

LOK SABHA DEBATES

(Sixth Session)



सत्यमेव जयते

(Vol. XXII contains Nos. 1—10)

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Tuesday, 18th November, 1958

The Lok Sabha met at Eleven of the Clock.

[Mr. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Use of Penicillin

- *33. { Shri J. B. S. Bist:
Shrimati Parvathi Krishnan:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Panigrahi:

Will the Minister of Health be pleased to state:

(a) whether Government's attention has been drawn to the news item in the Hindustan Times dated the 22nd September, 1958 regarding the large number of cases where administration of penicillin has adversely affected the condition of patients;

(b) whether these reactions are due to spurious nature of the drug administered or the patients were allergic to the medicine; and

(c) whether Government propose to undertake measures to check unrestricted use of penicillin?

The Minister of Health (Shri Karmarkar): (a) Yes.

(b) From the report received from the authorities in the Uttar Pradesh State the reactions to penicillin administration were the result of allergic manifestations exhibited by the patients.

(c) Yes. Steps have been taken to amend the Drugs Rules so as to lay down that Penicillin shall be sold only against a prescription from a register-

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ed medical practitioner. Steps have also been taken to check the unrestricted use of penicillin.

Shri J. B. S. Bist: May I know what measures have been taken by the Government to ensure that spurious penicillin does not find its way into the market?

Mr Speaker: Are any steps being taken to avoid spurious penicillin?

Shri Karmarkar: Just as we come across other spurious drugs, we have not come across spurious penicillin. We have not received any complaints about spurious penicillin.

Shri Subodh Hansda: May I know whether the penicillin produced in our country has produced adverse effects on the patients?

Shri Karmarkar: I am not sure whether this penicillin was produced in our country. As I said, whether it produces any adverse effect depends on the allergic condition of the patients. We have not come across complaints saying that penicillin produced in the country as such has produced adverse results.

Shri S. C. Samanta: May I know how many cases have been reported from States other than U.P.?

Shri Karmarkar: Some cases in Kanpur were brought to our attention recently. I am not able to say off-hand how many such cases have occurred in the country as a whole.

Shrimati Parvathi Krishnan: The World Health Organisation have reported on this matter and they have also suggested measures to be taken to check the unrestricted use of penicillin and measures to ensure that doctors do have other drugs available to combat serious action. May I know what steps Government have in that regard?

Shri Karmarkar: The best safeguard is to exercise discretion with regard to the use of penicillin. Where it is not called for, it should not be used. It was found that some medical practitioners used penicillin where it was not necessary, regardless of the allergic reaction of the patients. So, the best precaution that we could take was to lay down that penicillin shall be sold only against a prescription from a registered medical practitioner. But it is possible that sometimes that discretion is abused.

Shri Subodh Hansda: Where the patients are allergic to penicillin, may I know what steps Government propose to take to replace the use of penicillin?

Shri Karmarkar: We are not proposing to replace penicillin. Penicillin should be used where it is called for; it should not be used where it is not called for.

Shri Hem Barua: May I know if the provisions of the Indian Pharmacy Act, 1948 for the establishment of Pharmacy Councils in different States in order to exercise effective checks on spurious and sub-standard drugs and medicines have been given effect to, if so in what States and with what results?

Shri Karmarkar: I require separate notice.

Shri V. P. Nayar: The hon. Minister referred to the allergic reactions on the administration of penicillin. May I know whether it has been studied whether such allergic reactions result from penicillin or drugs used in combination with penicillin such as procain?

Shri Karmarkar: Studies are being made in regard to the allergic reactions. I would like to have notice.

Shrimati Parvathi Krishnan: May I know whether the doctors are being asked to keep a register of the penicillin that they are using, as is done in the case of poisonous drugs, in order to ensure that this penicillin does not reach quacks?

Shri Karmarkar: We shall forward that suggestion.

Shri Dasappa: The hon. Minister was pleased to say that penicillin may adversely affect certain people who are allergic to it. May I know what steps are being taken to find out whether the patients are allergic or not before it is administered?

Shri Karmarkar: Allergy is a personal factor and it cannot be foreseen. When a doctor treats a patient, he should exercise great caution and use penicillin only when necessary. He should go into the previous history of the patient's illness and if he knows that the patient has been allergic once, he should not administer it again.

Slaughter House in Delhi

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*34. { **Shri D. C. Sharma:**
Shri Madhusudan Rao:

Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 676 on the 28th August, 1958 and state the progress made with regard to the proposal for relocating the present slaughter-house in Delhi?

The Minister of Health (Shri Karmarkar): The proposal relating to the re-location of the slaughter house has been examined in great details by the departments of the Delhi Corporation and connected problems relating to drainage, water supply etc. have been fully examined. The Delhi Corporation also reports that a reconnaissance survey of the area is under progress and the estimated cost involved in acquiring the land is being worked out. Simultaneously, drawings regarding the slaughter house and lay-out plans of the residential colony are also being worked out by the officers of the Corporation. The Corporation expects that the necessary preliminaries would be completed within the next few months.

Shri D. C. Sharma: May I know whether any site has been fixed upon the location of the slaughter-house?

Shri Karmarkar: Yes, Sir; the site that has been recommended by the Town Planning Organisation is situated in the Jwalahari village between the railway line and Rohtak Road, between the sixth and seventh mile.

Shri D. C. Sharma: May I know whether this site is such as not to cause any kind of hardship to the people living in the neighbouring areas?

Shri Karmarkar: No, Sir; the Town Planning Organisation have taken everything into consideration and they have arrived at the conclusion that that is the best possible site.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि ज्वालाहेड़ी गांव में स्लाटर-हाउस ले जाने की जो योजना है, क्या उस वे: अन्तर्गत चमड़े का कारखाना भी बहा ले जाने की व्यवस्था है ?

श्री कर्मकर : जी हाँ, वह भी कर रहे हैं ।

Damage to Crops by Heavy Rains

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*25. { **Shri Ram Krishan:**
Shrimati Ha Palchoudhuri:
Shri Raghunath Singh:
Shri Hem Raj:
Shri Rajendra Singh:
Shri D. C. Sharma:
Dr. Ram Subhag Singh:
Shri Ajit Singh Sarhadi:
Shri Pangarkar:
Shri Prakash Vir Shastri:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that heavy and incessant rains in various parts of India during September, 1958 have caused considerable damage to standing crops and delayed the sowing of the rabi crops to a large extent;

(b) if so, the nature of the damage done and the areas affected (State-wise);

(c) the assistance given by the Central Government to each State; and

(d) how far the rains have affected the food situation in the country?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) and (b). According to information so far received there has been some damage to standing crops in the States of Madhya Pradesh, Punjab, Bombay and Rajasthan. Information about the extent of damage and areas affected is not available. The Rabi sowing is reported to have been delayed in Bihar, West Bengal, Mysore, Bombay, Punjab and Uttar Pradesh.

(c) Central assistance for expenditure on gratuitous relief is admissible to State Governments according to the policy laid down in this respect. No requests from the States have yet been received.

(d) It is not possible to estimate at this stage the effect of the heavy rains in September in certain areas on the food situation.

I would like to add that according to the latest indications the rice crop all over India, which forms nearly 40 per cent of our total production of cereals, is very good. In fact, we have received reports from some of the States that they expect bumper crops of rice. Due to stagnation of water in Punjab, Bihar, some parts of Uttar Pradesh and Rajasthan the standing millet crop has been somewhat affected. It is too early to say about the coming rabi crops. But very extensive areas have been sown and because of the heavy rains there has been sprouting of seeds also. That is the position.

Shri Ram Krishan: May I know whether it is a fact that a large portion of the flood affected area has become unfit for sowing rabi crops?

The Minister of Food and Agriculture (Shri A. P. Jain): Very little area has become unfit. In fact, I have toured quite extensively and found that rabi sowing has been extensively done and sprouting is very good.

Dr. Ram Subhag Singh: May I know the quantity of wheat and other seeds supplied to the growers in the affected areas?

Shri A. P. Jain: That is done by the State Governments. We do not have the figures about it. But I understand that large quantities of seeds have been distributed this year among the farmers.

Shri Viswanatha Reddy: May I know whether there have been reports, particularly from the Andhra State, about the washing away of minor irrigation sources? May I also know whether the Andhra State has been requesting the Centre to give assistance to restore these minor irrigation sources? If so, what action has been taken by the Government of India?

Shri A. P. Jain: The concerned Minister of Andhra saw me about an hour ago and he gave me papers. He is going to meet the Finance Minister also and we are looking into the matter.

Dr. Ram Subhag Singh: May I know whether any assistance has been rendered to the rabi growers under the recently launched rabi campaign, because the hon. Minister just now said that rabi sowing has been delayed to some extent?

Shri A. P. Jain: Yes. All over the area where rabi campaign has been taken in, improved seeds were reached; fertilisers and insecticides were also reached. There the teams assist the farmers in doing better sowing.

श्री रघुनाथ सिंह : यू० पी० में इस बार बीज की इनकी आवश्यकता थी कि बहुत से खेतों में खेती ही नहीं हो सकी । मैं जानना चाहता हूँ कि उसके बारे में क्या किया गया है ?

श्री ए० प्र० जैन : हमारी खबर तो यह है कि उत्तर प्रदेश ने करीब करीब किसानों की बीज की जरूरत जो थी उसको पूरा कर दिया है । केन्द्रीय सरकार से उन्होंने ऐसा कहा था कि पांच लाख मन बीज पंजाब से उनको दिला दिया जाये । वह पांच लाख मन उनको दिला दिया गया था ।

Shri Panigrahi: The hon. Minister said that States have reported bumper crops of rice. May I know which of the States have reported bumper crops? Have they reported any estimated surpluses?

Shri M. V. Krishnappa: The hon. Member's State of Orissa has reported that they expect a bumper crop, provided the cyclone which they generally expect in the end of November or first week of December does not cause any damage this year

Shri V. C. Shukla: Are Government aware that in large parts of Madhya Pradesh the rabi crop will be poor because of the absence or high price of wheat prevailing there?

Shri A. P. Jain: I made enquiries from the Chief Minister of Madhya Pradesh and he told me that seed has been reached practically all over the State. It is likely that there is an odd place here or there where the seed has not reached. But, on the whole it has reached all the places.

Sardar Hukam Singh: Is it a fact that in Punjab extensive sowing of rabi has been done only in areas which have not been affected by floods during the past few years and it has not been sown in areas which have been repeatedly visited by floods during the last five years?

Shri A. P. Jain: I have already said that there are certain areas which are water-logged. But my information is that a larger area has been brought under rabi crops this year than in the previous few years.

Shri Goray: What will be the total acreage affected by the rabi drive and what is the target fixed for crop production.

Shri A. P. Jain: We have not received reports from all places. But I can give the hon. Member information about one State which will give him some idea.

Mr. Speaker: The hon. Member there.

Shri A. P. Jain: If the House desires, I will give that information.

Mr. Speaker: I thought he has concluded.

Shri Nath Pal: He has just begun.

Shri A. P. Jain: In Mysore out of the 13 lakhs acres originally selected operations have been done over 10 lakhs of acres.

Shri Raghunir Sahai: Has it not come to the notice of the hon. Minister that in the flood affected areas of western U.P. seed was not made available in adequate quantities and that whatever seed was imported from Punjab arrived very late. Will the Minister ensure that land will not be left without rabi sowing?

Shri A. P. Jain: I have made personal enquiries and I am also doing a little bit of sowing.

Shri V. P. Nayar: How much?

Shri A. P. Jain: Large quantities of seed were made available. I have not received any complaint that seed has not reached the rural areas. On the other hand, the complaint is that some of the farmers have taken large quantities of seed, which is being supplied at a cheaper rate, and have sold it in the market for eating purposes.

श्री रा० के० वर्मा: धनी माननीय मंत्री जी ने बताया कि बीज वितरित किया गया है। मैं जानना चाहता हूँ कि क्या यह जानने की कोशिश की गई है कि जो बीज

वितरित किया गया वह कागजों पर ही वितरित किया गया है या कि किसानों के हाथों में भी वह पहुँचा है ?

श्री अ० प्र० जैन : जो असली बीज था वह तो रेल के जरिये ही वहाँ पहुँचाया गया है। उन्होंने ही उसको बाटा है। कागजों पर हो तो मैं नहीं जानता। मैं तो यही जानता हूँ कि असल में उसको बाटा गया है।

Pandit D. N. Tiwary: Is the Minister aware of the fact that rabi has not been sown in many of the areas in Bihar because good seed is not supplied in adequate quantities?

Shri A. P. Jain: Well, Bihar wanted us to supply them 25,000 maunds of seeds from Punjab. We have supplied them that quantity and there has been no complaint from Bihar.

Shri Viswanatha Reddy: It is a generally understood principle that gratuitous relief will be given by the Centre to the extent of 50 per cent, subject to a ceiling of Rs. 2 crores, to the States in the event of natural calamities. But it has been the experience of many State Governments, and particularly the Andhra State that this gratuitous relief is never given by the Central Government to the full; that is to say, even the 50 per cent is not given. For instance, last year there was some natural calamity in Andhra State and the State Government has incurred heavy expenditure. But proportionate relief has not been given to the State Government so far.

Shri A. P. Jain: 50 per cent reimbursement of the expenditure is made by the Centre. There are rules to the effect that the State Government can take immediate operations even without reference to the Centre and 50 per cent of the expenditure will be reimbursed by the Centre. Of course, there has been some modification in the rules on account of the creation of a Special Fund in the States.

Specialists in Construction Work

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 *37. { Shri Subodh Hansda:
 Shri S. C. Samanta:
 Shri R. C. Majhi:
 Shri Panigrahi:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether there is any proposal to maintain a panel of specialists in construction work;

(b) if so, whether such a list has been prepared; and

(c) whether this list will include the names of the specialists in construction work from private firms?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes. There is a proposal to prepare a panel of consultants.

(b) and (c). The proposal is still under consideration.

Shri Subodh Hansda: May I know the procedure adopted in preparing the panel of specialists?

Shri Hathi: The procedure would be to have a list of the specialists in the construction of irrigation and power projects throughout the country.

Shri Subodh Hansda: May I know whether Government have any plan to utilise the services of experienced retired personnel of our country?

Shri Hathi: Experienced retired officers also will be on this panel.

Shri S. C. Samanta: Is it a fact that CWPC is running a training institution to impart education to engineers in design and construction and whether these people will be enlisted as specialists?

Shri Hathi: These people may not be enlisted as specialists because they are trainees or fresh graduates. What is contemplated is to have a panel of experienced consultants.

Shri Panigrahi: May I know whether this panel will be prepared with the advice of different State Governments or will the Government of India, with the help of the Irrigation and Power Commission, select persons on this panel?

Shri Hathi: It will be in consultation with the State Governments.

Shri R. C. Majhi: Will the list be maintained by the States also?

Shri Hathi: The list will be maintained by the Central Water and Power Commission.

Shrimati Renu Chakravarty: Is there any plan in West Bengal to cover the area with a large number of kucha irrigation wells and if so, is there anything... (laughter).

Shri Hathi: We are talking of a panel of consultants. There is no question of kucha wells here.

Shrimati Renu Chakravarty: I am sorry I was wondering what was happening.

Mr. Speaker: The hon. Member referred to some other question.

Shri Mohammed Imam: Are any special qualifications prescribed to term a person as a specialist? What are the special qualifications?

Shri Hathi: There are no special qualifications prescribed. It will be a panel of experts and consultants in different branches of irrigation and power. No specific qualifications will be prescribed.

"Kacha" Irrigation Wells in West Bengal

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 *38. { Shri S. C. Samanta:
 Shri Subodh Hansda:

Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 2567 on the 23rd September, 1956 and state:

(a) whether the West Bengal Government has completed its investigation on the utility of the large sized

"Kacha" irrigation wells; and

(b) if so, the details thereof?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) and (b) The investigation on the utility of the large sized "kucha" irrigation wells undertaken by the Government of West Bengal is not yet complete. They have carried out some preliminary observations on one completed well that was in an advanced stage of construction. Results indicate that under the most favourable conditions the percolation co-efficient of the sub-soil strata did not exceed .25 in the month of June and .05 in the months of April and May, when the well could discharge only about 500 gallons per hour at a draw-down of 15 ft. Government of West Bengal have been advised to carry out a second set of observations on the two wells that are now in advance stage of completion. They have not so far been able to carry out these tests due to the flooded conditions in the River Kasai and difficulties in transport of the equipment etc.

Shri S. C. Samanta: May I know whether side by side the West Bengal Government have recommended that tanks will be excavated where kucha irrigation wells will not be possible?

Shri M. V. Krishnappa: They have taken only two wells. They reported on the first observation that they made. Then we told them to make a second observation and they said that due to the area being flooded the condition of the locality was such that they could not take equipment and other things. That is all that they have written. They have not stated that they will dig additional wells or small wells.

Shri S. C. Samanta: May I know the result of the pilot scheme of kucha irrigation wells in other parts of the country?

Shri M. V. Krishnappa: One will be dug in Delhi State with a cost of Rs 40,000. A site has been acquired

and the plans are going ahead. The work will start very soon.

Shrimati Renu Chakravarty: What is the expenditure involved in the actual experiment being carried out in West Bengal?

Shri M. V. Krishnappa: It costs generally up to Rs 40,000. I do not know exactly what amount they have spent for these wells. They were excavated during the famine days four or five years ago when there was scarcity under relief works. Shri Iengar, who was the Collector of Bagdogra, instead of spending gratuitous relief asked these people to dig these wells under relief works. So, there was no account kept of these.

Shri N. R. Munisamy: May I know the opinion of the techno-experts given in this regard? What is the result about the kucha irrigation wells sunh near about Delhi?

Shri M. V. Krishnappa: Both our irrigation experts and the Planning Commission feel that this is an uneconomic proposition. There is the structural difficulty. It does not give much water and it is uneconomic. There is always a complaint. There is some professional prejudice or something of that sort. So, we thought to get it examined by others also and that is why it is being done.

Shri Venkatasubbaiah: What is the probable extent of irrigation under this kucha well?

Shri M. V. Krishnappa: It differs from place to place according to the sub-soil water supply. Generally, it will irrigate four to five or six acres.

Shri Jaipal Singh: If further experiments of the Government of West Bengal fail, may I know whether the Government will consider the advisability of assigning the Kasai area to the State of Bihar so that better experiments might be carried out by the Government of Bihar?

Shri M. V. Krishnappa: In fact, we have written to the Government of Bihar and to all the State Governments. The Government of Bihar are also of the same opinion as the Planning Commission and our irrigation experts.

Shri Goray: May I know the dimensions of the kucha wells which cost Rs. 40,000?

Shri M. V. Krishnappa: This is a sort of a conical well with 150 to 250 feet in diameter, sinking down to 50 to 60 feet. It is a sort of a big well which sometimes consumes one acre of space. If a well alone can consume one acre of land in this country....

Shri Goray: Why don't you call it a pond?

Mr. Speaker: It can be called by different names. Next Question.

Medical Students

*39. **Shri Harish Chandra Mathur:** Will the Minister of Health be pleased to state:

(a) the total number of students receiving education in India for degree in Medicine and Surgery;

(b) the number of these students who are in receipt of scholarships or any other financial assistance from Government; and

(c) the average expenses of a student per month?

The Minister of Health (Shri Karmarkar): (a) to (c). The information is being collected and will be laid on the Table of the Sabha in due course.

Shri T. B. Vittal Rao: We could not hear the answer.

Mr. Speaker: Because hon. Members are talking aloud. The pond is over. Next Question.

Shri Harish Chandra Mathur: I said No. 39.

Shri Karmarkar: I said (a) to (c). The information is being collected and will be laid on the Table of the Sabha in due course.

Mr. Speaker: Information is being collected. What does he want? Next question.

Shri Assar rose—

Shri Harish Chandra Mathur: May I ask a question?

Mr. Speaker: Shri Assar:

Shri Assar: May I know whether Government is aware that in many of the medical colleges black money is accepted as guarantee for admission and if so, how does Government hope to check this mal-practice?

Mr. Speaker: The hon. Member says that so much money, about Rs. 5,000, is accepted for admission into the medical colleges. In some colleges it appears that as much as Rs. 5,000 have been collected for admission. Is the Government taking steps to see that it is not collected? What is the attitude of the Government?

Shri Karmarkar: Government are taking steps to encourage such institutions because they are doing useful service by way of supplementation. The amount of money that we are giving as a subsidy for training schools in our colleges, these institutions are charging to make the institution self-sufficient. One of the institutions that has come up first in this line is one of the most efficient institutions known in our country.

Shri Harish Chandra Mathur: What is the position of the schemes regarding the expansion of training particularly in Delhi and Rajasthan?

Shri Karmarkar: All feasible schemes are considered but at the present moment we have already allotted all the amount that was available for helping such colleges during the Second Five-Year Plan.

Shri Jaipal Singh: In the information that is being collected may we have a break-up of the scholarships that are being awarded to the general students, the scheduled castes and the scheduled tribes?

Shri Karmarkar: About the scheduled castes and scheduled tribes I should like to have notice.

Shri Jai Pal Singh: In the information that the hon. Minister has promised, I hope he will be able to give us a break up.

Shri Karmarkar: We will ask for that information also.

Shri Anwar Harvani: Is there a proposal to have a medical college at Aligarh and if so, at what stage it is?

Shri Karmarkar: I have no information.

Shri Radha Raman: May I know if the Government are aware that a very large number of students wishing to take medical science as a subject are not able to get admission, and if so, whether any arrangements are being considered to make the seats available for them in the various institutions?

Shri Karmarkar: We have ourselves encouraged a scheme for upgrading the number of seats in colleges. For instance, colleges which are admitting 50 students if they were to admit more, we have tried to subsidise them.

Regarding the general position of admissions in medical colleges, it is a fact that more people want to join the medical colleges, but so far as we are concerned our financial resources are limited. If good private efforts come up, then we encourage them with moral support.

Shri Harish Chandra Mathur: Do I understand from the hon. Minister's reply that during the Second Plan, in Delhi as well as in Rajasthan, the two Medical colleges are not likely to be taken up?

