of his Committee has been mutilated by the Government. I was the Chairman of another Committee that the Government appointed a couple of years ago. I felt honoured when the invitation to serve as Chairman of the Road Transport Reorganisation Committee was extended to me and I willingly accepted it. That Committee worked for a whole year. I had two colleagues from this House, Shri Mathur, who has spoken in the course of the debate and to whom the Minister has given a most unconvincing answer, and Shri C. Pattabhiraman, as well as a Congress Member from the Rajya Sabha. There were two Congress M.L.A.s, there was a member of the Indian Civil Service and the Road Transport Controller of a major State among its members. The Committee was unanimous in its report, and among its conclusions was the paragraph on Development Rebate which Shri Mathur has already read before the House. So I will not read it again.

When that Report came before this House, the then Minister of Transport welcomed the entire Report without any reservations. The whole House unanimously endorsed the Report and, of course, in consonance with the high traditions of parliamentary democracy which the present Government are practising, they bring in a clause to do exactly the reverse of what the Road Transport Reorganisation Committee had unanimously recommended. This is their concept of Government by discussion. I wonder why we wasted a whole year going round the country, listening to every possible point of view and coming to conclusions if, after the Government and the House accept the Report, the Government flouts the Report and does exactly the reverse of what the Committee had recommended.

I will not go into the merits again because Shri Morarka and Shri Mathur have made an unanswerable case. May I point out that ships also move, since the hon. Minister talks of installations. Well, a ship is no more an installation than a motor lorry; it is exactly on all fours. It is one form of transport and this is another form of transport. And yet the Government found it possible to swallow a ship moving around an ocean as an installation, when it finds it difficult to swallow a truck or a motor car.

One can only guess why this kind of attitude is shown. I agree with Shri Mathur when he says that he wonders what the Ministry of Transport has been doing about this.

The Minister did not answer Shri Mathur's question whether the Ministry of Transport was consulted about this very relevant amendment concerning them and, if so, what their

reply was. I would like to remind him to answer that question when he answers this discussion. But, whatever the answer may be, the fact remains that the Ministry of Transport has signally failed to do its duty by the interests which it is supposed to guard. And that is for the good reason that the Ministry of Transport now, as ever, is thoroughly impotent when it comes to standing up against the biggest lobby in this country, the most powerful lobby in this country, and that is the Railway Board.

The Railway Board is able to influence Government in the Finance Ministry on every occasion when its own monopoly of transport is threatened, and by every means, fair and foul, the Railway Board seeks to throttle the development of road transport in this country. This has been proved over and over again. The unanimous decisions of this House are flouted because the Railway Board has a monopoly in the railways and it does not want fair competition, of which it is afraid, because it is the least efficient form of transport available in this country. We want fair competition. We do not want a monopoly to throttle fair competition which is in the interests of the country.

The Third Five Year Plan sheds crocodile tears about the development of road transport. It says on page 249:

"Expansion of commercial road transport in the Third Plan will depend largely on the manufacturing capacity of the automobile industry in the country."

It will do nothing of the kind, Sir. The expansion of road transport during the Third Plan will depend on how successfully the railway monopoly is allowed or permitted, with the full force of Government behind it, to obstruct or not to obstruct the development of road transport. That is the real issue before the country.

While people talk of giving private enterprise a fair deal, ^{while} ~~when~~ we talk of a mixed economy and private enterprise and public enterprise working side by side, this is a very good illustration of the cut-throat competition in which the railways indulge when there is competition from any other side. If there is one monopoly in this country that needs to be checked, if there is one concentration of power in this country that is pernicious and anti-social which is affecting adversely the development of the country, it is the railway monopoly of the Indian Government. And it shows that when the interests of the people and the interests of the State clash, no justice can be expected by the people of this country. I oppose most vigorously this pernicious clause which is sought to be introduced by this Bill.

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