Shri Karmarkar: I do not think that there is any outstanding promise so far as Delhi is concerned. Regarding Rajasthan, I think the State Government—I am not quite sure—was not able to arrive at the suitable site. There was competition between one place and another and they were not able to make it up. If they had come in time, they would have got it.

Shri Tangamani: What are the

scholarships offered to medical students in addition to the scholarships which are given to the Scheduled Castes and Scheduled Tribes and other backward classes? May I know whether there is any scholarship on the basis of merit?

Shri Karmarkar: I should require notice regarding a precise answer to that question.

Shri Harish Chandra Mathur: In view of the fact that at least a student in the Medical college costs about Rs. 150 per month and in addition to that, the hon. Minister says that he encourages the donation of Rs. 5000, may I know, in such circumstances what steps are being taken to make this education available for people whose parents are not earning Rs. 10,000?

Shri Karmarkar: The problem which my hon. friend has raised in this question is beyond us. Because, we had set aside about Rs. 6.5 crores for help in starting new colleges and upgrading the number of students in other colleges. As I said, we have already allotted that amount. A college came in Manipal, I think, where in addition to the fees they also ask for a donation from the students concerned. I am told that the demand is so great that already seats have been booked in advance till 1963. We went into the matter. The Medical Council visited that place recently and the Head of the University Grants Commission also visited it.

They have found the tuition to be absolutely satisfactory. In these circumstances, I do not see any reason for complaint about an institution which makes education available at its cost price, not a subsidised price.

Mr. Speaker: Next question.

Shri Harish Chandra Mathur: May I know, Sir,....

Mr. Speaker: The hon. Member wanted to put one question. I have allowed it.

Shri Narayanankutty Menon: I have a very important question. The position is extremely difficult.

Mr. Speaker: I have allowed a number of questions, eight or nine. Next question.

Shri Narayanankutty Menon: I want to ask about payment of scholarships.

Mr. Speaker: Hon Members will try to raise a discussion if I permit it.

Shri Harish Chandra Mathur: Out of the answer

Mr Speaker: I am not going to allow. I have shown extreme indulgence in putting questions. He cannot monopolise the whole hour for himself. I have allowed four questions. The last time, he wanted to put the last question. I do not know what is meant by last. Next question.

Murder in R.M.S Van

*40. **Shri S. M. Banerjee:** Will the Minister of Transport and Communications be pleased to refer to the reply given to starred Question No. 293 on the 20th August, 1958 regarding murder of three postal employees in the RMS Van of a moving train and state:

(a) what further progress has been made in this direction; and

(b) whether full compensation has been paid to the families of the employees murdered?

The Minister of Transport and Communications (Shri S. K. Patil): (a) A prosecution has been launched and the case is now pending before the Court.

(b) Gratuity and/or compensations as admissible under the law or rules have been paid except that the question of compensation under the Workmen's Compensation Act, 1923 to Shri B. Singh, Mail Guard is still under examination.

Shri S. M. Banerjee: May I know whether the family members of this particular person whom the hon. Minister has mentioned has been

denied this compensation only because he was an employee, but he was not on duty at that time? If that is so, what steps are being taken to include this case also in the matter of compensation?

Shri S. K. Patil: There have been some rules about payment of this compensation. The note here says that it was not admissible as he entered service after 1st April, 1947. He is entitled to compensation under the Workmen's Compensation Act, which is under consideration.

Shri S. M. Banerjee: May I know the amount of compensation paid to the employees who have been murdered?

Shri S. K. Patil: Money paid to this particular family is Rs. 636, death-cum-retirement gratuity. Second, extraordinary family pension is under consideration. Compensation under the Workmen's Compensation Act: the Audit report is awaited and then it will be paid. Grant from P & T Compassionate Gratuity funds not admissible as he is entitled to retirement benefits.

Shri Tangamani: In reply to question No 293 which was replied to on 20th of August, the hon. Minister stated that as soon as the trial commences, we will be in a position to know the *modus operandi* of these six criminals. May I know whether this investigation has revealed what were the defects which allowed the murderers to enter into the van and commit the murder?

Shri S. K. Patil: The case is still sub judice. The prosecution was launched on 27th October, 1958. It is too early for me to say anything in this matter.

Shri S. M. Banerjee: The murder took place in 1957 and we have been asking repeatedly.

Mr. Speaker: The case is going on. What can the hon. Minister do?

Shri Tangamani: On the last occasion, you were pleased to intervene and wanted to know....

Mr. Speaker: The hon. Member is a leading advocate in his place. How can I allow questions in a case which is *sub judice*?

Shri Nath Pal: Does the hon. Minister think that a paltry sum of Rs 650 is adequate compensation in view of the fact that these lives were lost when they were discharging their duty in the service of the country?

Shri S. K. Patil: It is not a question of my opinion. There are rules according to which compensation is paid. I myself feel that this does not seem to be adequate. It is a question of changing the rules. I operate under the rules.

Shri T. B. Vittal Rao: In addition to these payments, there are rules for the payment of compassionate grants. May I know whether that has also been considered?

Shri S. K. Patil: That part also I read, if the hon. Member had been attentive.

Shri S. M. Banerjee: May I know whether it is a fact that some amount was also collected by the R.M.S. Employees Union? What is the amount? May I know whether that amount has been paid to these men?

Shri S. K. Patil: I am not so lucky to get all this information from the Union.

Water Supply in Delhi

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- *41. { **Shri Tangamani:**
Shri S. M. Banerjee:
Shri Damani:
Shri A. M. Tariq:
Shri Shree Narayan Das:
Shri Bibhat Mishra:
Shri Vajpayee:
Shri P. K. Deo:
Shri B. C. Frodhan:
Shri Jadhav:
Shri Nanshar Bhargava:

Will the Minister of Health be pleased to refer to the reply given to

Starred Question No 478 on the 25th August, 1958 and state:

(a) whether the Committee of Technical Experts appointed to go into the question of Delhi's long term needs of drinking water has submitted its report;

(b) if so, the details thereof; and

(c) what permanent arrangements have been made to improve the water supply position in Delhi?

The Minister of Health (Shri Karmarkar): (a) Not yet, Sir; but the recommendations of the Committee in regard to the stabilisation of water supply are expected early in December, 1958. In so far as the augmentation of water supply is concerned, the Committee would still take a few more months to finalise their recommendations as it involves the preparation of detailed schemes together with their approximate costs.

(b) and (c) Do not arise.

Shri Tangamani: In reply to an earlier question, the hon. Minister stated that it is anticipated that the demand of water would increase to 150 million gallons per day in the next 20 years. May I know what is the present demand and how much we are able to supply?

Shri Karmarkar: I think the present demand is, speaking from memory, round about 65 to 65 million gallons and that is the average supply in such areas of Delhi where filtered water supply is made. The other source is Okhla water supply. That is not included.

Shri Tangamani: After this Committee submits its report by the end of this month, may I know when decision will be taken on the recommendations of the Committee?

Shri Karmarkar: Immediately that process will begin. It depends on the availability of resources. But, I hope that resources might be available.

श्री बाजपेयी : दिल्ली के घनेक क्षेत्र ऐसे हैं जिनमें गरमी के दिनों में पानी नहीं पहुंचता । जब तक इस कमेटी की रिपोर्ट आयेगी और उस पर कोई निर्णय लिया जायेगा, क्या सरकार स बीच में उन क्षेत्रों में अधिक पानी पहुंचाने के सम्बन्ध में कोई व्यवस्था कर रही है ?

श्री कर्मरकर : पानी अधिक पहुंचाने के लिये तो इन्तिजाम चल रहा है पर इस बीच में कुछ नहीं हो सकता ।

श्री बिभूति मिश्र : मैं जानना चाहता हूं कि क्या सरकार कोई ऐसा इन्तिजाम कर रही है कि जब दिल्ली में जमुना नदी से पानी लेने का काम फेल हो जाये तो दिल्ली के बिल्वे हुए एरियाज को किसी और जरिये से पानी पहुंचाया जा सके ?

श्री कर्मरकर : दिल्ली में जो पानी की मांग बढ़ती जा रही है उसी के इन्तिजाम के बारे में यह कमेटी सोच रही है और हमको आशा रखनी चाहिए कि कोई संतोषजनक इन्तिजाम हो जायेगा ।

श्री नवल प्रभाकर : क्या मैं जान सकता हूं कि जो मई और जून में पानी की कमी हो जाती है उसकी पूर्ति करने के लिए किसी और नदी से जमुना नदी में पानी डालने के लिए उत्तर प्रदेश या पंजाब की सरकार से बातचीत चल रही है कि जिनसे जमुना में पानी डाला जा सके ?

श्री कर्मरकर : दो तीन आन्टरनेटिव स्कीमें हमारे सामने हैं ।

One of the schemes is to sink tube-wells in an area 30 miles away from Delhi. Water will be brought to Wazirabad by a suitable carrier channel which will be lined. There are two other alternative schemes. The second scheme prepared by the Chief Engineer (Irrigation) Punjab is called the Gurgaon Tunnel scheme

from which it could be possible initially to get about 100 cusecs of water per day for Delhi at Rohtak Road. This scheme is being worked out in a manner that the supply from this source can be increased ultimately to 200 cusecs per day if and when required. There are these alternative schemes which the committee are thinking of.

Shri Naushir Bharucha: Apart from what the hon. Minister may do in future for the augmentation of water supply or its stabilisation, may I know what is the standard of purity now maintained, and whether boiling of water by the public for drinking purposes is still necessary?

Shri Karmarkar: It is not necessary. Filtered water supply is so good that nobody need boil water for purification. It is very good.

Shri S. M. Banerjee: May I know whether a committee has also been appointed to tame the Jamuna and if so, what will be the process of taming?

Shri Karmarkar: Taming?

Shri S. M. Banerjee: I read in the newspapers that a committee has been appointed for taming because it is unruly.

Shri Karmarkar: The Jamuna sometimes offends us by being overtame. There is no question of taming. Of course, there is one point about the Wazirabad water supply. There is an idea of building a weir there so that in the leaner months there would be sufficient water supply held up.

Shri Jadhav: What is the time of the supply hours in different parts of Delhi?

Shri Karmarkar: So far as filtered water supply is concerned, subject to correction, it is all the 24 hours.

Shri Jadhav: No.

Shri Karmarkar: No? I should like to know. So far as my information goes, from the Wazirabad intake

channel the water supply is for 24 hours. Is it not in the hon. Member's house? I should like to know. Sometimes it may be so, I should like to know that information.

Mr. Speaker: Some hon. Members want to be altruistic; it is not only about their houses, but other houses also.

Shri Jadhav: If he visits East and West Patel Nagar, it is not 24 hours.

Shri Hem Barua: South Avenue is not the standard.

श्री रा० क० वर्मा : माननीय मंत्री जी ने कहा है कि दिल्ली में पानी का अभाव है और ज्यादा पानी का प्रबंध किया जा रहा है। मे यह जानना चाहता हूं कि क्या इस बात का तात्कालिक बन्ध किया जा रहा है कि किन्हाल लोगों को थोड़ा पानी ही उपलब्ध किया जा सके।

Mr. Speaker: It is a general question.

Shri Karmarkar: I am not able to understand the question.

Mr. Speaker: He says: supply for 24 hours is not there, what are the arrangements? That is what he says. Perhaps the hon. Minister may not admit it.

Shri Karmarkar: It is not a question of admission but of understanding the question. So far, it is a fact that out of 22 lakhs and odd of the population, some 4 lakhs are not being supplied with an adequate amount of water. There are certain areas where there are no arrangements for supplying filtered water at all. Now, the effort for augmenting this water supply is to supply those areas which are not receiving any supply and continuing adequate supply where the supply is already adequate. That is the whole position.

Shri B. K. Gaikwad: I know this much that the Members of Parliament are supplied enough water, but are Government and the hon. Minister aware of the fact that there are

so many labour localities where water, not only in the hot season but in all seasons, is not adequately provided? If so, what scheme is there before the Government to provide water to all these labour localities?

Mr. Speaker: He has said so.

Shri Karmarkar: My hon. friend is repeating what I said. It is in order to make Delhi self-sufficient so far as water supply is concerned, that all these schemes are being worked out, and when they are completed, throughout Delhi there will be sufficient water supply.

Shri B. K. Gaikwad: How long will it take?

Shri Radha Raman: It is a Delhi question. I may be allowed to put a supplementary.

Mr. Speaker: The hon. Member never cared to put a question himself. There are 12 persons who have tabled the question. I have allowed them opportunity. If the hon. Member is a resident of Delhi and having interest, I would have added his name also. He did not care to put a question.

Fish Production

*42. **Shri Kadiyan:** Will the Minister of Food and Agriculture be pleased to state:

(a) what steps have been taken by the Government of India to step up fish production in the country during the Second Five Year Plan;

(b) whether as a result of these steps fish production has increased; and

(c) if so, to what extent?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) Research programmes have been undertaken for finding out ways and means of increasing production of inland fish and for capture and utilization of marine fish. An extension organisation has been set up for carrying the results of researches to fish farmers and the fishing industry.

For development schemes and for schemes relating to research, survey, demonstration and training in powered fishing, financial and technical assistance are being given to the State Governments.

(b) Yes.

(c) From about 8.40 lakh metric tons in 1955 to 12.33 lakh metric tons in 1957 i.e., about 47 per cent. over the 1955 figures.

I would like to add that in addition to this 47 per cent. increase in fish production, we have exported Rs. 4 to Rs. 5 crores worth of frozen and dried fish to foreign countries and earned foreign exchange.

Shri Kodiyan: May I know how much of this increase in fish production is accountable to inland fisheries and how much to marine fisheries?

Shri M. V. Krishnappa: Inland fisheries form nearly 30 per cent. of the total fisheries in India; the rest is marine fisheries. In marine fisheries there is more increase than in inland fisheries because the water supply resources are limited in regard to the inland fisheries.

Shri V. P. Nayar: The hon. Minister says that fish production has recorded an increase. How much of that is due to the recent occurrence of oil sardines and mackerel which accounted for over 200,000 tons last year?

Shri M. V. Krishnappa: That is one of the major contributory factors for this year's increase. Last year, fortunately for Kerala, they had 2 lakh tons of oil sardine fish. But for that Kerala's food position would have been quite different. So, they got nearly 2 lakh tons, a bumper crop, and that has accounted for the increase this year.

Shri V. P. Nayar: In view of the extreme importance of shoal fisheries like mackerels and sardines, is there any programme to find out the movement of these shoal fisheries with a

view to find out whether their production could be regular, which is not so today?

Shri M. V. Krishnappa: The deep sea fisheries exploratory project which has now been started at Cochin is now going into this question of cross currents and movement of these mackerel and sardine fish in the waters of the West Coast.

सरदार खं. सिं. सहगल : फिश के बीज को पैदा करने के लिए कौन कौन से तरीके काम में लाये गये हैं, खासकर उन जगहों में, जहाँ पर कि सैकंड फ्राइव मीमर प्लान में सब से ज्यादा फिश पैदा की गई है, जैसे छत्तीसगढ़ डिजिजन में ?

श्री मो० बं० कृष्णाप्पा : इनलैंड फिश में राहु, काटला और मृगाल तीन प्रकार की मछली हैं, जिन को कार्प्स फिश कहा जाता है। इन के बीजों का उत्पादन बढ़ाने के लिए कलकत्ता में इनलैंड फिशरी स्टेशन ज्यादा काम कर रहा है, जिस के फलस्वरूप इस मछली का बीज हंड्रेड परसेन्ट ज्यादा हुआ है।

सरदार खं. सिं. सहगल : मेरा सवाल यह है कि छत्तीसगढ़ के लाके में, जहाँ पर सब से ज्यादा मछली पैदा हुई है, इस बारे में कौन से स्टैप्स लिए गये हैं।

श्री मो० बं० कृष्णाप्पा : छत्तीसगढ़ डिजिजन में और जबलपुर के पास तालाब ह, जिन का नाम मैं भूल गया हूँ। श्री शुक्ल, एम० पी० ने हम को एक पत्र लिखा था, जिसमें एक बोट और फिशिंग क्लब स्टार्ट करने और फिशर मेन की मदद करने के बारे में लिखा था। यह सबजेक्ट हमारे अधिकार में नहीं है। इसलिए हम ने कुछ इन्तिजाम करने के लिए और आवश्यक कदम उठाने के लिए मध्य प्रदेश गवर्नमेंट को एक पत्र लिखा है।

Shri V. C. Shukla: Is there any scheme with the Central Government to give any aid to fishermen's co-operative societies to aid inland fish production, and if so, how much money has been given in aid to such societies?

Shri M. V. Krishnappa: We have given last year and the year before last all told Rs. 22 lakhs grant to all the States, and Rs. 23 lakhs of loans.

Shri V. C. Shukla: I want for inland fisheries.

Shri M. V. Krishnappa: It is for both inland and marine. I have not got the separate figures. For example, Madhya Pradesh has no marine fisheries; it has to be given only for inland fisheries. We have given enough of funds, and I have written a letter to the Madhya Pradesh Minister to give more grants to that co-operative which is coming forward.

Shri Kodliyan: One question, Sir.

Mr. Speaker: All right. The hon. Member will be given the last chance.

Shrimati Benn Chakravartty: May I know if the attention of the hon. Minister has been drawn to the fact that the production of fish in West Bengal has been very low this year, and also that the deep sea fishing scheme of the West Bengal Government has been recording rising losses? Is any enquiry being instituted into this matter because the profiteering in fish in our parts is exorbitant?

Shri M. V. Krishnappa: In fact, I myself personally took up this matter once and discussed with Dr. Roy the supply position in Calcutta. The position in Calcutta is quite different. It requires about 90,000 tons of fish per year, whereas the present supply is only 40,000 tons. Out of these 40,000 tons, 20,000 tons come from Pakistan, and that depends upon the conditions in Pakistan. If there is trouble there, then the fish stop coming from Pakistan, and trouble starts in Calcutta. It is not the decrease of production in Calcutta, but the increase of population in Calcutta that is causing us trouble. I have taken all efforts to see that the deep sea exploratory fishing organisation that is under the West Bengal Government is taken over by the Centre; and they have also agreed, and we are increasing the production of sea

fish there. But I would request the hon. Member to preach to the Calcutta people to eat more of sea fish, because they do not like to eat sea fish at present. Actually, there is no difference between sea fish and inland fish.

Shri Nath Pai: There is a project being operated by the Norwegian Government in Kerala to improve the methods of catching fish. Has it contributed to any increase in the fish that is being landed in Kerala, and whether Government are contemplating to extend the result of these experiments to other parts of the country?

Shri M. V. Krishnappa: In fact, the mechanisation of fisheries is the most important thing for increasing production. The hon. Member comes from the West Coast, and I may tell him that in the Konkan coast of Bombay, the fishermen were catching from an ordinary unmechanised boat only 20 tons per year. But now, we have mechanised 1000 boats in this coast, and each mechanised boat is getting 100 tons per year, which means an increase by five times. The same boat, when it is not mechanised catches only 20 tons per year, but when it is mechanised, it goes fifty to sixty miles and the production goes up to 100 tons, which means an increase of five times. That is the reason why in Bombay, where the production was only 12,000 tons of fish per year, it has now gone up to 40,000 tons per year. The Bombay Corporation figure shows that 40,000 tons of fish are marketed today in Bombay, whereas five years ago, it was only 12,000 tons.

Shri Kodliyan: May I know whether there has been any increase in the per capita income of the fishermen as a result of the increased production?

Shri M. V. Krishnappa: Naturally, when the production goes up, the income also comes down. But because of exports, and proper inland distribution and freezing stations which we have started under the

Norwegian project, and our cold storage plants which have come up in these two years, we have been able to make the fishermen realise that increased income.

Mr. Speaker: Next question.

Shri Kadiyan: May I ask one question?

Mr. Speaker: I have allowed so many questions.

Shri Kadiyan: I have asked only two questions.

Mr. Speaker: I have allowed him three questions.

Shri Kadiyan: You have allowed me only two questions.

Mr. Speaker: Very well, he must be satisfied with that occasionally. Now, next question.

Development of Dum Dum Airport

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*43. { **Shri H. N. Mukerjee:**
 Shri Muhammed Elias:

Will the Minister of Transport and Communications be pleased to state:

(a) whether any progress has been made in regard to the development of Dum Dum airport for operation of Jet aircrafts; and

(b) if not, the reasons therefor?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) A scheme for the extension of runways and other developments at Dum Dum airport for Jet transport operations has recently been approved by Government.

(b) Does not arise.

Shri H. N. Mukerjee: Is there not a danger that delay in preparing Calcutta for jet transport methods might mean a probable diversion of international traffic from our busiest airport? And what steps are being taken to counter that danger?

Shri Mohiuddin: The programme of construction of runways has been

prepared in such a manner that the runways will be ready at Dum Dum airport by the time the jet aeroplanes begin their operations.

Shri Muhammed Elias: The Dum Dum aerodrome is one of the biggest and busiest aerodromes in the east, but it is a pity that there is no good arrangement for the accommodation of the passengers and their friends, and there is no good arrangement for announcements etc. May I know what steps Government propose to take to improve the conditions in this respect before arrangements are made for the landing of the jet planes?

Shri Mohiuddin: As far as the arrangements for announcements are concerned, I am not aware, as the hon. Member says, that they are not good. They are quite good. As far as the terminal building is concerned, the construction of the terminal building, of course, is also necessary, and that question is actively under consideration.

Shri Jaipal Singh: May I know whether the very bitter experience of the new administration building at Santa Cruz which seems to have become lop-sided, is going to be of any benefit in the development of the Dum Dum airport, in view of the fact that the airport will have to handle per jet aircraft double the present number of passengers?

The Minister of Transport and Communications (Shri S. K. Patil): The experience at Santa Cruz is not so bitter, as the hon. Member suggests, but I can assure him that all experience is good and will be availed of.

Shri T. B. Vittal Rao: May I know the total amount that has been allotted for the development of the Dum Dum airport, the scheme for which has just been approved by Government?

Shri Mohiuddin: I have got the details of the various schemes that have been approved and are under consideration. The amount that will be

ultimately necessary for the improvement of the Dum Dum airport comes to nearly Rs. 3½ crores.

Tungabhadra High Level Canal Scheme

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*44. { **Shri Nagi Reddy:**
Shrimati Parvathi Krishnan:
Shri Damani:
Shri Rami Reddy:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that Andhra Pradesh Government has been requested by the Centre to implement the Tungabhadra High Level Canal Scheme in suitable stages; and

(b) if so, what are the details of suggestions for implementation of the scheme in stages?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The Governments of Andhra Pradesh and Mysore have been advised to develop the Tungabhadra High Level Canal Project in two stages and have been requested to submit a joint report and detailed estimates for the first stage of the scheme. They have also been requested to indicate the phased programme of construction and provision of funds that can be found during the remaining part of the Second Plan and in the Third Plan period vis-a-vis their requirements for other approved projects.

(b) Stage I of the scheme, estimated to cost about Rs. 12 crores to irrigate an area of about 1,83,000 acres of land, is proposed to be taken up for execution in the first instance. This will be a self-contained project and would comprise the following works according to the recommendation of the Advisory Committee on Irrigation and Power Projects:—

1. The High Level Canal from head to mile 116.
2. The Uruvakonda cut.
3. Mid-Pennar Regulator.
4. Mid-Pennar North Canal.
5. Mid-Pennar South Canal.

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Shri Nagi Reddy: May I know when the original scheme was presented by the State Government to the Centre, and whether the Central Government have accepted the scheme in full?

Shri Hathi: The original scheme had not been technically approved by the advisory committee of the Planning Commission.

Shri Nagi Reddy: May I know the major technical reasons that were responsible for not approving the original scheme?

Shri Hathi: The original scheme cost about Rs. 21.9 crores. The advisory committee thought that it did not come within the standard fixed for the productivity of irrigation schemes. But, taking into account the fact that this scheme will benefit the famine areas of Rayalaseema, they have now accepted this scheme, and suggested that it may be taken up in two stages; the first one would cost about Rs. 12 crores, and the second one about Rs. 9 crores.

Shri Rami Reddy: May I know whether the Andhra Pradesh Government have requested the Central Government to sanction the whole scheme, though the execution might be done in two stages?

Shri Hathi: The State Government did submit to the Planning Commission the full scheme, but the advisory committee have suggested that it may be taken up in two stages.

Shri Dasappa: May I know when the first stage is likely to be completed?

Shri Hathi: I cannot say when the first stage is likely to be completed, but it can be begun as soon as the detailed estimates are prepared for this part, and provision has already been made in the current Plan for this first stage.

Shri Dasappa: May I know whether Government have no idea as to the schedule by which the first stage must be completed?

Shri Hathi: In fact, the provision made for the first stage is about Rs. 6.2 crores out of the Rs. 12 crores. So, that will mean that it will take some time before the whole stage is completed.

Shrimati Parvathi Krishnan: May I know what the second stage is? In the statement, we have been given information only as to what the first stage is going to be.

Shri Hathi: The second stage will cost about Rs. 9 crores.

Shrimati Parvathi Krishnan: We want to know the details of the second stage.

Shri Dasappa: How many acres will it bring under cultivation?

Shri Hathi: The total acreage to be irrigated under the whole scheme is about 3.8 lakhs acres, out of which the first stage will cover about 1,83,000 acres.

Shri Venkatasubbalah: May I know whether under this first stage land belonging to both the States of Andhra Pradesh and Mysore will be covered or only a particular portion of land in a particular State?

Shri Hathi: I think some areas in both the States will be covered.

Shri Viswanatha Reddy: The question asked by Shri Ram Reddy has not been answered. The question was whether the whole scheme is sanctioned in toto, although its execution may be in stages. No reply has been given to that.

Shri Hathi: As I said, for the present, one stage has been sanctioned.

Shri Nagi Reddy: That is the only answer which we are trying to get. The point is that if the whole scheme is sanctioned and then it is to be begun in stages, there is a possibility of the whole scheme being executed. So we would like to know why the Central Government are adamant in not accepting the whole scheme and trying to accept only a part of the scheme.

Shri Hathi: It is not a question of the Central Government being adamant. It is a question of finding sufficient resources. Perhaps the hon. Member knows that the spillover in respect of Andhra Pradesh from the Second Plan to the Third on irrigation is going to be Rs. 70 crores. So we have also to look to the financial resources available.

WRITTEN ANSWERS TO QUESTIONS

Shortage of Doctors in Willingdon Hospital

*36. **Shri Sanganna:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that the Willingdon Hospital, New Delhi, is short of Doctors in the Surgical Department and Nurses as a whole;

(b) if so, the reasons thereof; and

(c) the steps taken by Government to meet the shortage?

The Minister of Health (Shri Kar-markar): (a) and (b). There is no shortage of Medical Officers in the Surgical Department of the Willingdon Hospital. As regards nursing staff, 17 posts are vacant at present.

(c) The vacant posts of nurses have been advertised.

Indian Council of Agricultural Research

*45. **Shri V. C. Shukla:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 76 on the 12th August, 1958 and state:

(a) the reason for delay in Government's taking a decision over the recommendations of the Indian Council of Agricultural Research relating to the raising of the cess levied under the A.P. Cess Act, 1940, on certain items; and

(b) by what time a decision is expected to be taken?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) The proposal to increase the cess from half per cent. to one per cent. *ad valorem* involves consideration of several intricate issues which are under active examination.

(b) It is difficult to fix a time limit.

Seed Farms

*46. **Shri B. C. Majhi:** Will the Minister of Food and Agriculture be pleased to state:

(a) the target fixed for setting up seed farms in the current financial year;

(b) whether it is likely to be achieved in the stipulated period; and

(c) whether the problem of acquiring land for seed farms has been solved?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) 1587 farms.

(b) 1519 seed farms are likely to be set up.

(c) The problem of acquiring land has been solved to a great extent by increasing the Central assistance for land from Rs. 500/- to Rs. 1500/- per acre and by simplifying the procedure for acquiring land for seed farms

Indian Agricultural Research Institute

*47. { **Shri Damani:**
Shri Nagi Reddy:

Will the Minister of Food and Agriculture be pleased to state:

(a) the nature and details of the courses of training provided at the Post Graduate School of the Indian Agricultural Research Institute, inaugurated recently; and

(b) what is the system of recruitment of scholars for training and how many scholars are undergoing training at present, State-wise?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). A statement is laid on the Table of the Sabha. [See Appendix I, annexure No. 17.]

Water and Sewage Disposal in Calcutta

*48. { **Shri Tridib Kumar**
Chaudhuri:
Shri Halder:

Will the Minister of Health be pleased to state whether it is a fact that the World Health Organisation have agreed to send a team of experts to prepare a scheme for the improvement of water supply in greater Calcutta?

The Minister of Health (Shri Kar-markar): Yes, the World Health Organisation have agreed to send a survey team to West Bengal for a period of three months during the year 1960 for formulating a scheme for the improvement of water supply in greater Calcutta.

द्विभाषी टेलीप्रिटर

*48. { **श्री भक्त बशंन :**
श्री नवल प्रभाकर :

क्या परिवहन तथा संचार मंत्री २० अगस्त, १९५८ के तारंकित प्रश्न संख्या २६१५ उत्तर दे सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या स बीच अंग्रेजी और हिन्दी में जापानी द्विभाषी टेलीप्रिटर की उपयोगिता की जाच करी गई है;

(ख) यदि हां, तो उस सम्बन्ध में क्या निर्णय किया गया है; और

(ग) इस निर्णय को कार्यान्वित करने के लिये क्या कार्यवाही की जा रही है ?

परिवहन तथा संचार मंत्री (श्री स० का० पाटिल) : (क) जी हां ।

(ख) सरकार इस निर्णय पर पहुँची है कि अंग्रेजी और हिन्दी के द्विभाषी टैनी-प्रिटर के प्रयोग में लाये जाने से कोई व्यवहारिक लाभ प्राप्त नहीं किया जा सकता है।

(ग) यह प्रश्न नहीं उठता।

टोकियो जाने वाला प्रतिनिधि मण्डल

{ श्री विभूति मिश्र :
*५०. { श्री प्र० के० देव :
 { श्री वि० च० प्रौद्यन :

क्या खाद्य तथा कृषि मन्त्री यह जताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अभी हाल ही में सब के सहकारी मन्त्री के नेतृत्व में एशिया और सुदूर पूर्व के चतुर्थ खाद्य तथा कृषि प्रादेशिक सम्मेलन तथा अन्तर्राष्ट्रीय चावल आयोग के छठे सेशन में भाग लेने के लिये एक प्रतिनिधि मण्डल टोकियो (जापान) गया था, और

(ख) क्या वहाँ पर किये गये निर्णयों की प्रति मन्त्रालय पर रखी जायेगी ?

खाद्य तथा कृषि मन्त्री (श्री प्र० प्र० जैन) (क) जी हाँ।

(ख) सम्मेलनों की सरकारी रिपोर्ट एक० ए० प्रो० (F.A.O.) में प्राप्त होते ही मन्त्रालय की टेबिल पर रख दी जायेगी।

"Visit India Year"

*51. { Shri Jadhav:
 { Sardar Iqbal Singh:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 1108 on the 10th September 1958 and to state:

(a) whether final decision has since been taken on the proposal to observe 1961 as "Visit India Year"; and

(b) if so, what are the special arrangements that will be made?

The Minister of Transport and Communications (Shri S. K. Patil): (a) Not yet. The matter is still under consideration by the Government in consultation with the various Departments of the Government of India and other agencies concerned

(b) Does not arise at present

Bhakra Dam Project

*52. Shri Daljit Singh: Will the Minister of Irrigation and Power be pleased to state

(a) the annual revenue derived at present from the Bhakra Dam Project; and

(b) what will be the revenue from the project when irrigation water and electricity are fully utilised?

The Deputy Minister of Irrigation and Power (Shri Hathl): (a) and (b) The information is being collected from the State Governments of Punjab and Rajasthan and will be laid on the Table of the House when received

Sambalpur—Titlagarh Railway Line

*53. { Shri V. C. Shukla:
 { Shri Sanganna:
 { Shri Vajpayee:
 { Shri U. L. Patil:

Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 166 on the 16th August, 1958 and state:

(a) whether the preparation of the report on the field survey in respect of Sambalpur-Titlagarh railway line has since been completed; and

(b) if so, the broad details thereof?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). The Final Location Survey has been completed and the verified report is expected shortly.

Posts for P. and T. Volunteers

*54. **Shri J. B. S. Bist:** Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 1855 on the 26th April, 1958 regarding voluntary service during P. and T. strike and state how many volunteers have been employed so far and how many still remain to be employed?

The Minister of Transport and Communications (**Shri S. K. Patil**): The required information is being collected from P. and T. Circles and Subordinate offices and will be placed on the Table of the Sabha

Bhakra Dam

*55. { **Shri D. C. Sharma:**
 Shri Ram Krishan:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1509 on the 23rd September, 1958 and state:

(a) the further progress made so far in the construction of Bhakra Dam;

(b) the total length and height of the concrete wall above the deepest foundation level constructed so far;

(c) the total expenditure incurred so far; and

(d) whether the work is going on according to schedule?

The Deputy Minister of Irrigation and Power (**Shri Hathl**): (a) A quantity of 29,50,00,000 cubic yds. of concrete had been poured into the Bhakra Dam and Bhakra Left Power Plant up to the end of October, 1958. This constitutes 56.3% of the total concreting to be done. Concreting for the II Stage has been started.

(b) The concreting is being done along the entire length of the Dam. The average height of the Dam above the deepest foundation is now 390 ft. and the highest block is 414 ft. high. The length of the Dam at E.L. 1350,

to which average level the Dam has so far been constructed, is approximately 750 ft. Length at base is 325 ft. and will be 1700 ft. at top on completion when the dam rises to a height of 740 ft. Since August 1958, concreting has been done in the Left Power Plant only.

(c) Rs. 50,42,00,000 up to the end of July, 1958.

(d) Yes, Sir.

Dispensaries for P. and T. Staff

*56. { **Shri S. C. Samanta:**
 Shri Subodh Hansda:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 633 on the 20th August, 1958 and state:

(a) whether any of the proposed nine full-time dispensaries for Post and Telegraph staff has since been opened;

(b) if so, where;

(c) whether any suggestions about the replacement of these dispensaries by mobile units came to the department; and

(d) if so, the reaction thereto?

The Minister of Transport and Communications (**Shri S. K. Patil**): (a) and (b). No. Orders for appointment of doctor at Kanpur have been issued. The Postmaster-General, Patna, has been empowered to appoint doctor locally. The dispensaries at these two places are expected to start functioning soon.

(c) No.

(d) Does not arise.

Ships from Japan

*57. **Shri Ram Krishan:** Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 826 on the 2nd September, 1958, and state:

(a) whether the negotiations with a private Japanese firm for a dollar loan

to purchase ships have been finalised; and

(b) if so, the main terms of the loan?

The Minister of Transport and Communications (Shri S. K. Patil):

(a) No, Sir Not yet

(b) Does not arise

Automatic Telephone Exchanges

***58. Shri Tangamani:** Will the Minister of Transport and Communications be pleased to state:

(a) whether Government propose to introduce Automatic Telephone exchanges in important centres;

(b) how many have been so far set up in Madras Circle; and

(c) when the installation of Automatic Telephone exchange for Madras Circle will be completed?

The Minister of Transport and Communications (Shri S. K. Patil):

(a) Yes

(b) Six excluding very small automatic units of less than 100 lines

(c) Installation of Automatic Exchanges is a continuous process subject to availability of resources financial technical and personnel Installation of 8 (eight) new auto exchanges programmed to be undertaken in the 2nd Plan period is expected to be progressively completed by 1961-62.

Uniforms for Post and Telegraph Employees

***59. Shri D. C. Sharma:** Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No 177 on the 16th August, 1958 and state the decision taken by Government on the recommendation made by the Uniform Committee of the Directorate of Posts and Telegraphs regarding the stoppage of the use of Khadi for the uniforms of certain classes of Post and Telegraph employees?

The Minister of Transport and Communications (Shri S. K. Patil): The report is still under examination.

Hostels for Children of Railway Employees

Shri S. C. Samanta:

Shri Barman:

***60. Shri Subodh Hansda:**

Shri Panigrahi:

Will the Minister of Railways be pleased to refer to the reply given to Starred Question No 439 on the 25th August, 1958 and state:

(a) how far the proposal to set up two subsidised hostels for the children of railway employees at Kharagpur and Cuttack in South Eastern Railway has progressed,

(b) whether sites have been selected,

(c) how many students can be provided in these hostels,

(d) what would be the estimated cost of construction of these hostels; and

(e) the educational institutions that could be availed of by the students residing in these hostels?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and

(d) Plans and estimates are under preparation

(b) No

(c) The hostel at Kharagpur will ultimately cater for 150 students and the one at Cuttack for 100 students

(e) A statement is given below:—

STATEMENT

Institutions	Kharagpur	Cuttack
Railway Managed		
High Schools	3	
Middle Schools	1	
Primary Schools	1	
Other than Railway Managed		
Colleges	1	8
Technical Institutions	1	.
High Schools	8	18
Middle Schools	5	5
Primary Schools	19	66

All India Institute of Hygiene and Public Health, Calcutta

*61. { **Shri Ram Krishan:**
Shri Shree Narayan Das:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that the Government of India have under consideration a proposal to institute a post-graduate course of training for teachers of preventive and social medicine at the All-India Institute of Hygiene and Public Health, Calcutta; and

(b) if so, at what stage this scheme is?

The Minister of Health (Shri Karmarkar): (a) The Government of India have accorded sanction to the institution of the course.

(b) The course is scheduled to start in the ensuing academic session, beginning from June, 1959

C. H. S. Scheme

*62. **Shri Tangamani:** Will the Minister of Health be pleased to state:

(a) whether the Contributory Health Service Scheme has been made applicable to the workcharged staff of the Central Public Works Department in Delhi; and

(b) if not, the reasons therefor?

The Minister of Health (Shri Karmarkar): (a) No, Sir.

(b) The workcharged staff of the Central Public Works Department who have not been brought on to regular establishment are not entitled to the benefits under the Medical Attendance Rules

Road Accidents in Delhi

40. **Shri D. C. Sharma:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that road accidents in Delhi are on the increase;

(b) the total number of accidents during the months of September, October and November, 1958 so far;

(c) the number of fatal accidents;

(d) how do these figures compare with those for the same period in 1957; and

(e) the measures adopted to prevent road accidents in Delhi?

The Minister of Transport and Communications (Shri S. K. Patil): (a) to (e). A statement is laid on the Table of the Sabha. [See Appendix I, annexure No. 18.]

Foreign Exchange earned from Foreign Tourists

41. { **Shri D. C. Sharma:**
Shri Jadhav:

Will the Minister of Transport and Communications be pleased to state:

(a) the total income in terms of foreign exchange accrued to India from foreign tourists who visited India during the year 1958 so far; and

(b) how do these figures compare with those for the same period in 1957?

The Minister of Transport and Communications (Shri S. K. Patil): (a) The foreign exchange earning figures are compiled by the Reserve Bank of India for each calendar year as a whole and not for parts of a year. As such, the figures from the 1st January, 1958 onwards are not yet available.

(b) Does not arise.

हिमाचल प्रदेश में नहरें

४२. श्री पद्म देव : क्या खास तथा कृषि मन्त्री सभा-पटल पर एक ऐसा विवरण रखने की कृपा करेंगे कि जिसमें निम्न बातें दी गई हों :

(क) हिमाचल प्रदेश में प्रथम पंच-वर्षीय योजना के अन्तर्गत बनाई गई कितनी नहरें चालू हैं और कितनी बन्द हो गई हैं ;

(ख) जो नहरें इस समय चालू नहीं हैं उन्हें चालू करने के लिये सरकार क्या कार्य-वाही कर रही है ;

(ग) द्वितीय पंचवर्षीय योजना काल में कितनी नई नहरें बनाई गईं ,

(घ) कितनी योजनाओं का निर्माण कार्य प्रथम पंचवर्षीय योजना के अन्तर्गत शुरू किया गया और द्वितीय पंचवर्षीय योजना काल में पूर्ण हुआ , और

(ङ) दूसरी पंचवर्षीय योजना के अन्तर्गत इस दिशा में अब तक कितना व्यय हुआ है ?

साध्य तथा कृषि मंत्री (श्री अ० प्र० जैन) (क) से (ङ) पूछी हुई जानकारी इकट्ठी की जा रही है और थोड़े ही समय में सभा की टेबिल पर रख दी जायेगी ।

हिमाचल प्रदेश परिवहन विभाग

४३. श्री पद्म देव क्या परिवहन तथा संचार मंत्री एक ऐसा विवरण सभा-पटल पर रखने की कृपा करेंगे जिसमें यह बताया गया हो कि हिमाचल प्रदेश सरकार ने आज तक परिवहन विभाग के अन्तर्गत गाड़ियों की खरीद, भवनों और गोदामों के निर्माण और बर्कशाप की मशीनरी आदि की खरीद पर कितना व्यय किया ?

परिवहन तथा संचार मंत्री (श्री स० का० पाटिल) एक विवरण नीचे दिया गया है—

विवरण

रुपये

गाड़ियों की खरीद

(क) पूजीगत लेखा	३६,६५,२०६
(ख) मूल्यह्रास पूजी	१३,५२,५८६

कुल

५३,१७,७९८

हमारतो और गोदामों के बनाने पर	३,०४,६४६
मशीनरी की खरीद पर	३,१४,७६५
कुल खच	५६,३७,२०६

हिमाचल प्रदेश परिवहन विभाग

४४. श्री पद्म देव क्या परिवहन तथा संचार मंत्री सभा-पटल पर एक ऐसा विवरण रखने की कृपा करेंगे जिसमें निम्नलिखित बातें दी गईं हों

(क) हिमाचल प्रदेश के परिवहन विभाग को १९५८-५९ में अब तक कुल कितनी आय हुई ;

(ख) इस आय में से कितनी आय उन निजी मालिकों से जिन्हें राष्ट्रीय-कृत मार्गों पर गाड़ी चलान की अनुमति दी गई, २५ प्रतिशत का अतिरिक्त प्रभार लगाने के परिणाम-स्वरूप हुई और

(ग) सामान और यात्रियों के परिवहन से अलग अलग कुल कितनी आय हुई ?

परिवहन तथा संचार मंत्री (श्री स० का० पाटिल) (क) से (ग) हिमाचल प्रदेश प्रशासन में सूचना इकट्ठी की जा रही है और यथासमय सभा-पटल पर रख दी जायेगी ।

रेलवे का विद्युतीकरण

४५. श्री पद्म देव क्या रेलवे मंत्री एक ऐसा विवरण सभा-पटल पर रखने की कृपा करेंगे जिसमें यह बताया गया हो कि भारतीय रेलों के निम्नलिखित सेक्शनों के विद्युतीकरण में अभी तक कितनी प्रगति हुई है तथा उन पर कितना व्यय हुआ है —

हावड़ा-बर्दवान सेक्शन,

दुर्गापुर-गया सेक्शन,

दुर्गापुर डाक-साइन,

हुवड़ा-झाड़पुर सेक्शन,
गया-भुगलसराय सेक्शन,
झाड़पुर-टाटानगर सेक्शन,
आसनमोल-सीनी-टाटानगर, झरफेला,
श्रीर कंधारा-गामहरिया, राजलखर सर्वा-
धामांडी सेक्शन ?

रेलवे उपमंत्री (श्री सै० बें० रामस्वामी)
एक बयान सभा-घटल पर रख दिया गया है ।
[देखिये परिशिष्ट १, अनुबन्ध संख्या १६]

नई लाइनें

४६. श्री पद्म देव : क्या रेलवे मंत्री
सभा-घटल पर एक ऐसा विवरण रखने की
कृपा करेंगे जिसमें निम्न बातें दी गयी हो :—

(क) चालू वर्ष में कितनी नयी लाइनों का
निर्माण हुआ, कितनी वर्तमान लाइनों को
बढ़ाया गया और कितनी पुरानी लाइनें बदली
गयीं; और

(ख) उन पर अब तक कितना व्यय
किया गया ?

रेलवे उपमंत्री (श्री सै० बें० रामस्वामी)
(क) और (ख). एक बयान सभा-घटल पर
रख दिया गया है । [देखिये परिशिष्ट १,
अनुबन्ध संख्या २०]

**P. and T. Employees suffering from
T. B.**

47. **Shri S. M. Banerjee:** Will the
Minister of Transport and Communi-
cations be pleased to state:

(a) the number of Postal and Tele-
graph Class I, II, III, IV employees
suffering from T. B. as on 1st October,
1958; and

(b) the steps taken by Government
to give them proper medical facili-
ties?

**The Minister of Transport and
Communications (Shri S. K. Patil):**
(a) The number of P. & T. officials
reported to be suffering from T. B.

and registered for treatment with the
Heads of P. & T. Circles are as
under:—

Class I	}	.. Nil
Class II		
Class III		.. 152
Class IV		.. 73

(b) Facilities for consultation and
treatment of tuberculosis, as admissi-
ble under the Central Services Medi-
cal Attendance Rules, are available to
the P & T. staff suffering from T.B.
In addition the Department has
reserved 151 beds in various recogni-
sed T. B Sanatoria located in differ-
ent parts of the country in which the
staff get the entire treatment free of
cost. A majority of those suffering
from T. B. are thus already under-
going proper treatment in the reser-
ved beds. The question of reserving
more beds is also under consideration.

Protection of Wild Life in Madhya Pradesh

48. **Shri V. C. Shukla:** Will the
Minister of Food and Agriculture be
pleased to state what amount of grant
has been given in the past and that
proposed to be given for the remain-
ing period of the Second Five Year
Plan to the Government of Madhya
Pradesh out of the sum of Rs. 135.04
earmarked under the Second Five
Year Plan for the protection of Wild
Life?

**The Minister of Food and Agricul-
ture (Shri A. P. Jain):** Against the
total provision of Rs. 135.04 lakhs the
share of Madhya Pradesh Govern-
ment is Rs. 6.44 lakhs. Of this, the
Central share is limited to 50% of the
non-recurring expenditure. The total
expenditure during the first two years
of the Second Five Year Plan was
Rs. 118,000 out of which Central grant
was Rs. 33,900. During 1958-59, the
total expenditure is estimated at
Rs. 68,000 of which the Central grant
will be Rs. 16,000. Thus the total
expenditure during the first three
years of the Plan will be Rs. 186,000
of which the Central share is
Rs. 49,900. The amounts likely to be

spent during the remaining two years of the 2nd Five Year Plan will depend on the State's proposals.

Second Banihal Tunnel

49. Shri Ram Krishan: Will the Minister of Transport and Communications be pleased to state.

(a) the progress made with regard to the construction of second Banihal Tunnel, and

(b) the amount spent so far?

The Minister of Transport and Communications (Shri S. K. Patil):

(a) The progress of the Western and Eastern Tubes of the Jawahar Tunnel which is the second tunnel near Banihal is as given below

Western Tube

- (i) Pilot heading completed
- (ii) Widening to full section completed
- (iii) 92 per cent of the lining work completed
- (iv) Work on roadway, footpath etc are in hand

Eastern Tube

- (i) Pilot heading completed
- (ii) Widening to full section, about 54 per cent completed.
- (b) Rs 146 67 lakhs upto 30th September, 1958

Staff in the Ministry of Railways

50. Shri Ram Krishan: Will the Minister of Railways be pleased to state the number of Assistants and Clerks in the Ministry of Railways who belong to Scheduled Castes and Scheduled Tribes?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): As on 15th November 1958

(1) Scheduled Castes

Assistants	.. 28
Clerks	.. 76

(ii) Scheduled Tribes

Assistants	.. Nil
Clerks	.. 3

Telegraph Equipment

51. Shri Tangamani: Will the Minister of Transport and Communications be pleased to state:

(a) the annual value of the equipments produced in India for Telegraph Engineering Section of the Post and Telegraph Department,

(b) the annual value of such equipments imported from foreign countries,

(c) the details of machinery referred to in parts (a) and (b) above separately, and

(d) the break up of machinery and value imported country-wise?

The Minister of Transport and Communications (Shri S. K. Patil):

(a) to (d) A statement is laid on the Table of the Sabha [See Appendix I, annexure No 21]

Passengers in Up Trains from Burdwan Station

52. Shri Subiman Ghose: Will the Minister of Railways be pleased to state the number of passengers who travelled in Up trains from Burdwan Station, Howrah Division, for 300 miles and more during each month in 1958 so far?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): The information is given below —

January, 1958	1123
February, 1958	1007
March, 1958	1199
April, 1958	1082
May, 1958	1207
June, 1958	1025
July, 1958	1092
August, 1958	1122
September, 1958	1075
October, 1958	1124

Tourists visit to Konarak, Chilka and Puri

53. **Shri Panigrahi:** Will the Minister of Transport and Communications be pleased to state:

(a) the number of foreign tourists who visited Konarak, Chilka and Puri during 1955-56, 1956-57 and 1957-58;

(b) whether any programme has been undertaken to provide more facilities for encouraging foreign tourists to visit places of interest in Orissa; and

(c) if so, the details thereof?

The Minister of Transport and Communications (Shri S. K. Patil):

(a) No statistics are maintained regarding the number of tourists visiting the various places of tourist interest in India. It is, therefore, not possible to indicate the number of foreign tourists who visited Konarak, Chilka and Puri during 1955-58.

(b) and (c). The Second Five Year Plan for Tourism contains a provision of Rs. 200 lakhs for the construction of a rest house at Bhubaneswar and addition of four rooms to the existing State Government rest house at Konarak. Instead of expanding the existing rest house it is now proposed to construct a separate rest house at Konarak. The sites for the rest houses at both Bhubaneswar and Konarak have been selected and the plans and estimates are being prepared by the C. P. W. D. The cost is to be met entirely by the Central Government.

The State Government have opened tourist bureaus at Puri and Bhubaneswar. The Government of India are granting subsidies amounting to half the cost subject to a maximum of Rs. 5,000 for each bureau.

Railway lines in Orissa

54. **Shri P. K. Deo:** Will the Minister of Railways be pleased to state:

(a) the names of new railway lines in Orissa the survey of which has been carried out or is proposed to be carried out;

(b) full details in regard to each survey carried out and proposed to be carried out, such as the mileage, the places to be linked and estimated expenditure;

(c) the names of the new lines which have been constructed or which are proposed to be constructed; and

(d) the reasons for not constructing the lines of which the survey had been completed?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) to (d). A statement is laid on the Table of the Sabha [See Appendix I, annexure No 22].

Loans to Agriculturists in Orissa

55. **Shri P. K. Deo:** Will the Minister of Food and Agriculture be pleased to state.

(a) the amount allotted, year-wise, by the Central Government to Orissa State for advancing loans to agriculturists during the First Five Year Plan and the amount earmarked for the Second Plan period; and

(b) the various schemes under which the amounts were so allotted?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) I. During the First Five Year Plan, the amount of loan allotted year-wise by the Government of India to Orissa State for G.M.F. Schemes is as follows:—

Year	Amount (Rs. in lakhs)
1951-52	16.05
1952-53	2.24
1953-54	30.46
1954-55	58.21
1955-56	27.01
TOTAL	133.97

The amount actually advanced by the State Government as loan to cultivators, during the First Plan period, was Rs. 19.26 lakhs.

II. The amount earmarked in the Second Plan for such of the schemes which could be implemented through private parties is Rs. 51.46 lakhs.

(b) The scheme-wise break up of the amounts indicated above is:—

First Plan	(Rs. in lakhs)
1. Distribution of seeds and manures on loan	1.75
2. Loans for Development of Jute retting tanks	2.24
3. Loans for purchase of Agricultural Implements and machineries	15.27
TOTAL	19.26

Second Plan

4. Grant of loans for purchase of agricultural machinery	4.51
5. Maintenance of trucks for movements of seeds and manures	5.00
6. Multiplication and distribution of improved seeds	41.95
TOTAL	51.46

Reserved Quota for Scheduled Castes and Scheduled Tribes

56. **Shri Kumbhar:** Will the Minister of Railways be pleased to state:

(a) whether the reserved quota in services for Scheduled Castes and Tribes on the South Eastern Railway has been filled up grade-wise during 1957-58, so far;

(b) if not, the reason therefor and the time by which this quota will be filled up; and

(c) the number of persons belonging to these Castes and Tribes appointed so far, grade-wise?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) to (c). Information is being collected and will be laid on the Table of the Sabha.

Poultry Farms

57. **Shri Kumbhar:** Will the Minister of Food and Agriculture be pleased to state:

(a) the number of Subsidiary Poultry Farms at present in the various Union Territories and States to which financial assistance is given by the Central Government;

(b) the number of poultry farms among them belonging to the Scheduled Castes and Scheduled Tribes and other classes separately, State-wise; and

(c) the financial help or equipment given to each farm?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) There are no subsidiary poultry farms in the States and Union Territories to which financial assistance is given by the Central Government. However, 300 Poultry Extension-cum-Development Centres, which are being set up in the States etc., under the Second Five Year Plan, are eligible for Central subsidy.

(b) A statement showing the number of poultry extension centres allotted to each State/Union Territory is laid on the Table of the Sabha. [See Appendix I, annexure No. 23] These Centres are selected by the State Governments themselves and are usually (though not exclusively) located in areas inhabited by Scheduled Castes/Tribes people.

(c) Two statements showing (i) the pattern of financial assistance for these Centres [See Appendix I, annexure No 24] and (ii) the Poultry equipment so far obtained under the TCM aid and given to the States for use at these Centres [See Appendix I, annexure No. 25] are laid on the Table of the Sabha

Ayurvedic Dispensaries in Delhi

58. **Shri D. C. Sharma:** Will the Minister of Health be pleased to state:

(a) the number of Ayurvedic dispensaries in Delhi which had been

sanctioned under the First Five Year Plan;

(b) the number of such dispensaries set up so far; and

(c) the number of dispensaries proposed to be set up during the Second Five Year Plan period?

The Minister of Health (Shri Karmarkar): (a) to (c). Nil.

Bhakra Dam

59. **Shri Ram Krishan:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether the storage of water has been started behind Bhakra Dam; and

(b) if so, the total quantity of water stored so far?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes

(b) 4,71,000 acre feet

Vamsadhara Project

60. **Shri Sanganna:** Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No 3485 on the 8th May, 1958 and state the present stage of progress of the Vamsadhara Project in Andhra Pradesh?

The Deputy Minister of Irrigation and Power (Shri Hathi): Most of the field investigations on the Gudari Dam site on the Vamsadhara river have been completed. The project report under preparation in the Central Water and Power Commission is expected to be ready during the current working season.

चितरंजन लोकोमोटिव वर्क्स

६१. **श्री पद्म बेब :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) चितरंजन लोकोमोटिव वर्क्स के उत्पादन से देश की इंजनों की मांग कहां तक पूरी होती है ;

(ख) रेलवे विभाग द्वारा विदेशों से मंगाये गये इंजनों की लागत क्या है , और

(ग) इस बारे में देश कब तक आत्म-निर्भर हो जायेगा ?

रेलवे उपमंत्री (श्री शाहनवाज खां) :

(क) चितरंजन रेल-इंजन कारखाने में जितने रेल इंजन तैयार होते हैं, उनसे इस समय रेल-इंजनों के पुनर्स्थापन (rehabilitation) की कुल मांग पूरी हो जाती है। इसके अलावा देश के औद्योगिक और आर्थिक विकास के फलस्वरूप जो याता-यात (traffic) बढ़ गया है कुछ हद तक उसकी मांग भी चितरंजन कारखाने से पूरी हो जाती है।

(ख) अक्टूबर, १९५६ में पहले भाप के जितने इंजन बाहर से मंगाने के आर्डर दिये गये थे, उनमें से १९५७-५८ में जितने इंजन आये उनकी भारत पहुंचने तक की कुल लागत ५.६८ करोड़ रुपये है।

(ग) जहां तक नदी दादा के भाप के रेल-इंजनों का सवाल है, भारत आत्म-निर्भर समझा जा सकता है। लेकिन यातायात की जरूरतों को देखते हुए डीजल और बिजली के इंजन मंगाने की जरूरत है। इस तरह के इंजनों को देश में तैयार करने की क्षमता बढ़ाने के सवाल पर सक्रिय रूप से विचार हो रहा है। फिर भी यह कहना कठिन है कि देश इस दिशा में कब तक आत्म-निर्भर हो जायेगा, क्योंकि यह दो बातों पर निर्भर है, एक यह कि रेल-इंजन तैयार करने में कितनी प्रगति होगी और दूसरे, भगली योजनाओं में कितने रेल-इंजनों की जरूरत होगी।

दावे

६२. **श्री पद्म बेब :** क्या रेलवे मंत्री करेंगे कि :

(क) चालू वर्ष में अब तक लीये सामान के कितने दावे दायर हुये ;

(ख) सरकार को उनकी क्षतिपूर्ति के रूप में कितनी राशि देनी पड़ी ; और

(ग) सरकार ने इस स्थिति में सुधार करने के लिये क्या पग उठाये हैं ?

रेलवे उपमंत्री (बी.सं.बै. रायस्वामी):

(क) चालू साल में (प्रैरिल से सितम्बर १९५८ के बीच) रास्ते में खोये गये माल के लिए कुल जितने दावे किये गये उनकी तादाद लगभग २ लाख है।

(ख) ८८.७६ लाख रुपये।

(ग) इसमें सुधार के लिए रेल-प्रशासनों ने जो उपाय किये हैं उनका बयान सभा पटल पर रख दिया गया है। [देखिये परिशिष्ट १, अनुबन्ध संख्या २५-क]

तार और टेलीफोन का सामान

६३. श्री पद्म देव : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) डाक तथा तार विभाग ने १९५८ में तार और टेलीफोन के सामान पर कुल कितना खर्च किया, और

(ख) इसमें से कितना घन हिन्दुस्तान केबल्स (प्राइवेट) लिमिटेड कम्पनी को दिया गया और कितना विदेशों से आयात पर खर्च हुआ ?

परिवहन तथा संचार मंत्री (बी.सं. का. पाटिल): (क) और (ख). वर्ष १९५८-५९ के आनुमानिक आंकड़ों को दर्शाने वाला एक विवरण-पत्र, जिसमें उसी अवधि के बारे में प्राप्त हुए वास्तविक आंकड़े भी सम्मिलित हैं, सभा-पटल पर रखा गया है।

भारतीय डाक-तार विभाग द्वारा १९५८-५९ में खरीदे गये सामान के विषय में श्री पद्म देव द्वारा १८ नवम्बर, १९५८ को पूछे जाने वाले लोक-सभा के घाताराकित प्रश्न संख्या ६३ के भाग (क) और (ख) के उत्तर में उल्लिखित विवरण-पत्र।

रकम आर्थों में

(क) खर्च की जाने वाली
आनुमानिक रकम ८०२
(ख) भूगर्भ केबलों (Underground Cables) की स्थिति—

अप्रैल से
सितम्बर
१९५८ तक
की प्राप्तियाँ

अक्तूबर
१९५८ से
मार्च १९५९
तक की
आशमिन
(expected)
प्राप्तियाँ

भाग

(१) मैमर्ज हिन्दुस्तान
केबल्स लिमिटेड द्वारा
बनाय गये केबल

४८

११४

१६२

(२) आयात किये गये केबल

३१

३३

६४

७९

१७७

२५६

नोट : १९५८-५९ में कुल मदों पर अब तक खर्च की गई रकम के आंकड़े अभी उपलब्ध नहीं हैं, अतः १९५८-५९ में खरीदे गये सामान पर खर्च की जाने वाली आनुमानिक रकम उपर्युक्त (क) भाग में दी गई है।

रेलवे दुर्घटनाओं की क्षतिपूर्ति

६४. श्री पद्म देव : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि रेलवे दुर्घटनाओं से सम्बन्धित दावों की क्षतिपूर्ति के लिए ३१ अक्टूबर, १९५८ तक कितना खर्च किया गया।

रेलवे उपमंत्री (श्री शाहनवाज खाँ) : पहली जनवरी १९५८ और ३१ अक्टूबर, १९५८ के बीच क्षतिपूर्ति के रूप में ₹. ७०,६५३.३१ रुपये दिये गये।

हिमाचल प्रदेश में वन संवर्धन

६५. श्री पद्म देव : क्या यह तथा कृषि मंत्री यह बताने की कृपा करेंगे कि

(क) हिमाचल प्रदेश में वन संवर्धन के कार्य में अब तक क्या प्रगति हुई है,

(ख) यह कार्य किस के अधीन हो रहा है, और

(ग) चालू वर्ष में इस पर कितना धन व्यय किया गया ?

लाघ तथा कृषि मंत्री (श्री श्री ० प्र० जैन) : (क) में (ग) हिमाचल प्रदेश प्रशासन में जानकारी मगाई गई है और वह मिलते ही सभा पटल पर रख दी जायेगी।

हिमाचल प्रदेश में सड़कें

६६. श्री पद्म देव : क्या लाघ तथा कृषि मंत्री यह बताने की कृपा करेंगे कि हिमाचल प्रदेश में वन विभाग के अधीन द्वितीय पंचवर्षीय योजना के अन्तर्गत अब तक कितने मील सड़कें बनाई जा चुकी हैं ?

लाघ तथा कृषि मंत्री (श्री श्री ० प्र० जैन) : कुल ५६६ मील सड़कों में से, जो द्वितीय योजना के समय में बनाई जानी है सितम्बर, १९५८ तक २३६ मील सड़कें बनाई जा चुकी हैं।

हिमाचल प्रदेश में पशु प्रदर्शनियाँ

६७. श्री पद्म देव : क्या लाघ तथा कृषि मंत्री यह बताने की कृपा करेंगे कि

(क) हिमाचल प्रदेश में चालू वर्ष में अब तक कितनी जिला और राज्य पशु प्रदर्शनियाँ हुईं ;

(ख) इन प्रदर्शनियों में कितनी-कितनी पशुओं का प्रदर्शन किया गया, और

(ग) इन पर किस-किस मद के अन्तर्गत कुल कितना खर्च किया गया ?

लाघ तथा कृषि मंत्री (श्री श्री ० प्र० जैन) : (क) से (ग) हिमाचल प्रदेश प्रशासन में जानकारी मगाई गई है और वह मिलते ही सभा की टेबिल पर रख दी जायेगी।

U.N.I.C.E.F.

68 Shri Shree Narayan Das: Will the Minister of Health be pleased to state—

(a) the allotments made for various categories of programmes under UNICEF in September, 1958; and

(b) how these allotments have been allocated to different States?

The Minister of Health (Shri Karmakar): (a) and (b) The following allocations were made to India by the UNICEF Executive Board at its September, 1958 Session:—

(1) Basic MCW Services: \$ 21,000
Paediatrics Training
and Services in Tri-
vandrum

This allotment is for
Kerala State

(2) Paediatric Training
and Services in Bom-
bay \$ 66,000

This allotment is intend-
ed for Bombay State

(3) School Feeding (6,740
short tons skimmed
milk powder, free of
cost)—Freight only \$ 337,000

This allotment is for All India Programmes Supplies are released to each State from time to time during the year according to the proved needs. The value of freight relating to supplies actually made to individual States will be known only at the end of the year

(4) Goitre Control \$ 27,500

The allotment is for the Sub-Himalayan region where Goitre is found to be prevalent These regions are spread over parts of U.P., Bihar, West Bengal, Assam, Tripura, N.E.F.A. and Manipur This is a Government of India Programme and it will not be possible to say now how much of this aid will go to each State

(5) Trachoma Control \$ 33,000

This allotment is for the combined pilot Project in three States, viz U.P., Rajasthan and Punjab The value of actual supplies made to each State will be known at the end of the year

Total allocation \$ 484,500

Punctuality Week on Railways

69. Pandit D N Tiwary Will the Minister of Railways be pleased to lay a statement showing

(a) whether punctuality drive or punctuality week has been observed or is proposed to be observed in the near future in all the Railways, and

(b) the position regarding punctual running of trains on the Railways (Zone-wise) from August to 31st October, 1958?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Punctuality drives are instituted periodically on the Railways with a view to improving punctuality performance of passenger carrying trains Such drives have been observed on all the Railways during 1958

(b) A statement indicating the percentage of trains not losing time to the total number of trains run in respect

of Mail and Express and other passenger trains is laid on the Table of the Sabha. [See Appendix I, annexure No 26]

Doubling of Bezwada-Gudur Section

70. Shri T B. Vittal Rao: Will the Minister of Railways be pleased to state

(a) the total rail length doubled so far between Bezwada-Gudur Section on the Southern Railway,

(b) the length of the track doubled during the period from the 1st April to the 31st October, 1958, and

(c) the date by which the doubling of the track between Bezwada-Gudur Section will be completed?

The Deputy Minister of Railways (Shri S V. Ramaswamy): (a) 17½ miles have been opened to traffic

(b) Total mileage under construction is about 46 miles of which 5 miles is ready for opening and another 8 miles of permanent way have been linked

(c) The section is being doubled in parts to a mileage aggregating 101 By April 1959 about 40 miles is expected to be completed As the earth-work and bridging involved is heavy, no definite date for completion of the balance can yet be given but it is expected that the full 101 miles will be ready by 31st March, 1961

All India Institute of Medical Sciences

71 Shri V. P. Nayar: Will the Minister of Health be pleased to state

(a) whether any priorities have been laid down in the subjects for post-graduate studies in the All-India Institute of Medical Sciences;

(b) if so, what are the subjects in the topmost priority, and

(c) what are the specific subjects or topics on which the post-graduate students are working at present?

The Minister of Health (Shri Karmarkar): (a) and (b). No priorities have been laid down.

(c) Orthopaedics, Anatomy, Physiology, Pharmacology, Bacteriology and Pathology.

पर्यटन विभाग

७२. श्री रघुनाथ सिंह : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय भारत में कितने पर्यटन विभाग हैं ;

(ख) उन पर कितना वार्षिक व्यय किया जाता है ; और

(ग) इस समय उनमें कितने लोग काम करते हैं ?

परिवहन तथा संचार मंत्री (श्री स० का० पाटिल) : (क) इस समय भारत सरकार द्वारा स्थापित एवं संचालित १४ पर्यटन कार्यालय हैं।

(ख) ४,५६,५५४ रुपये (१६५७-५८ में)।

(ग) २१ गजेटेड अफसर।
१२६ नान-गजेटेड कर्मचारी

कुल : १५७

Procurement of Foodgrains in Punjab

73. Shri Ajit Singh Sarhadi: Will the Minister of Food and Agriculture be pleased to state:

(a) the quantities of foodgrains procured from the Punjab in 1958-59 so far;

(b) the price of procurement of each item; and

(c) the price of each item prevalent in the adjoining Uttar Pradesh State at the time of procurement?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) About 23,000 tons of rice have been procured 231(A1) LSD—3.

for the Central Government from Punjab during the period 1st April to 31st October, 1958.

(b) The prices paid for different varieties of rice procured are as follows:—

variety	Price per maund bagged Rs. Np.
Begmi	18.00
Dara and Sela Joshi	16.50
Basmati Raw	25.00
Basmati Boiled (Sela)	22.75
Hansraj, Mushkin, Parmal, Ramjawain and Chahora :	
(a) Raw	22.25
(b) Boiled	20.50
White Tota	12.25
Mongra	16.25
Kani	8.50

Remarks:—

(1) The prices specified are for fair average quality conforming to the specifications fixed for each variety and subject to quality cuts as provided for in the specifications.

(2) The prices are for grains packed in sound new gunnys. For raked grains, the prices are Re. 0.50 per maund less than the prices specified above.

(c) In Uttar Pradesh, the prices of common rice ranged from Rs. 19.00 per maund to Rs. 29.09 per maund during the period mentioned above.

Import of Foodgrains from U.S.A. under P.L. 480.

74. Shri Hem Raj: Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of food-grains received by India from U.S.A. under P.L. 480 agreement; and

(b) the estimated value thereof?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). A quantity of about 41.5 lakh tons of foodgrains valued at Rs. 176.7 crores (cost and freight) has been received from the U.S.A. under P.L. 480 agreements upto the 31st October, 1958.

Leprosy in Orissa

75. Shri Panigrahi: Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 134 on the 12th August, 1958, and to state:

(a) whether any financial help has been given to Orissa during Second Plan period under the Leprosy Control Scheme; and

(b) If so, the details thereof?

The Minister of Health (Shri Karmarkar): (a) Yes, Sir.

(b) A sum of Rs. 4,90,036-00 has been given to the Orissa Government during the Second Plan period as Central Government's assistance under the Leprosy Control Scheme. The details are as follows:

1956-57	..	Rs. 71,714-00
1957-58.		Rs 31,697-00
1958-59.	..	Rs. 3,86,625-00

Non-Officials in Community Development and NES Blocks

76. Shri Panigrahi: Will the Minister of Community Development be pleased to refer to the reply given to Unstarred Question No. 1682 dated the 16th December, 1957 and state:

(a) whether reply to instructions sent by the Central Government with regard to associations of non-officials in the Planning of projects in C.D. and N.E.S. Blocks, has been received from the Development Commissioner, Orissa; and

(b) if so, to what effect?

The Minister of Community Development (Shri S. K. Dey): (a) and (b). The Orissa Government have intimated that the Block Programme and the various schemes taken up in a Block are approved by the Block Advisory Committee (now Block Development Committee).

Accidents on Indian Railways

77. Shri Rajendra Singh: Will the Minister of Railways be pleased to state:

(a) the total number of accidents which took place on the Indian Railways since August, 1958 up-to-date; and

(b) the number of persons who lost their lives and those who received serious injuries?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Five serious accidents have occurred on the Indian Government Railways during the period from 1-8-1958 up-to-date (13-11-1958).

(b) Four persons were killed and nine received serious injuries.

Awarding of Trophies

78. { Shri Ram Krishan:
Shrimati Mafta Ahmed:
Shri Bibhuti Mishra:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether there is any proposal to institute prizes for individuals, areas and village in order to provide incentives for raising agricultural production;

(b) if so, whether any decision has been arrived at in this regard?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir.

(b) The scheme for the award of prizes to individuals has been approved and the State Governments have been asked to implement it from the ensuing Rabi season. A copy of the scheme is laid on the Table of the House [See Appendix I, annexure No. 27.]

The scheme for the award of community prizes for raising production of food grains by a pre-determined level over large areas is under consideration.

Water Supply in Delhi

79. { Shri Ram Krishan:
Shri Naushir Bharucha:

Will the Minister of Health be pleased to state:

(a) whether the normal supply of water has now been restored in Delhi;

(b) if so, whether the threat of water-borne disease has been eliminated; and

(c) if so, whether the tap water is now safe and no boiling is necessary?

The Minister of Health (Shri Karmarkar): (a) Yes.

(b) and (c). During the last crisis the drinking water was chlorinated and carefully treated at the Pumping Station before supply to the public. In this way the chances of possible water-borne diseases were eliminated. However, as a measure of extra precaution, the public were advised to boil water before use. It is not now considered necessary to boil water any more.

Hydro-Electric Potentialities of Kerala

80. { Shri Warior:
Shri Vasudevan Nair:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government had received any scheme from the Kerala State Government for exploiting the hydro-electric potentialities of that State jointly with the State of Madras;

(b) if so, what are the main suggestions made therein; and

(c) whether the Planning Commission have accepted the scheme?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The Government of India have not so far received any scheme from the Govern-

ment of Kerala for exploiting the Hydro-electric potentialities of that State jointly with the State of Madras.

(b) and (c). Does not arise.

Red Cross Society, India

81. Shri Mohan Swarup: Will the Minister of Health be pleased to state:

(a) the amount paid annually by Government to the Indian Red Cross Society, New Delhi; and

(b) the amounts paid to the State Branches of the Red Cross Society?

The Minister of Health (Shri Karmarkar): (a) Government are paying the following annual grants to the Indian Red Cross Society:—

(i) Rs. 1,00,000.

For the Society's normal expenses.

(ii) Rs. 1,50,000.

This represents the Government of India's contribution to the International Committee of the Red Cross and the League of Red Cross Societies, Geneva at the rate of Rs. 75,000 each.

The following ad hoc grants have been paid to the Indian Red Cross Society by the Ministry of Defence and the Ministry of Home Affairs:—

Ministry of Defence.

(i) Rs. 1,00,000.

Paid in two instalments for Welfare Service in Military Hospitals. This is an annual grant.

Rs.

(ii) 50,000	} (1956)
(iii) 35,000	
(iv) 65,000	

} (1957) for the Medical.
(1958) —After-Care Fund

Ministry of Home Affairs.

(i) 95,000	} (1954)	} for Maternity and			
(ii) 76,876			} (1955)		
(iii) 27,000				} (1956)	
(iv) 20,701					} (1957)
(v) 15,250					

Child Welfare work in Tehri Garhwal.

(b) Normally Government do not pay any grants to State Branches of the Red Cross Society. The Government of India, however, sanctioned a grant of Rs. 30,000 during the current financial year to the Red Cross Society's Orissa State Branch for purchasing Blood Plasma Separation Unit and other necessary equipment for the Blood Bank being established by that Branch.

Inclusion of Delhi in Northern Rice Zone

82. Shri Ram Krishan: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Delhi has been included in the Northern rice zone; and

(b) if so, how far it has affected the price of rice in Delhi?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir

(b) The prices of different varieties of rice in the Delhi market have fallen by about Rs. 2-50 to Rs. 6-25 per maund.

All India Institute of Medical Sciences

83. Shri Ram Krishan: Will the Minister of Health be pleased to state the progress made so far in establishment of a new Hospital at Safdarjung for the All India Medical Institute to meet its minimum clinical requirements?

The Minister of Health (Shri Karmarkar): A permanent 250 bedded hospital has been sanctioned for the All India Institute of Medical Sciences. The plans and estimates have not yet been finalised.

Pending the establishment of this hospital, the setting up of a temporary 100-bedded hospital in the Nurses Home building in the campus of the Institute was sanctioned in June 1958. The progress so far made

on the establishment of the temporary hospital is as follows:—

(1) Accommodation:

Necessary additions and alternations to the Nurses' Home building have been completed. The lower two floors of the building will be used as wards and the upper two floors will be utilised for the accommodation of nurses.

(2) Staff.

The recruitment of all categories of staff, doctors, nurses and ancillary personnel is nearing completion, and a number of them have already reported for duty. The entire staff required for the hospital is expected to be in position by the 1st week of December, 1958.

(3) Equipment.

Of the total requirement of equipment worth Rs. 5,00,000, 40 per cent. has already been received and the balance is expected to be received by the 1st week of December, 1958.

This Hospital is expected to start functioning by the middle of December, 1958.

Replacement of Cycle Rickshaws by Scooter-Rickshaws

84 { Shri Ram Krishan:
Shrimati Ila Palchoudhuri:

Will the Minister of Transport and Communications be pleased to state:

(a) whether the scheme of replacement of cycle rickshaws in Delhi by scooters has been finalised;

(b) if so, the number of rickshaws replaced so far;

(c) total number of rickshaws to be replaced; and

(d) other features of the scheme?

The Minister of Transport and Communications (Shri S. K. Patil): (a) No such scheme has been framed by the Delhi Administration.

(b) to (d). Do not arise.

Sonepur Bridge

85. **Shri Jhulan Sinha:** Will the Minister of Railways be pleased to state:

(a) The total expenditure incurred upto the 31st March, 1958 on the construction of Sonepur Bridge;

(b) the programme for its completion; and

(c) the use to which the present existing bridge is to be put after the new bridge comes into use?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Rs. 84,27,000.

(b) Target for completion is early 1960.

(c) Proposals for the sale of the existing bridge to the Bihar Government are under active consideration.

Benefit to Grade I Clerks under New Deal

86. **Shri Aurobindo Ghosal:** Will the Minister of Railways be pleased to state:

(a) the number of clerks Grade I who had benefited in Accounts Department of Eastern and South-Eastern Railways under New Deal till December, 1957;

(b) the number of clerks Grade I who have not received any benefit under the New Deal; and

(c) the reasons for non-receipt of benefits?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) to (c). Information is being collected from the Railways concerned and will be laid on the Table of the Sabha.

Staff in the Ministry of Transport and Communications

87. **Shri Daljit Singh:** Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 2359 on the 18th September, 1958 and state:

(a) the percentage reserved for Scheduled Castes and Scheduled Tribes by Government;

(b) the reason for not filling up the reserved quota so far; and

(c) the time by which it will be filled up?

The Minister of Transport and Communications (Shri S. K. Patil): (a) Percentage of reservation in the Grade of Assistants, Upper Division Clerks and Lower Division Clerks:

	Scheduled Castes	Scheduled Tribes
(i) Open competition	12½%	5%
(ii) Otherwise than by open competition	16½%	5%

(b) & (c). The posts of Assistants and Upper Division Clerks are filled through the Ministry of Home Affairs. While filling up such posts that Ministry keeps in view the orders regarding the communal representation for the Central Secretariat as a whole. As regards Lower Division Clerks, the recruitment was hitherto being made from the local Employment Exchange with due regard to the special representation. So far as the Scheduled Castes are concerned they have been adequately represented. As regards Scheduled Tribes, the shortfall is due to the non-availability of candidates with the Employment Exchange. There is at present a ban on the recruitment of clerks from the open market.

Medical Staff in Manipur

88. **Shri L. Achaw Singh:** Will the Minister of Health be pleased to state:

(a) the number of doctors, health visitors and sanitary inspectors available in Manipur Territory;

(b) the number of students sent for training or deputed for study of each course by the Manipur Administration during the last three years; and

(c) the amount of stipend sanctioned for each category?

The Minister of Health (Shri Karmarkar): (a) to (c). The information is being collected and will be laid on the Table of the Sabha in due course.

Travel Agencies.

89. Shri Damani: Will the Minister of Railways be pleased to lay on the Table a statement showing:

(a) the number of Travel Agencies working in India and the rates of commission they are getting from Railways; and

(b) the total amount of commissions allowed during 1956-57, 1957-58 and 1958-59 so far?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Twenty-six Tourist Agencies working in India are authorised to issue Railway Tickets

The rates of commission payable to them, on the basic fares of the tickets sold by them, are:

(1) For coupon tickets and special tickets issued to Overseas Tourists 10 per cent.

(2) For tickets issued to residents of India:—

(i) On coupon-tickets and on card and paper tickets similar to those issued by Railways 3½ per cent.

(ii) On special tickets for small excursion parties in reserved carriages, excursion special trains and Circular Tour Tickets 5 per cent

(b) The total amount of commission paid by the Railways was:

Year	Amount
1956-57	Rs 5.92 lakhs approximately
1957-58	Rs 6.37 „ „
1958-59 upto September	Rs 2.66 „ „

Passengers in Air Conditioned Train

90. Shri Subiman Ghose: Will the Minister of Railways be pleased to state the number of passengers in air conditioned trains (81 up and 82 down) running from Howrah to

Delhi and back entraining from Aligarh Junction, Tundia Junction, Gaya Junction, during each month in 1958 so far?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): A statement is laid on the Table of the Sabha. (See Appendix I, annexure No. 28.)

Thefts and dacoities on Railways

91. Shri D. N. Tiwary: Will the Minister of Railways be pleased to state:

(a) the number of dacoities and thefts or pilferages committed in trains or stations in Railways (Zone-wise) in the months of September and October, 1958,

(b) the number of persons wounded or murdered; and

(c) the number of lines tampered with for the purpose of committing thefts or dacoities during the same period?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) to (c) The particulars are given below:—

Railways	No of Dacoities	No of thefts and pilferages	No of persons murdered or wounded	No of lines tampered with
Southern	1	269	1	1
N. Eastern	201			
N.E Frontier		23	1	2
Central*	1	84*		4
Western		183	3	
Eastern		242*		
Northern	2	353	2	1
Eastern		181		

*Figures relating to such offence on Central Railway during October are not available as yet

†It cannot be said definitely whether the tampering with the track in these cases was for committing theft or dacoity. Investigation has not brought over the motive so far.

Porters

92. **Shri Rajendra Singh:** Will the Minister of Railways be pleased to state:

(a) the rules and conditions regulating the licensing of the porters on Indian Railways;

(b) the extent and measure of their responsibilities for the functioning of Railway transport, if any; and

(c) the total number of porters and their proportion to the Railway employees?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) The principal rules and conditions under which licensed porters are permitted to carry passengers' luggage and belongings to and from the railway carriages within the station premises are:—

(i) The licensed porters shall attend to their duties regularly everyday during the stipulated periods;

(ii) The licensed porters shall carry luggage and belongings of passengers, as directed, within the station limits at such rates as are fixed by the Railway administration;

(iii) The licensed porters shall, while on duty, wear the uniform and badge prescribed by the Railway;

(iv) The licensed porters shall not demand more than the prescribed portage from the passengers.

(v) The licensed porters shall be civil and courteous to the passengers and shall deal with their luggage with due care.

(vi) The porters are liable to pay a small license fee to cover the value of uniforms and cost of supervision of their work by the Railway;

(vii) The licensed porters are required to execute an agreement Bond with the Railway undertaking to fulfil the conditions of their license.

(viii) The licensed porters shall not be deprived of their work unless they resign or there are complaints against them which would justify dispensing with their labour.

(ix) The Railway undertakes no responsibility for articles under the custody of the porters.

(x) The licensed porters (not their families) are entitled to free medical aid from the Railway as outpatients, where such a facility is available.

(xi) While not engaged in conveying the passengers' luggage the licensed porters are liable to be utilised for railway work on payment of suitable remuneration.

(b) They have no direct responsibility in the functioning of the railway transport.

(c) Total number of licensed porters on all Indian Railways is about 33 000 and their proportion to total number of employees of the Railways is 1:33

12 hrs.

PAPERS LAID ON THE TABLE

SECOND ANNUAL REPORT OF THE ALL INDIA INSTITUTE OF MEDICAL SCIENCES

The Minister of Health (Shri Karmarkar): I beg to lay on the Table under section 19 of the All India Institute of Medical Sciences Act, 1956, a copy of the Second Annual Report of the All India Institute of Medical Sciences for the year 1957-58 (from 1st August, 1957 to 31st March, 1958). [Placed in Library. See No. LT-1002/58].

AMENDMENT TO THE DELHI DEVELOPMENT AUTHORITY RULES, 1958

Shri Karmarkar: I beg to lay on the Table under section 58 of the Delhi Development Act, 1957, a copy of Notification No. GSR 632, dated the 26th July, 1958 making certain amendment to the Delhi Development Authority Rules, 1958. [Placed in Library. See No LT-1003/58].

ADMINISTRATION REPORT OF DELHI ROAD TRANSPORT AUTHORITY

The Minister of Transport and Communications (Shri S. K. Patil): I beg to lay on the Table a copy of the Administration Report of the Delhi Road Transport Authority for the year 1955-56. [Placed in Library. See No LT-1004/58].

AMENDMENTS TO DELHI MOTOR VEHICLES RULES

Shri S. K. Patil: I beg to re-lay on the Table, under sub-section (3) of section 133 of the Motor Vehicles Act, 1939, a copy of each of the following Notifications making certain amendments to the Delhi Motor Vehicles Rules, 1940—

- (1) Notification No 12/130/56-MT/Home, dated the 3rd September, 1958 published in Delhi Gazette;
- (2) Notification No 12/154/56-MT/Home, dated the 3rd September, 1958 published in Delhi Gazette. [Placed in Library. See No LT-920/58]

REPORT OF THE Ad Hoc COMMITTEE ON SLAUGHTER HOUSES AND MEAT INSPECTION PRACTICES

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): I beg to lay on the Table a copy of the Report of the Ad Hoc Committee on Slaughter Houses and Meat Inspection Practices. [Placed in Library See No LT-1005/58].

12:02 hrs.

ESTIMATES COMMITTEE

TWENTY-NINTH REPORT

Shri B. G. Mehta (Gohilwad): I beg to present the Twenty-ninth Report of the Estimates Committee on the action taken by Government on the recommendations contained in the Twenty-fourth Report of the Estimates Committee (First Lok Sabha) on the Ministry of Railways—Staff matters.

12:02½ hrs.

CORRECTION OF ANSWER TO A SUPPLEMENTARY QUESTION ON STARRED QUESTION NO. 1360

The Minister of Health (Shri Karmarkar): In reply to a Supplementary Question asked by Shri Tangamani, in connection with Starred Question No 1360 on the 18th September, 1958 it was stated that the number of doctors was 181 including 30 specialists; and 44 additional medical men were proposed to be appointed. The correct position is that the number 181 is inclusive of the 44 additional medical men who are proposed to be appointed.

Shri Tangamani (Madurai): I would like to know whether all these 44 additional medical men have been appointed. If not, how many have been appointed?

Shri Karmarkar: I should like to ascertain that

Shri Tangamani: You had directed that when such statements are made, a copy thereof should be given in advance so as to enable us to ask questions for clarification.

Mr. Speaker: Has a copy not been supplied?

Shri Tangamani: A copy has been supplied. It is only on that basis arising out of the statement made that I am asking the question.

Mr. Speaker: He has only corrected his statement.

Shri Karmarkar: I shall find out and supply the information.

Mr. Speaker: Hon. Ministers who correct their statements must also be prepared to answer supplementary questions arising out of the correction.

12-04 hrs.

BUSINESS ADVISORY COMMITTEE THIRTY-FIRST REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):

I beg to move:

"That this House agrees with the Thirty-first Report of the Business Advisory Committee presented to the House on the 17th November, 1958".

Mr. Speaker: The question is:

"That this House agrees with the Thirty-first Report of the Business Advisory Committee presented to the House on the 17th November, 1958".

The motion was adopted.

12-05 hrs.

TEA (ALTERATION IN DUTIES OF CUSTOMS AND EXCISE) BILL— contd.

Mr. Speaker: The House will now resume discussion of the Tea (Alteration in Duties of Customs and Excise) Bill.

The House has already taken 2 hours and 11 minutes on this Bill.....

Sardar Hukam Singh (Bhatinda):
No time has been allotted.

Mr. Speaker: The hon. Minister

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi):
Mr. Speaker. Sir, as many as 11

speakers have spoken, and the majority of them have pleaded that the relief given is not adequate. They also complained that enough information was not given at the time when the motion was moved.

This came into force on the 28th September, 1958 and when my hon. colleague, Shri B. R. Bhagat, spoke at the time of the introduction of the Bill, he gave all relevant facts to the House. Yet hon. Members pleaded that the cost structure was not made available, labour was not consulted, consumers' interests were not consulted and so on. All these matters are not quite relevant to the Bill under consideration. We are not putting any new impost on tea. On the other hand, we are giving relief after duly considering the representations of the trade, consumers' interests and labour's interests at great length.

The object of the Bill is very simple and, therefore, the Statement of Objects and Reasons is only in two lines. Shri Naushir Bharucha complained that this was the briefest Statement of Objects and Reasons he had ever seen. The object is very simple, namely, to enable the common teas to compete in the international market, so there was no need to elaborate the object. We are sure that what is being sought is being gained by the relief given.

Shri Naushir Bharucha also complained that the tea shares were going down in the market. I do not know whether he has seen the latest figures. I have some figures with me. They all show that perhaps due to the relief given tea shares are moving up. In Calcutta, for instance, Brooke Bond which had begun at 17-75 in the beginning of October moved up to 17-87, Hantpara moved from 116 to 124 and Hasimara from 23-37 to 23-44.

Shri Naushir Bharucha (East Khadesh): They are minor daily fluctuations.

Dr. B. Gopala Reddi: In October, tea shares had moved up. I am also able to say that the demand for tea in October has certainly been more than in the preceding month, and there is no need for taking any alarmist view of the situation.

Member after Member has pleaded that our exports are likely to go down and we are being elbowed out in the international market, and African production is going up and the chances of our exports going down are visible. But we have been constantly looking at the trends of the tea export market and we need not take an alarmist view of the situation. The trade has reacted very well to the relief given in the Bill. Our exports have not dwindled to the extent that we should abolish our export duty. Abolition of export duty also need not necessarily mean that our exports will be stimulated. We are sure that when we abolish our export duty, Ceylon might do likewise and do away with their export duty, and when this happens, the position at the London auctions will be the same. Whatever we forgo will go to the benefit of perhaps the European consumers or the shippers in India.

So we have to bear all these things in mind and without forgoing much of revenue we must also see that we do not lose our export market. Therefore, the Tea Board, the Ministry of Commerce and Industry and the Ministry of Finance are always watching the situation and there is no warrant to feel pessimistic about the tea trade as a whole.

I have some figures with me. In 1954, we exported 448 million lbs. tea. In 1955, the exports fell to 367 million lbs., but this shortfall was made up in 1956 when exports jumped to 533.6 million lbs. In 1957 the performances are comparable to 1954. And, taking the period, January to October 1958, for which figures are available, this year's performance is about 40 million lbs. better than that

for the same period last year. Therefore, 1958 has been more favourable for the tea export trade than 1957 and exports have been increased by 47 million lbs.

Likewise, the demand for our tea is also greater in October. In the review for the month of October—I may say this is a review of the market as a whole, it says:

“The alterations in the rates of export and excise duty, which provided a small relief, enabled Exporters to bid lonely and offer higher prices especially for true exportable types from the Dooars and Assam.”

Likewise, they say:

“Common and low medium teas were the most popular descriptions during the month and their prices advanced by 10 nP. for Fannings, and up to 15 nP. for Broken grades above the levels ruling at the end of September. Medium Assams of orthodox manufacture were also a strong feature being fully firm.”

“The current levels are well over a rupee below the high levels ruling earlier in the season.”

So, all points taken together relief has been received very well both by the indications of prices and also by the market and the 10 nP. relief is, certainly, welcomed all round, without foregoing much of the revenue. As I said, we must also safeguard our revenues internally. Merely for earning foreign exchange, we need not pass on the benefit to foreign consumers. I mean the danger is that what relief we give to the industry here may not all be passed on the consumer here; on the other hand, the relief might go to the foreign consumer.

Previously, common tea did not enjoy any preferential treatment and, to that extent, we are now changing

the basis. Common tea hereafter will have a preferential treatment. Prior to this, common tea, medium tea or quality tea were all treated alike both in the excise duty and in export duty. But, hereafter, common tea is going to pay only 2 nP. excise duty, while the export duty is the same for all the varieties of tea. We have divided the entire country into three zones according to the prices fetched in the previous auctions. I am sure hon. Members are in possession of the division of the zones. The excise duty leviable on common tea—of course it is not levied on common tea as such but on teas grown in certain areas—will be only 2 nP. We have been watching the auctions all these years and we know the prices certain teas from certain areas fetch. Taking the past performance period we have classified these areas into 3 categories. Where the tea was fetching a low price, we have put it in the lower grade; where it was fetching more than Rs. 1.75 per lb., we have classified into grade II; and where it is good tea, quality tea fetching above Rs. 2 per lb., we have classified under grade III. This is a new basis indeed.

For the first time, we are trying to give relief to common tea not by defining common tea because it is very difficult to define what it is as it gets blended. But, we have taken care to see that the entire growing area is divided into three zones. Vast areas in Siliguri sub-division of the Darjeeling district and the district of West Dinajpur and other districts in West Bengal excluding Jalpaiguri and other sub-divisions of Jalpaiguri, the Gudalur taluk of the district of Nilgiris, the Peermade and Meenachil and other districts of West Coast would also get the benefit of this 2 nP. I think this is the only way by which we can give some relief to the common tea. As I said the market has reacted favourably.

It is not as if there are huge stocks lying in the godowns at Calcutta and the auction markets. Tea is in great

demand and we need not take an alarmist view of the future of the trade. We shall certainly be constantly watching the situation and how the London auctions and auctions in India are taking place and whether there are huge stocks remaining. As far as we are aware there is no stock and the demand is very keen. Therefore, I think, the relief that is now being given is sufficient for the time being. We cannot do much at present because we do want certain revenue resources from this export trade also without jeopardising our export trade. Therefore, there is no use going all out for abolishing the export duty.

In some cases, this 10 nP. comes to about 26.5 per cent. of relief. That must be adequate for the time being, as far as common tea is concerned. As far as medium tea is concerned, it goes up to 21 per cent.; and, of course, quality tea will get only 5.33 per cent. There is no danger of the trade getting any adverse effects because of the African competition. After all, our own *per capita* consumption is only .6 lb. as against 10 lbs. of consumption in the United Kingdom. Our population is growing and our Tea Board is also taking all steps to do propaganda for the consumption of tea. Very likely, when the standard of living is going up in our country, the *per capita* consumption of tea in our country is also likely to grow. Therefore, when this .6 lb. *per capita* consumption moves up, there is vast scope for internal consumption alone. Internal consumption should be developed and our export trade must also be maintained. Our supreme position in the tea market must also be maintained. We are constantly watching to see that nothing adverse affects our trade.

We know that there are certain duties in Bengal and Assam—and it is a purely State subject—and I do not know whether we can successfully persuade the State Governments to forego that because they would immediately want compensation to be paid

[Dr. B. Gopala Reddi]

by the Centre. It is a very delicate matter. Anyhow, the importance of tea trade is being felt by the Assam Government and the West Bengal Government also. Their Chief Ministers and Finance Ministers are also aware of the importance of this tea trade and, I am sure, they will, certainly, take the necessary steps to see that no untoward hardship is put on the tea industry. It is a matter concerning the State Governments and there is nothing much that we can do from our side.

It is also not true to say that our share in the United Kingdom market is going down. That, again, is an exaggerated notion of our export trade. In 1954, our percentage in the United Kingdom market was 46·7 and in 1955 it went slightly down to 43·1 per cent.; in 1956 it had gone up to about 51·3 and in 1957, it was 46·6. We were doing better in 1957 as compared to 1955 and in 1958 it is likely to go up. We are still having a sort of a supreme position in tea market in the U.K. auctions. Therefore, without taking an alarmist and pessimistic view of the future of the tea trade, we can safely go ahead with the relief now proposed. We will certainly be on the watch. We will study the figures from time to time. There is also the Tea Board with a number of non-officials who are interested in the trade and we will certainly be prepared to come forward with any further relief if needed and warranted. But as far as we are concerned, we feel that this is enough for the present and our export trade will be stimulated. It is already looking up and we feel that without foregoing much of the revenue we can stimulate export trade. This relief means foregoing about Rs. 1·58 crores or so and for the time being we feel that it is enough. As I said we are not levying any impost on tea trade; on the other hand, we came forward, on the representations of the trade, to give relief. The relief has had an immediate effect on the market; the shares are also looking up. The demand is growing.

Therefore, for the present what we have proposed is adequate.

I do not agree with the view of the hon. Member that we should suspend the entire export duty for the first six months or so. That will be too much of a sacrifice without benefiting the trade as a whole. It may be we are passing that benefit to the European consumer or the shippers here who are mostly foreigners. Perhaps that amount of relief is not warranted. Therefore, I am really happy that the hon. Members have given general approval to the relief given. They only pleaded that we should go some steps forward and do away with the duty altogether which we cannot do for the time being. I am glad that the hon. Members have generally appreciated the relief given and the market also has reacted very favourably. I have nothing more to say except that I thank the hon. Members for the general approval that they have given to the Bill under consideration

Mr. Speaker: The question is:

"That the Bill further to amend the Indian Tariff Act, 1934, and the Central Excises and Salt Act, 1944, for the purpose of altering the duties of customs and excise on tea, be taken into consideration."

The motion was adopted.

Clause 2—(Amendment of Second Schedule, Act 32 of 1934)

Mr. Speaker: Now, we shall take up clause 2. Shri N. R. Ghosh.

Shri N. R. Ghosh (Cooch-Bihar): Sir, I am responsible for the amendment. I must at the beginning say that I am grateful to the Government for it has realised that the common tea needs protection. That is a great point and I would submit that I do welcome the principle of the Bill. But I am afraid that the relief that has been given is not adequate and I.

am also afraid that if the relief is too inadequate it will defeat its purpose. The hon. Minister has said that this relief has actually reacted on the market. But if you look at the price of auction sales, you will find that the price of common tea has not gone up.

12.24 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

That is a point which may be taken into consideration. The second point about which I want to say a few words is this: whether the removal of the duty altogether will really be to the interest of our country. If facts are gone into carefully, the hon. Minister will find that 88 per cent. of the market which the common tea had in the London market has been lost to us and has gone to the new countries. The figures will prove it. I need not dilate on that point. The hon. Minister should remember that there is no duty anywhere in the world except in Ceylon and Pakistan. Ceylon has got a better climate and the tea there is of a better quality. The tea grown in Pakistan is not much. In other countries, there is not only no duty but a sort of a subsidy. There is besides less carriage cost and lower cost structure so far as British East Africa is concerned. Java tea had a very large market and they are trying to regain that position. They are also giving a sort of a subsidy.

I do not for a moment want as such that the British consumers should benefit by our removal of duty. The only object of my amendment is this. It will be a great boon to the country; we will have a predominant position in the world tea market and it will be the greatest earner of foreign exchange. That is the only point which I wanted to make.

The hon. Minister has said that Ceylon may also remove the duty, as also Pakistan. If they do so, it will be a great boon. If they do so, what will happen? We have it as a mill stone

hanging from our neck. We are trying to compete with the other world markets under a handicap. If this duty goes, then this impetus about expansion of tea in British East Africa, in Iran and in other countries will disappear. Then, I do not think they can compete successfully with our Indian tea. There will be very probably no further expansion of tea plantation in those countries.

There is also another point. If the duty is done away with by Ceylon and Pakistan, there will be a greater chance of international agreement. That will also go a great way to stabilise this industry.

The only object of my amendment was to bring pointedly to the notice of the Government that the common tea does require protection and that this protection is not enough. It is not that I want to oppose the principle of the Bill. I am quite sure that the intention of the Government is not different from mine. The Government also wants to safeguard the tea industry because it is a great earner of foreign exchange. My only request to the hon. Minister is that he may again go deeper into this question and consider whether this relief is adequate or not.

Shri Achar (Mangalore): Sir, I would only like to have information on the questions which I raised yesterday. We read in the papers and we have some experience in this matter. I mentioned this point yesterday that some foreign capital invested in this industry is going out of the country. As I said yesterday, we are trying to attract capital into our country; capital is very much required now. From that point of view, we should consider the question of the adequacy of the relief granted. I raised this question and wanted to have a little information as to how far this position was correct. We read in the papers but we have no exact information. Is it a fact that foreign capital invested in this industry is going out of the country and many of them are killing the

[Shri Achar]

estates, shifting their activity to British East Africa? Is it because of that competition we face this position in the international market? I would like to know whether the Government has gone into this question and if it has gone into this matter, I would be glad to have that information.

Dr. B. Gopala Reddi: Sir, as far as the transfer of capital is concerned, we do not have any figures readily available. I do not know whether even the Reserve Bank of India will have those figures. Anyhow, since Shri Achar has raised the point yesterday and today, we will enquire from the Reserve Bank whether these figures are available with them for the last two or three years and see how much of capital was transferred on account of the sale of tea plantations in India. That information is not readily available.

I am also happy that the mover of the amendment wanted to bring this to the pointed attention of Government. As I assured in the very beginning, we are constantly on the watch. We will certainly see that our trade does not suffer any impediment because of the export duty. I can assure him that we will certainly not stand on any prestige or anything and, if it is warranted, we will certainly think of giving additional relief; but just now we do not feel that it is necessary. As I have already said, the October reaction in the market was very favourable. The Calcutta Review also says: "Despite generally gloomy prospects for common teas early in the season, a review of the market conditions during the period presents a satisfactory picture. Movement and disposal of tea have on the whole been swift and the volume of exports to date, as well as Calcutta sale prices, show an improvement as compared with 1957". The prices also moved up this month. Medium Doors which was roughly between Rs. 1.60 to Rs. 1.64 in 1957 moved up to Rs. 1.86 in October 1958. Medium Assam which used to be between Rs. 1.64 to

Rs. 1.68 moved up to Rs. 1.85. Medium C.T.C. which was between Rs. 2.18 to Rs. 2.30 has now gone up to Rs. 2.25. Best C.T.C. which used to be between Rs. 2.60 to Rs. 3.00 has now moved up to Rs. 2.80 to Rs. 3.10. Therefore, the October reaction, as I said, is really very favourable. Also, the Mid-Season Review sums up by saying: "Thus, the usual seasonal decline in prices which sets in with the arrival of rains teas on the market has so far been averted."

I would, therefore, request the hon. Member not to press the amendment. I give the assurance that we will certainly look into the matter constantly and we will be watching the reactions very carefully.

Mr. Deputy-Speaker: What is the reaction of the hon. Member so far as the amendment is concerned?

Shri N. R. Ghosh: In view of the assurance, I am not moving it.

Mr. Deputy-Speaker: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Dr. B. Gopala Reddi: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

Public Service Commission (Consultation) Regulations

12-35 hrs.

MOTION RE: MODIFICATION OF UNION PUBLIC SERVICE COMMISSION (CONSULTATION) REGULATIONS

Mr. Deputy-Speaker: The House will now take up further consideration of the motions for modification of the Union Public Service Commission (Consultation) Regulations, 1958 which were moved on the 27th September, 1958.

The House would recall that for want of time the debate on these motions was held over for discussion during this session.

Under Article 320(5) of the Constitution, these Regulations are subject to amendment only during the session in which they were so laid.

The Minister of Home Affairs had, however, stated on the last occasion that he had no objection to consider any subsequent recommendations made by the House in regard to these regulations.

Therefore, at the time of putting the question on any of these motions, I propose putting to the House only the first part which contains the resolution of the House, since the second part of the motion which is a recommendation to Rajya Sabha is not called for under present circumstances.

Two hours are available for this discussion.

Shri Harish Chandra Mathur (Pali): Mr. Deputy-Speaker, Sir, I had moved my amendments to the Regulations which have been laid on the Table of the House and which were framed and prepared by the President under the proviso to sub-clause (3) of article 320 of the Constitution. You have just mentioned, Sir, the constitutional position. I also mentioned it on the 27th September. I still have certain doubts. I do not know how we will get out of this constitutional difficulty. If it were the rules made by this House the House could have just accorded special sanction for the relaxation of those rules and could

discuss them in the next session. But in this particular matter article 320 makes a binding condition that these Regulations should be discussed during the very session in which they are laid on the Table. I do not know whether by a mere expression of wish of the House we can ignore a specific provision of the Constitution. The constitutional provision is quite clear, and I think the constitutional difficulty does persist. But just now the whole matter is in the possession of the House; I do not know what attitude the Speaker will take and what attitude the House will take in this matter. So far as I am concerned, I do feel that the constitutional difficulty is there and there is possibly no way of getting out of it.

12-37 hrs.

[MR. SPEAKER in the Chair.]

I will now confine myself to the observations which I have to make in respect of my amendments to these Regulations. Sir, as you know, it has taken Government almost more than eight years to frame these Regulations about which, as a matter of fact, a demand had been made on the floor of both the Houses while discussing the U.P.S.C. Report, because this matter has been repeatedly mentioned in the various annual reports of the U.P.S.C. However, now that these Regulations are before us, let us examine them on their merits.

I think it should be clear to everyone in this House that article 320 lays down clearly that all matters referred to in this article in sub-clause (3) are matters which fall within the purview of the U.P.S.C. and, until and unless there are very special reasons and exceptional circumstances, these powers should stay with the U.P.S.C. If there are certain special circumstances, a provision has been made in the proviso to sub-clause (3) which gives the President the power to frame certain rules and regulations exempting certain subjects from the purview of the U.P.S.C. But, as I submitted, there must be certain very good

Public Service Commission (Consultation) Regulations

[Shri Harish Chandra Mathur]
reasons with the Government for making these exceptions, because when the article was framed it was taken into consideration that these particular subjects must be within the jurisdiction of the U.P.S.C.

There is another article, further up, which says that there are certain other matters over which the power of the U.P.S.C. could be extended—that is article 321. What we would ordinarily expect from the Government is to create greater respect and confidence for these institutions which are supposed to be institutions of very great importance for maintaining the moral tone and temper of the services, institutions which are supposed to be there to instil a sense of security among the services. Therefore, it is natural for us to expect that Government would do everything to strengthen the U.P.S.C. to extend its powers and some use would be made of article 321 for that purpose. But, as it happens, the Government seems to have no use for article 321. Now they have come with certain regulations under the proviso to article 320, taking away certain powers of the Union Public Service Commission, and they have laid these regulations on the Table of the House. Even when we had a foreign Government, when the executive wanted to have more power in their hands, even they did not consider it necessary to have so many exemptions as have been resorted to now. I thought at least that the exemptions today will be much lesser, and that the scope would shrink instead of being expanded. I do not know what reasons have prompted the Government to do this. Maybe the hon. Minister has certain very good reasons, but at least I have no such good grounds. They have never been put before this House in any manner and we do not know what the difficulties of the Government are and why they want all these exemptions.

Now, I will take those particular exemptions to which I have tabled my

amendments. The first is:

"This House resolves that in pursuance of clause (5) of article 320 of the Constitution, the following amendment be made in regulation No. 3 of the Union Public Service Commission (Consultation) Regulations, 1958, laid on the Table on the 11th September, 1958, namely:—

in sub-clause (c), omit

"to a Central Service, Class II, or".

The second is:

"This House resolves that in pursuance of clause (5) of article 320 of the Constitution, the following amendment be made in the Schedule to the Union Public Service Commission (Consultation) Regulations, 1958, laid on the Table on the 11th September, 1958, namely:—

omit item No. (5) . . ."

I am first taking the Schedule, and speaking on why I want the exemptions to be done away with. Under item 5, the exemption is:

"Posts of the personal staff attached to the holders of posts mentioned in 1—4 above".

They want that these posts should have nothing to do with the Union Public Service Commission and should lie with the sweet will and the discretion of the holder of the post. I can understand that the Ministers may want sometimes, though I do not see very good reasons, that they should have freedom of choice to have their Private Secretaries appointed, though I think it would have been quite enough to meet the requirements of the situation if the choice had been given freely to the Ministers but the exemption was restricted to those who are already in the service. In that case, anybody they like or anybody whom they consider to be appropriate for the post would be selected. But now, the position is this. They can make any fresh appointment. It is not necessary that they should take anybody from those who are already

on the permanent cadre. Even if we permit this sort of exemption to the Ministers, I do not see why it is necessary now to extend the scope not only in regard to Private Secretary but to the Deputy Private Secretary, Assistant Private Secretary, Personal Assistant and the Stenographer. Now, what happens is that this creates a sort of domestic atmosphere. I do not understand why they cannot really appoint a stenographer who is already in the service, on the permanent cadre. I do not know why they cannot really appoint some good public servant who is there and who may be very good to be a Personal Assistant or a Deputy Private Secretary. They may at the most have one of these officers chosen from even outside the cadre of the services, but if you permit all these officers who are all the time with the Minister to be persons to be selected from outside the permanent cadre, exclusively by the Minister, of his own choice, then, it does create a sort of domestic atmosphere round the Minister.

The Ministers had some sort of exemption even before. But now, it has been extended almost to everyone who falls within the category 1 to 4, where appointments are made by the President and also the High Court judge. Even the High Court judge likes that his Private Secretary or Stenographer or Personal Assistant should not be one from the services? I do not see why a High Court judge or why a Supreme Court judge or the Chief Justice wants that his Secretary or Private Secretary or Personal Assistant and Stenographer should not be picked up from among the permanent cadre of the services, from the judiciary or from somewhere else. I see absolutely no reason

So also, in regard to other posts, in connection with the Heads of Departments, previously there was an exemption only in case of one individual. Excepting the Ministers, it was only the Comptroller and Auditor-General who could have his Private Secretary appointed by his choice from outside

the services. Now, it extends almost to everyone. As I said, it is extended to the Supreme Court judges, High Court judges, Ambassadors, to Counsellors, to Ministers, Deputy Ministers and all of them. And again, it is restricted not only to Private Secretary. What will happen now is, apart from creating a sort of domestic atmosphere particularly in respect of Ministers, my apprehension is that a political element will enter the field. As you remember, sometimes back, I read that now, in Kerala, the Ministry proposes to have political leaders appointed as Private Secretaries,—political leaders of that particular ruling party to be appointed as Private Secretaries, political leaders to be appointed as Deputy Private Secretaries and political leaders now to be appointed also possibly as Stenographers and Personal Assistants. (Interruption.) If you contradict it, it would be very good.

Shri Braj Raj Singh (Firozabad):
In all other States also

Shri Harish Chandra Mathur: I cannot vouchsafe for the truth of it, but it has appeared with headlines in the papers. It has not been contradicted.

Pandit Thakur Das Bhargava (Hisar): Anyhow, with these provisions, there is a clear possibility of that being done

Shri Harish Chandra Mathur: It has not been contradicted. Firstly, I say that it is absolutely wrong in principle. Now I say that there is a possibility of the extension of it and an extension to such an extent that political leaders are appointed to those posts. That possibility, as I said, is of course there. There is nothing to deny the chance or the likelihood of that, and what I said was that I read in the papers that the Kerala Ministry has already taken a decision that their Private Secretaries,—even names appeared in the papers—such and such persons, are to be appointed and that political leaders are to be appointed as Private Secretaries.

[Shri Harish Chandra Mathur]

Mr. Speaker, just consider, if a Private Secretary is another political leader, what would be the impact which it will have on the Ministry and the Secretariat? He will certainly have a very, very influential impact and effect on the entire Secretariat and even the Secretary to Government. I do not know what the intention of the hon. Minister was when he contemplated such exemptions. I do not think they had any such thing in mind. But I wish to warn the Home Minister that this possibility is there, and this will be resorted to. Further, there would even be a pressure brought upon the Ministers in all the States: that the Private Secretary should be from among the people in the ruling party, from those who have been their colleagues in field work and who have not been able to get any job anywhere. So, I think this sort of exemption is absolutely dangerous. It should be restricted again only to the Ministers for having one Private Secretary at the most. There is no question of extending it to a Deputy Private Secretary; there is no question of extending it to a Personal Assistant or Stenographer. It should not be also for all the other heads of departments or for the judges or, for example, such other sorts of persons. It is not at all necessary.

Passing on to exemption No. 6—"Posts in the Secretariat of the Lok Sabha and the Rajya Sabha"—my first reaction in this case was also the same, namely, that there should be no exemption in this matter also. But a little consideration and a little further thought made me believe that it was a most welcome sort of exemption. It was a welcome exemption because I feel that the Secretariat of the legislatures should not have even a distant influence from the Ministry and the Executive. It should be independent of the Ministry. It should be independent of the executive. Though my first reaction, as I honestly expressed, was that this exemption should not be there, on further consideration, it makes me feel that this exemption is

certainly warranted, so that the secretariat of the Parliament and the judiciary is not even distantly affected by the executive or governmental machinery. At the same time, with great respect to you, Mr. Speaker, I feel that you should evolve certain machinery which will replace this, particularly in the light of this exemption, and which will have a salutary and a very healthy effect on the secretariat recruitment, promotion and independence. In your discretion, in consultation with your secretariat and in consultation with the U.P.S.C. or just as you feel advised, I think some sort of machinery might be evolved, so that there is no abuse of this exemption at all.

I come to exemption No. 7, viz., all technical and administrative posts under the Atomic Energy Commission. I know that the technical staff of the Atomic Energy Commission were exempted even previously. I could understand that exemption for a limited period, say for five years, because it is a growing department and its development should not be hampered in any manner. But I absolutely see no reason why even the administrative posts of that particular department should be exempted. At least to my mind, there appears to be not even a distant justification for having this additional exemption, exempting even the administrative posts from the U.P.S.C. How are the administrative posts of this particular department or branch of administration different from others? If they have been doing it well so far, I would like to know from the hon. Home Minister the practical difficulties which they have faced during these five years of the existence of this Atomic Energy Commission which have made it incumbent on them to come out with this exemption. I have referred to item No. 11. Then comes the item, "Any service or post or class of posts in respect of which the Commission has agreed that it shall not be necessary for it to be consulted". My statement is not objective in its nature. No. 12.

You will realise the implications of this. If you just accept this exemption, Parliament is cut out completely. This is a very fine way of having a sort of mutual agreement between the Ministry and the U.P.S.C. and cutting out the authority and supervision of Parliament, which is given by article 320.

Any exemptions which are made must be laid on the Table of the House, so that Parliament has an opportunity to discuss it. If we grant this exemption, in future all the rights and powers of this Parliament will be abrogated to the Home Ministry and the U.P.S.C. Now they have brought these exemptions before the House and we are criticising them. In future, they can come to any agreement and exempt every damn thing. They can do anything they like and Parliament will never know about it. This is running absolutely counter to the very provisions of the article. I think this is very unfortunate and it should be done away with.

In the case of certain security measures, Government has powers to give exemptions. I feel any Government, which has got to carry out its responsibility, must have that power that without reference to the U.P.S.C., they can discharge the services of anyone they like on security considerations. That is absolutely an understandable proposition. I will remember that on the floor of this House, many times questions have been put, particularly in respect of certain railway employees, and an assurance was given that each and every case would be examined and some satisfactory solution would be found. While agreeing to the necessity of such an exemption, we also feel that we should be told what machinery is being evolved by the Government, which would create a sort of confidence at least in the representatives of the people that this power is properly exercised. I concede that it is absolutely necessary for the discharge of its responsibility by any Government. But as in the case of preventive detention, they must evolve

certain formula or procedure that the case will be referred to such and such committee and something will be decided within a year or 6 months. We cannot feel happy if the case is kept pending endlessly for years together and if some good account of it is not given to Parliament. So I think that some light must be thrown on the subject and I repeat that this power is certainly necessary for the Government.

I would like to refer to one or two other small points. They have stated certain punishments and they have said, for instance, that when if an officer is censured, reference would be made to the U.P.S.C. All other punishments—dismissal and so on—are there. But I cannot understand one thing; it appears to have been done in an almost surreptitious manner. There must be some good explanation why the efficiency bar has been excluded. If any officer is deprived of crossing the efficiency bar, I consider it to be a very great punishment, because it adversely affects all his future career. Even a censure has got to be referred to the U.P.S.C. But if an officer is not permitted to go beyond the efficiency bar, no reference appears to be necessary, because the catalogue does not include that particular type of punishment. To this day, it has not been so. I do not know what reasons have prompted the Government to make this exemption. I think there must be very good reasons for it.

I think I have hardly anything to add to what I have said.

Shri Kodliyan (Quilon—Reserved—Sch. Castes): Mr. Speaker, Sir, these regulations have been brought before the House in accordance with the proviso to clause (3) of article 320 of the Constitution. This was long overdue and there has been strong criticism in both the Houses about the delay in placing these regulations before Parliament. I am glad at least now these regulations have been framed by the Government and placed before the House. Looking to the provisions of

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these regulations one cannot rest content with the line taken by Government in this regard. By these regulations what the Government intend to do is to take away the jurisdiction of the Union Public Service Commission from a large number of appointments in the different categories. One can, of course, understand Government's intention of not consulting the Union Public Service Commission in the matter of appointments to posts like Heads of diplomatic, consular and other Indian Missions in countries abroad, and also to posts in respect of which the authority of appointment is specifically conferred on the President by the Constitution, or to posts like Chairman and Members of tribunals, boards, commissions or committees or any other similar bodies created either by or under the provision of a statute or by a resolution of either House of Parliament. But looking to the provisions of these regulations I cannot understand the inclusion of item 5 in the Schedule.

13 hrs.

This item relates to posts in the personal staff attached to holders of posts mentioned in items 1 to 4 of the Schedule, that is to say, personal staff attached to Chairman, Members of boards, tribunals, commissions or committees or other bodies created by a statute or by a resolution of Parliament. There is no justification for excluding these appointments from the purview of the Commission, because the persons who hold these posts are only ordinary staff; therefore, they do not deserve any particular consideration.

Similarly in item No. 7 even the administrative posts in the Atomic Energy Commission are being exempted from the purview of the Commission. Even for selecting people for appointment to Central Services in Class 2 and Class 3 cadres it is not necessary to consult the Commission. Further the Commission need not be consulted in regard to any order made under the Central Services (Safe-guarding of National Security) Rules

or the Railway Service Rules of 1954. A considerable number of posts come under the category of temporary appointments and with regard to these temporary appointments if they are not to exceed a period of one year, the Commission need not be consulted. Thus it will be seen that a large number of appointments have been taken away from the jurisdiction of the Commission. This is a very wrong step on the part of Government.

The Public Service Commissions have been created by the Constitution as independent and impartial bodies to recruit suitable and honest men to the Central and State services; therefore, in order to create confidence among the people and also create an atmosphere of justice and complete impartiality in the matter of recruitment to different services, it is necessary to strengthen the Union Public Service Commission and to extend its jurisdiction over more appointments. The number of appointments to be taken away from the jurisdiction of the Commission should be reduced to the minimum. In Kerala the Government have handed over a large number of appointments to the Public Service Commission. Even the appointment of teachers is now entrusted to the Commission. The hon. Member who preceded me said that in Kerala the Government are trying to appoint partymen to the posts of Private Secretaries, Deputy Secretaries, Under Secretaries and similar other posts.

Shri Harish Chandra Mathur: I said only Private Secretaries; the likelihood is for all.

Shri Kodiyan: He mentioned Deputy Secretaries and Under Secretaries as well.

Shri V. P. Nayar (Quilon): That is at the Centre, not in Kerala.

Shri Harish Chandra Mathur: Anywhere there is a possibility of its taking place.

Shri V. P. Nayar: Who is the Prime Minister's Private Secretary? Does he come from the services?

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Shri Kodiyam: In Kerala not a single partyman has been appointed to departmental posts, or to any other posts in the Secretariat. Only some Private Secretaries and Personal Assistants have been appointed to Ministers. It is necessary, in my opinion. During previous Congress regimes there had been instances of partymen being appointed directly to posts of departmental heads. Even partymen have been appointed on the Service Commission previously.

One can see how these powers are being withdrawn from the Commissions. It is being done in the name of autonomous institutions. The Seventh Report of the Commission says that it is not easy to recruit persons for posts in the Indian Institute of Technology, Kharagpur and Government managed steel projects, as they were constituted as autonomous bodies like a university. Sir, we are expanding our activities in the public sector and more and more autonomous institutions are likely to come up.

The Minister of State in the Ministry of Home Affairs (Shri Datar): Is this a general discussion on the Report of the U.P.S.C.?

Mr. Speaker: It has to be confined to these Rules.

Shri Kodiyam: I am only pointing out the exemptions—how a number of appointments are being withdrawn from the purview of the Commission.

Mr. Speaker: The general report of the Commission is not before us. So far as these exemptions are concerned, the hon. Member may say whether the power has been abused in regard to any of them.

Shri V. P. Nayar: Unfortunately, although these Regulations are called Union Public Service Commission (Consultation) Regulations, what it contains is of cases where consultation need not be made. What are we to discuss? The Regulations are called U.P.S.C. Consultation Regulations;

but in actual fact they refer to classes of appointments in which there need be no consultation at all.

Shri Harish Chandra Mathur: This is the phraseology of the Constitution.

Mr. Speaker: Hon. Members forget that under the Constitution the Commission shall be consulted; exemptions shall be regulated by the rules made by the President. All the other appointments require consultation with the U.P.S.C.

Shri V. P. Nayar: Non-consultation Rules would have been more appropriate!

Shri Kodiyam: Therefore, if the appointments in the autonomous institutions are taken away from the purview of the Commission it is likely that appointments made to companies and other organisations in the public sector would be corrupted. An explanation is being given that for highly technical posts, the Public Service Commission may not be able to recruit the right type of persons. They can do it with the help of experts. Let there be some experts in the Commission so that they may have a strong machinery to recruit persons to all kinds of posts, including technical posts.

As I have already pointed out, Government are not prepared to give more powers to the Commission. On the contrary there are instances of Government utilising temporary appointments to have persons appointed permanently in some posts.

Mr. Speaker: Has he got any statistics of these powers being abused—of persons being brought in temporarily and made permanent?

Shri Kodiyam: Yes. One Shri Krishna Dayal Bhargava has been appointed Director of Archives. He is an M.A. in History of the Allahabad University. He was appointed Senior Technical Assistant in the National Archives in 1942. He applied for

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the post of Assistant Director of Archives in 1945, but it was rejected by the U.P.S.C. In 1946 he was appointed as archivist temporarily by the department. Then, in 1948 he went to the Defence Ministry as narrator. In 1949 and 1950 he applied for the post of archivist but was rejected by the U.P.S.C. Then he was appointed as research officer in the Press Information Bureau in 1950. Some time later he was promoted as Deputy Director of Publicity Division temporarily. Then he was made permanent in the post of Under Secretary and was included in the approved list of Deputy Secretaries, though he has not even once acted as Deputy Secretary. He again applied for the post of Director of Archives in 1957. Again he was rejected by the U.P.S.C. There were some other people who were first, second and third in the selection by the U.P.S.C. But none of them were appointed. This shows how sometimes the Commission is being overlooked and how temporary appointments are being utilized for making persons permanent over the head of the Commission. I would like to know what explanation the hon. Minister would like to give regarding this kind of practice.

Then I will point out another instance as to how even after the selection by the U.P.S.C. people are not appointed to the posts to which they have been selected. The Union Home Ministry is following a novel practice of enquiring the character and back history of candidates selected by the U.P.S.C. They conduct these enquiries through the Police Department. Whatever be the qualifications and merits of a particular candidate, if a police constable or officer reports that his character is not good, and that he has connection with the communist party or other parties....

Mr. Speaker: This, I am afraid, relates to the general report of the Union Public Service Commission. We are now dealing with exceptions and exemptions for which the rules

have been framed. If the advice that has been given by the U.P.S.C. has not been accepted in a particular case, or treated indifferently by the Government that should not be discussed here.

Shri Braj Raj Singh: That shows the mind of the Government. Under exemption they want more power.

Mr. Speaker: The mind of the Government need not be brought in at every stage. Let us apply our mind, so far as the exemptions are concerned. The mind is large. Therefore, let us confine it to this matter—exemptions should be given or should not be given. If there are abuses, they may be mentioned.

Shri Kodiyan: I do not want to enlarge the point. What I wish to bring to the notice of the House is how this practice is denying the right of our people to be appointed to certain posts in the Central Services through the U.P.S.C. Therefore, I would request the hon. Minister to bring forward certain modifications in the Consultation Regulations that have been laid on the Table of the House. If the hon. Minister is not prepared to accept my suggestion, then at least he may accept the motions moved by my hon. friend, Shri Harish Chandra Mathur. I very strongly support his motions.

Shri Naushir Bharucha (East Khadesh): Mr. Speaker, in the first place I must invite the attention of the House to the manner in which the rules were placed before the House and very little time was left to the House to pass within fourteen days this particular regulation. In this connection, the Chair was pleased to find a way out as a result of which we are in a position now to discuss them though, in my view, having regard to the language of article 320, it would be out of order for any amendment to be passed by the House.

Mr. Speaker: I will ask the hon. Member one question. If perchance

no amendments are moved within fourteen days of the time the rules are placed on the Table of the House, does it prevent this House at any later stage from passing any resolution that steps ought to be taken to modify these rules?

Shri Naushir Bharucha: The amendments must be moved within fourteen days.

Mr. Speaker: Is it not open to this House to do that at any time after the rules are framed? Hon Members may not have had an opportunity to find out how the rules work. Then, should they wait on indefinitely and leave it to the Government to modify the rules? Can they not pass a resolution, thereby asking the Government to modify the rules?

Shri Naushir Bharucha: The resolution only recommends. It has not the same effect as an amendment.

Mr. Speaker: That is true. Just as an amendment is carried through, a resolution is also carried through. I am not saying that amendments ought not to be moved. I said the other day, and still I say, that sufficient time ought to be given in future when these matters are brought up for discussion in the House. Otherwise, that provision will become useless. This is an extraordinary case. I suggested, and the hon Home Minister agreed, that if a resolution is passed, he will try not to stick to the technical objection that within fourteen days the amendments have not been passed. I am sure that he would adopt whatever resolutions are passed by the House and then try to modify the rules. So far as the present case is concerned, there is no other alternative. In future, sufficient time will be given to the House to consider the regulations.

Shri Harish Chandra Mathur: I think there is some confusion. As a matter of fact, even the Order Paper which we have in our hand refers only to the motion moved on the 27th

September 1958, namely, the text of the motion. Then there were the amendments on that day. If you kindly look at the Order Paper which has been circulated, when I just opened it I found....

Mr. Speaker: What is the motion?

Shri Harish Chandra Mathur: I find myself in the same position as my hon friend, Shri Bharucha. I do not know how to get out of this constitutional difficulty. So far as the hon Minister is concerned, I am afraid, his explanation is not at all satisfactory. It is definitely stated that they should publish such regulations sufficiently in time. In this case, they are published in time. As a matter of fact, the amendments could not be moved and the discussion could not take place on the 23rd or 24th because this item on the agenda was pushed away day by day. It was the responsibility of the Government to see that it was discussed. But, apart from that, on that day I moved the amendments. The Order Paper refers to "further consideration of motions for modification". These are in the form of amendments.

Mr. Speaker: What is the difficulty? I know what exactly happened on that day. I recollect it. Does the hon Member want me to rule out his own amendments? That is exactly the technical position. If the hon Member wants me to rule them out I have no objection. That difficulty occurred last time because we were in the last day and we could not complete it. Therefore, the hon Home Minister suggested that even though technically the time is over because the session has come to an end, he will treat whatever resolutions are passed by this House as amendments. As a matter of fact, this is an amendment with the addition of the words "This House resolves" except the other portion. I believe the hon. Deputy Speaker ruled that with respect to recommendations they must go to the other

[Mr. Speaker]

House. But if it is an original resolution here the hon. Minister said that he will give as much effect to these resolutions, if they are carried, as to any amendments that are carried. Now, except for this, there is no other technical difficulty if these are treated as resolutions. I am going to treat everyone of these recommendations as resolutions and if the resolutions are carried, the hon. Minister will certainly stand by his assurance. So far as that is concerned, there is no difficulty. In future I will certainly see that sufficient time is given. When once it is placed on the Table of the House, I will ask the Secretariat to put it as quickly as possible on the agenda and bring it before the House.

Shri Braj Raj Singh: As a matter of fact within fourteen days of their being laid on the Table of the House we moved the amendments. If they are not discussed within fourteen days then the legal position arises that there are no regulations passed as a matter of fact. So, the Government should come forward afresh, lay the regulations on the Table of the House and then they should be discussed.

Mr. Speaker: The regulations stand unless they are modified.

Shri Braj Raj Singh: Amendments were moved to them.

Mr. Speaker: That does not mean that the amendments were carried.

Shri Braj Raj Singh: They were not discussed.

Mr. Speaker: Hon. Member should read the Constitution. There are certain provisions in some Acts that the rules will not become rules unless approved by the House, in which case if the rules are made they will not be valid. Now, this is a different case. The President is entitled to make rules and regulations and place them on the Table of the House. If

the House so desired, it might amend them in that Session itself. Mere notice of a particular amendment is no good, unless it is carried. If it is not carried the rules stand. The rules are in operation from the date on which they are passed. They can be modified by any Resolution or any amendment within that Session. It is not that that is not being done. The rules are there. Now, it is open to the House at any time, even without the fourteen days period, to pass any Resolution to modify them. That is what we are doing. Let us not spend any more time on this.

Shri Harish Chandra Mathur rose—

Mr. Speaker: I have given my ruling. I will treat all these amendments as original Resolutions if they are carried. The Government has agreed to carry them out.

Shri Naushir Bharucha: I was only making a passing reference.

Mr. Speaker: That has been done. Now let us go to the substance.

Shri Naushir Bharucha: Now, coming to the Regulation itself, the original intention in appointing the Public Service Commission was to take away from the purview of the Government the patronage of certain appointments so that the public at large may not feel that any sort of nepotism was exercised by the Government. In Bombay we went to the extent of entrusting to the Public Service Commission even municipal appointments because we felt that it was desirable that an independent body should make appointments on merits. The regulations placed before this House completely undermine that main objective.

If we look to the language of article 320, sub-clause (5), we will find that the exemption should be of such a nature that they are of a rare occurrence and each of these exemptions has as its basis certain defined reason

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as to why the Public Service Commission should not be consulted. Several items of this schedule have already been criticized. I desire to invite attention, for instance, to item No. 7. Here, all technical and administrative posts in or under the Atomic Energy Commission are exempted. One could understand something about the technical posts being exempted though I am sure that some representative of the Atomic Energy Commission would be there when appointments are made, but what is exceptional there in administrative posts? Even this category of posts is sought to be removed from the purview of the Commission. May I know whether, when these exemptions were drawn up the Government proceeded on certain principles or whether they proceeded taking department after department saying that let the Atomic Energy Commission not be involved in consultation or let this or that particular body not be involved in further consultation? There must be some sort of a principle laid down on which exemptions must be made. If you look at the schedule, you will find that there is no such principle underlying it.

Then, take the question of appointment of judicial commissioners and district and additional district judges in Union territories. What is extraordinary in Union territories and in the appointment of district judges in the Union territories so that the Public Service Commission must not be consulted? At least judiciary is one service where appointments should not only be on merits, but appointments of such a character should be left in the hands of such a body that the public feels confident that an independent judiciary exists. If appointments of district judges in Union territories are made by the Government, it is obvious that the judiciary in the Union territories more or less will look up to the Government for the sake of their daily bread and this is what we want to avoid. That is why a reference to the Public Service

Commission is necessary. I ask the hon. Home Minister to tell us the principle underlying this. What is the great reason for this Government to take away from the purview of the Public Service Commission even appointments like district judges? Then, what is left to it?

Then, again, if you come to subordinate judges and munsifs in Union territories of Manipur, Tripura and Himachal Pradesh, is there anything particularly in those Union territories of Manipur, Tripura and Himachal Pradesh whereby even sub-judges and munsifs must be directly appointed by the Union Government and the Public Service Commission must not have any say? Is it suggested that the Public Service Commission is incompetent in making selections of munsifs even when they are to be posted in Manipur or Tripura? What is the underlying rationale with regard to this exemption? Did the Government have any principle in its mind while making exemptions or is it that they have just made them because it struck their fancy and imagination? Is that the way of doing it? Is that the scant courtesy that the Government is showing to the Public Service Commission?

Then, take for instance No. 11. Any service or post in the N.E.F.A. area is exempt. What is extraordinary about the administration of N.E.F.A.?

Mr. Speaker: In framing these Regulations, they must, I suppose all have been notified in the official gazette. Now, may I ask the hon. Minister to show in the statement of objects as to why a particular category of posts is sought to be exempted so as to give an opportunity to hon. Members of Parliament to find out the basis on which the exemptions are sought to be made and if the exemptions are sought to be made, as Shri Bharucha says, what is the other agency indicated that will make the appointments.

Shri Datar: I will explain this.

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Mr. Speaker. Just as a statement of objects and reasons is appended to a Bill, in the case of such Regulations if the reasons therefor clause by clause could be given, hon Members then need not ask these questions. They may know beforehand and then discuss.

Shri Naushir Bharucha: Now, with regard to exemptions, this is not all. If you turn to Regulation No 2, it says

"It shall not be necessary to consult the Commission in regard to any of the matters mentioned in sub-clauses (a) and (b) of clause (3) of article 320 of the Constitution in the case of the services and posts specified in the Schedule to these Regulations."

Regulation 3 says

"Save as otherwise expressly provided in the rules governing recruitment to the civil service or civil post concerned, it shall not be necessary to consult the Commission in regard to the selection for appointment—

- (a) to a post included in an all-India service, of any officer who is already a member of an all-India Service."

Therefore, practically every officer in an all-India service is exempted if he is shifted from one department to another. That is the meaning of it. An officer may be a very good officer in one department but he may be useless in another department. What does this Government do? It wants the freedom to transfer a Class I officer from one department to another without consulting the Commission. Surely, favours can be shown by the Government in such transfers. May I ask whether it is the intention of the Government to retain within its power the patronage of this type of

transfers? What is the basis underlying this regulation? If entire categories of officers have been exempted, then what is left for the Public Service Commission, may I ask, in the matter of consultation?

Then, the Commission need not be consulted in regard to the selection or appointment to a post included in Central Service Class I, of any officer in the Armed Forces. So, all the officers in the Armed Forces are also exempted so far as their appointment to a Central or an all-India service is concerned.

In other words, the Government have retained the completest freedom to make whatever changes they like by way of transfer from one department to another irrespective of an examination of the qualifications of such an officer. They have deprived the Union Public Service Commission of the most important task on which the UPSC had a right to have its say.

Then coming to Regulation 5. It says

"It shall not be necessary to consult the Commission in regard to the making of any order in any disciplinary case other than etc."

A large category of cases is taken away from the purview of the Commission. This Government owes an explanation to this House in respect of every Regulation and I hope the hon Home Minister will give his explanation with regard to them.

My impression after looking into all these things is that the UPSC is reduced in its functioning and its scope to such an extent that it has become virtually an ineffective body when it comes to the question of appointment of officers of the All India Services. Secondly, the Government have made these Regulations with the object of acquiring greater patronage so that they can distribute it to whomsoever they liked. If these Regulations are accepted, the Govern-

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ment will be open to the charge of nepotism because there is no independent body to make these appointments. Thirdly, when the purview of the Commission is destroyed in the matter of judicial appointments, the charge will be that the judiciary is sought to be made subservient to the executive and an independent judiciary is being taken away. Why was it that we accepted in the Constitution the appointment of the Public Service Commission? So that, there may be an independent body of officers appointed who may know that they cannot be removed simply because a Minister frowns upon them. All these powers are being taken away and these powers are going to be abused as an instance has been shown how a small privilege obtained by the Government has been abused; then, the question arises whether it is worth while to have the Public Service Commission after all these major Government appointments are taken away. My hon friend pointed out that already a large section of appointments has been taken away because they are statutory bodies. It is true that we are not concerned with it at the moment. But, it goes to show that day by day the Government withdraws from the purview of the Union Public Service Commission most important appointments which it has a right to make. I, therefore, submit that I strongly object to the Regulations as they are made and in the public interest as well as in the interest of the reputation of the Government, this Government must modify these Regulations substantially.

पंडित ठाकुर दास भार्गव जनाब
स्पीकर साहब, इन रेगुलेशंस को देख कर
फिलवाका मुझे बहुत हैरानी हुई है। जिस
वक्त.....

बी बें. १० नावर : कृपा करके अंग्रेजी
में बोलिये। बी बांट टू फालो।

पंडित ठाकुर दास भार्गव : यह दू. पी०
एल० सी० बनी थी उस वक्त उसके टर्म

इतने बाइड थे इतने बाइड थे कि गवर्नमेंट
किमी काम में

Mr. Speaker: The hon Member wants him to speak in English. If possible he may speak in English.

Pandit Thakur Das Bhargava: When the provisions of article 320 were enacted in the Constitution, their entire tenor shows that, as a matter of fact, the power of the Government was going to be restricted by the appointment of the Union Public Service Commission, so much so that even in regard to principles of appointment, in regard to methods of appointment and in every other matter, powers were given to the Union Public Service Commission and they were given the right to be consulted. Government could not get out of it except under this proviso which the framers of the Constitution must have in their wisdom put in only for rare and the rarest of cases. After all, when general rules are made and exception also is provided, it is incumbent on those who want to take advantage of the exception to justify every exception. In this case, I find that large inroads have been made on the rights of the Union Public Service Commission and Government want to take authority to themselves so that they may in their wisdom do what they like. My humble submission is, we have seen the same trend in regard to the other Bill which is coming, the Parliament (Prevention of Disqualification) Bill in which also the Ministers want to keep to themselves all the powers of nepotism and favouritism which they can possibly show to Members of Parliament. I say that so far as this House is concerned, so far as the public is concerned, I should say, the greatest amount of complaint in the public is about this *bhrashtachar*, they say that appointments go by nepotism and not by merit. That is the real difficulty. The entire country has nothing on its lips except this talk of nepotism, etc. In an atmosphere like this, when we come to the exceptions, after having waited for eight years, Government

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have come now to make these exceptions and these exceptions are of a very exceptional nature. As a matter of fact, though the law had not provided for this and if the Government had given the public an opportunity to discuss these exceptions it would have been better. After all, so far as the Houses are concerned, though they are representative of the public, still the public is desirous that in matters like this, the public should know what is happening.

I may submit that I am very thankful to you for finding out a solution for the difficulty in which we were placed. These Regulations were brought here in time. But, at the same time, the Government is responsible to see that they are discussed. I do not want to question your ruling since you have been pleased to give a ruling that these Regulations will be regarded as good Regulations unless and until the Government choose to modify them. You have really solved the difficulty. Otherwise, the difficulty would have been that, without these discussions also, these Regulations would have been taken to be passed.

Mr. Speaker: Quite so.

Pandit Thakur Das Bhargava: At the same time, there is another view also which, now, is not relevant, but which I must submit for your consideration. When the law provides that a certain thing should take place in a particular way, the thing can only take place in that way and in no other. You know the ruling of the old Privy Council in which confessions were recorded by the very pen of the confessor, yet the Privy Council held that since they were not orally made as provided by law to the magistrate, the confessions were ruled out. The law provided for it and the President is able to make the

Regulations. At the same time, the Regulations must pass through a cauldron and that cauldron is examination by both Houses. If both the Houses in their wisdom want to make any amendments by way of repeal, then, they will be regarded as *pro tanto* repealed. That stage is gone. It means, if proper opportunity for discussion is not given, it is a fraud upon the legislature. The Regulations cannot be treated to have been passed. If the matter is taken to the court, the court will say, since there was no occasion for discussion, since the House had no opportunity for examination, these Regulations will not be taken to be good. That is one aspect. To that aspect, I need not refer because the Government has accepted

Mr. Speaker: The Government can easily say, the House agreed. We could have sat the whole night that day or even extended it or adjourned it to the next day and next day. The President did not prorogue it. The House was not willing.

Shri Braj Raj Singh: In the Supreme Court, it may be stated that it was submitted that fourteen days were passing and these Regulations ought to be passed within 14 days. The Government suggested that they have got certain other important business

Mr. Speaker: Why did the hon Member agree to it? He may have insisted

Shri Braj Raj Singh: We are in your hands

Mr. Speaker: I was willing to sit. As a matter of fact, I would have sat on till 12 o'clock that day and given enough opportunity. Hon. Members in the earlier period of the day, are very anxious and full of energy. As the day declines, I am not able to get sufficient quorum here. Therefore, it is not one-sided. We must also see to it. I could have sat till 12 o'clock if required. If the Government had

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prorogued the other House, we can take the Government to task for proroguing it without allowing these amendments to be carried in that House. Therefore, hon. Members also must see to that. Anyhow, so far as the present situation is concerned, there is nothing lost. If the House accepts any of these Resolutions, they will be treated as proper amendments. Though technically they will not be amendments, they will be incorporated and the Government will take steps to see that the rules are modified. That is the present case. Hereafter, hon. Members will take care to see and I shall see that this matter is included in the agenda as quickly as possible. That is the way in which we can get over the difficulty.

Pandit Thakur Das Bhargava: I was only making a remark in passing. I am even now submitting that the Government, perhaps, may not be competent to modify these Regulations. According to the Constitution, they can make Regulations. According to the Constitution, these Regulations can be repealed or amended in a certain way and in no other way. Supposing a Resolution is passed, the question will be, how can the Government give effect to that Resolution. The right of the Government is that they can make Regulations. The question is whether they can modify these Regulations at pleasure. This will be another question to which we need not at this stage address ourselves.

Mr. Speaker: Whoever passes a law can modify it. These Regulations are not passed by this House. The Regulations are passed by the Government. Therefore, whoever passes a Regulation is entitled to modify it. If it is an Act of Parliament, the Parliament alone can modify it. The Regulations are valid. Of course, the House is entitled to modify the Regulations. All this is hypothetical.

Shri Braj Raj Singh: Then they will have to be laid before the House.

Pandit Thakur Das Bhargava: I will not go into that question any further which is needless when the Government have accepted the situation. You have been pleased to order the difficulty to be solved in a particular manner and we are quite content. If the Government accept these resolutions, the same thing can be brought about by the consent of the parties, though the other House is out of the picture now in such a situation.

Mr. Speaker: Government will accept a resolution that is passed by the House

Pandit Thakur Das Bhargava: I beg to point out that when these regulations were placed on the Table, Government should have circulated a note to us and given reasons as to why it feels that in regard to these matters consultation with the Commission is not necessary.

First of all, they have appended a schedule. Apparently it is difficult to criticise the Government in regard to all the items of the schedule. So far as items 1 to 4 are concerned, perhaps it is justifiable not to consult the Commission in regard to these, though nothing would have been lost if they were consulted, because in these matters it is very seldom that the Commission will make any remarks or give an opinion opposed to that of the Government.

Anyhow, in regard to other matters, especially items 12, 5, 10 and 11 it is very difficult to justify the exceptions. In the first instance, as has been remarked by those who preceded me, item 12 is very objectionable. It means that the legislature goes out of the picture, and between the Government and the Commission they can do what they like. I am very much opposed to this, and it should be taken away. It is meant for the future. It does not relate to any present appointment. It relates to a principle the effect of which will be that the legislature will have no say in the matter

[Pandit Thakur Das Bhargava]

at all. So, I wish that item 12 were taken away. I hope Government will be pleased to take it away considering the fact that the Members of the legislature do not like their powers of intervention in a matter of such importance being taken away.

As regards item 5, I can understand the post of the personal secretary to be one in which perfect confidence must be there between the officer and the person appointed, but in regard to the rest, I do not feel that it is justified that the whole matter dealt with in the office must be kept so secret. After all, it is a public office and public work, and therefore there is no reason why this exemption should be made applicable to all the members of the staff.

In regard to the posts in the Secretariats of the Lok Sabha and the Rajya Sabha, I am glad that this exception has been made, and I have got good reasons for it. I have been here in this legislature for a long number of years, and I can say without hesitation that so far as these posts are concerned, we have seen that nothing but merit has been the criterion, and there has been no nepotism, nothing of the sort, so far as these posts are concerned. This is my own experience; I do not know about the experience of other Members, but I am convinced that so far as the legislature is concerned, all these posts should not be subject to consultation with the Commission on the basis of two principles. Firstly, the past practice justifies it. Secondly, we are anxious that the legislatures should be a law unto themselves in the sense that even our arrangements for watch and ward keeping the peace etc., are quite different; we have got control over them, and it is but fair that this department should be free from the inhibitions which may apply to other departments.

In regard to item 7, I should think that the objection taken by my hon. friend in regard to administrative

posts is perfectly justifiable. There is no reason why an administrative post in this department alone should be excepted from the purview of the Commission.

Similarly, I can understand exemptions being made in the case of Judicial Commissioners but so far as District Judges and Additional District Judges in Union Territories are concerned, I feel that these are exactly the posts where the Commission should be consulted. Similarly, in regard to subordinate Judges and Munsifs of the Union Territories of Manipur, Tripura and Himachal Pradesh as well as any service or post concerned with the administration of the North-Eastern Frontier agency, I feel that the expression "any service or post" is too general. If any specific service was mentioned, we could consider that, but otherwise, in regard to these posts, consultation must take place between the Commission and the Government.

Then I come to the notification itself. The notification is perhaps not in consonance with the spirit and words of the exception provided in the Constitution. After all, the exception reads thus

"Provided that the President as respects the all-India services and also as respects other services and posts in connection with the affairs of the Union, and the Governor, as respects other services and posts in connection with the affairs of a State, may make regulations specifying the matters in which either generally, or in any particular class of case or in any particular circumstances, it shall not be necessary for a Public Service Commission to be consulted."

So, there are three categories: general, particular class of cases and particular circumstances. It does not relate to any particular post, or a particular individual or a particular appointment. Now we find that officers

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belonging to Class I in one department can be transferred to a similar post in another department without consulting the Commission. I am afraid that is not covered by the exception, and I do not think any principle is also involved in it. If there is a particular officer good for a particular department, it does not follow he is good for all departments. For instance, an engineer should not be made a civil surgeon. If a person is good for one post and he is appointed to another post, it is but natural that the Commission should be consulted. A general rule of this nature is not justifiable even according to the proviso to article 320(3).

In regard to paragraph 5 of the notification, I think almost all the disciplinary punishments have been provided here, but there might be some which have not come to my notice. I should have liked the hon. Home Minister who produced this document to have given us specifically the particular disciplinary actions which he wanted to see were not taken to the Commission. He has, on the contrary, said the negative of it. He says these things will go, the others will not go. We do not know what the other things are. Will he kindly explain what they are? Then we will be able to say whether they should be taken to the Commission or not. The wording is peculiar; the other things should have been specifically mentioned here.

Shri Mathur has referred to one particular aspect—*withholding or barring of promotions*. Here also the words are "*withholding of increment or promotion*". I do not know whether they would be included.

I do not know why any other disciplinary action which can be taken is being excepted. As I said, it would have been much better if these had been given specifically so that we could express our opinion as to which of them should go to the Commission and which not.

I should think that on the whole this is a matter in which the entire public is very much interested. I would be glad if the hon. Home Minister agrees to take back these regulations and circulate them for eliciting public opinion so that the public also may have a say in the matter. It is a matter of very great importance to the public also, not only to the officers. The officers are meant only for the benefit of the public, and the public do not know what is being done behind their back.

I would, therefore, like to avoid all difficulties and to avoid all legalities and to see that even the other House is given its full role which is prescribed by article 320 (5), it would be better if the hon. Minister is pleased to withdraw these regulations, because, if he is entitled to modify them, he is certainly entitled to withdraw them and bring them afresh before the country and before this House, so that public opinion may also have an opportunity to express itself in these matters.

श्री अजरराज सिंह : अध्यक्ष महोदय, सब से पहली मुझे आपत्ति यह है कि श्रीमन् द्वारा दो गई रूलिंग के बावजूद यदि इन रेग्युलेशंस को पास भी कर दिया जाये तो भी इसका कोई कानूनी महत्व नहीं होगा। इसलिए इनको दुबारा सदन की मेज पर रखा जाना चाहिए और सदन को मेज पर रखे जाने के बाद सदन के सदस्यों को अवसर दिया जाना चाहिए कि अगर वे चाहें तो इनमें संशोधन कर सकें तथा उन पर बहस कर सकें। इस तरह से जो रेग्युलेशंस पास किये जायेंगे वे ही कानूनी हो सकेंगे। इस बात को कहने से मेरा तात्पर्य यह है कि जहां तक आर्टिकल ३२० के सब-आर्टिकल ५ का सम्बन्ध है उसमें यह कहा गया है कि जिस पार्लियामेंट के अधिवेशन में इन रेग्युलेशंस को सभा की मेज पर रखा जाता है उसी में उन पर डिसकशन हो जानी चाहिए, बहस

[श्री ब्रजराज सिंह]

हो जानी चाहिए और अगर उस अधिवेशन में बहस नहीं होती है तो उसका मतलब यह नहीं लगाया जायेगा कि वे कानून का रूप धारण कर लेते हैं बल्कि यह लगाया जायेगा कि उन पर बहस नहीं हो सकी और वे एग्जिस्टेंस में नहीं हैं। इसलिए मैं यह कहूंगा कि इनको पुनः सभा की मेज पर रखा जाना चाहिए और सदन को अवसर दिया जाना चाहिए कि वह उन पर फिर से बहस करे, चाहे तो संशोधन पेश करे और तब जा कर इनको पास हुआ समझा जाये।

इसके अतिरिक्त मुझ से पूर्व वक्ता पंडित ठाकुर दास भागव जी ने जो अपना विचार प्रस्तुत किया है, उसका भी मैं समर्थन करता हूँ। यह इतना महत्वपूर्ण विषय है कि सारे देश के लोग चिन्तित हो उठते हैं। आजकल हमारे शासन में खास तौर से हमारी प्रशासकीय सेवाओं में पञ्चायत, कुनबापरस्ती भाई-भतीजावाद इत्यादि चलता है। विधान के अनुसार सूबों में और केन्द्र में पब्लिक सर्विस कमिश्नस मौजूद हैं लेकिन उनके एग्जिस्टेंस में होने के बावजूद भी यह सब कुछ हो रहा है। अब अगर हम ने और एग्जिस्टेंस दे दीं और राब लेना भी बन्द कर दिया तो इन सेवाओं की उसके बाद क्या हालत होगी, इसका अंदाजा आप ही लगा सकते हैं। मैं समझता हूँ कि अगर इन रेगुलेशंस को पास कर दिया गया तो गवर्नमेंट को पूरा अधिकार मिल जायेगा कि वह जो कुछ भी चाहे कर सकती है। उससे भी दुर्भाग्यपूर्ण बात यह है कि शैड्यूल की आइटम ८ में कहा गया है :—

Judicial commissioners and additional judicial commissioners, district judges and additional district judges in Union Territories;

अगर मनीपुर और त्रिपुरा का ही नाम लिया जाता या ऐसी ही स्टेट्स का नाम लिया जाता जहां पर कि कोई गड़बड़ चल रही है,

जहां पर कि अशान्ति है, तब भी बात समझ में आ सकती थी। उनके बारे में यह कहा जा सकता था कि वहां पर शांति बनाये रखने के लिए, शासन को शुद्ध रखने के लिए ज्यूडिशल कमिशनर्स आदि को नियुक्तियों को अपने हाथ में लेना पड़ रहा है और कमिशन के अधिकार से बाहर करना पड़ रहा है। लेकिन यूनियन टैरिटरी में दिल्ली भी आ जाती है और हिमाचल प्रदेश भी। इस तरह से आप हिमाचल और दिल्ली को भी कमिशन के अधिकारक्षेत्र से बाहर कर रहे हैं। मैं समझता हूँ कि इस तरह के अधिकार आपको देना ठीक नहीं है। इस अधिकार को लेने का मतलब यह होगा कि जो कुछ हम अब तक या १९४७ से पहले करते रहे हैं, उससे भी पीछे हटते जा रहे हैं।

हम ने अपने देश में जनतंत्र लागू किया है। हम ने अपने देश में इस तरह की व्यवस्था लागू की है जिस में अधिक से अधिक अपनी बात कहने का सब को अधिकार है। हमने अपने विधान में यह व्यवस्था की है कि जो नियुक्तियां करनी होती हैं वे नियुक्तियां जो भी उस वक्त की सरकार हो, उसको यह अधिकार न हो कि जिन्हें चाहे नियुक्त कर ले लेकिन अब हम इन रेगुलेशंस को पास करके इस तरह की व्यवस्था करना चाहते हैं कि सरकार जिस को चाहे—न केवल प्रशासकीय सेवाओं के लिए ही, एग्जिक्यूटिव पोस्ट्स के लिए ही बल्कि न्याय सेवाओं के लिए भी—नियुक्त कर ले। मैं निवेदन करूंगा कि यह तरीका ऐसा नहीं है कि जिस से हमारे देश के नागरिकों में कोई विश्वास की भावना पैदा हो। इससे तो उस भावना को और भी बल मिलेगा जो पहले से ही मौजूद है कि सरकारी नौकरियों में पञ्चायत, भाईभतीजावाद और कुनबापरस्ती चलती है। जो भी व्यक्ति किसी अधिकारपूर्ण पद पर पहुंच जाता है वह अपने आदमियों को ज्यादा से ज्यादा तादाद में नौकरी में लगाना चाहता है।

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घाइदम ५ में कहा गया है :—

posts on the personal staff attached to holders of posts mentioned in items (1) to (4) above.

आगे बल कर कहा गया है

posts of heads of diplomatic, consular and other similar Indian missions.

posts of chairman or members of any board, tribunal, commission, committee or other similar authority.

बे जो सब पोस्ट्स है इनके बारे में आपका यह कहना है कि पब्लिक सर्विस कमिशन को कंसल्ट करने की जरूरत नहीं होगी। इसका मतलब तो यह हुआ कि आप पुराने जमाने में जिस तरह का राज हुआ करता था उस तरह का ही राज्य आज कायम करना चाहते हैं। आप किसी बादशाह के राज की तरह यहां भी राज स्थापित करना चाहते हैं, जिसे खुशी हुई रख लिया और जिस पर खुश हुए उसको रख लिया। इस तरह कोई बात हम देश में नहीं होनी चाहिए। यहां पर बड़े में बे पद पर भी अगर कोई पटुच जाता है, चाहे वह मिनिस्टर ही क्यों न हो, उसको भी यह अधिकार नहीं होना चाहिए कि वह इस सब को अपनी व्यक्तिगत सम्पत्ति बना ले। इस तरह का रेजोल्यूशन पास करके आप अधिकार लेना चाहते हैं कि किमी चीज को व्यक्तिगत सम्पत्ति बना लिया जाये।

आज इस तरह की घटनायें होती हैं कि रेलवे सर्विस कमिशन में या दूसरी जगहों पर कि लोगों की दरखास्तें जाती हैं, दरखास्तों की कॉपियां उनके पास मौजूद होती हैं और सबूत होता है कि बे भेजी गई है लेकिन कमिशन के दफ्तर में दरखास्तें नहीं मिलती हैं, उनको जला कर उन पर चाय बना कर पी सी जाती है। बिज के सोई होते हैं उन्हीं को कमिशन के दफ्तर से लैटर आते हैं दूसरों को नहीं

The Deputy Minister of Railways (Shri Shah Nawaz Khan): May I submit that it is entirely wrong? Anybody who submits an application for service, to the Railway Service Commission, is called. That is the order. Everybody who submits an application must be called.

Shri Braj Raj Singh: I could give you cases in which people have not been called. They submitted applications, and they have got the acknowledgement receipt of the applications having been received in the Public Service Commission, but they have not been called.

Pandit Thakur Das Bhargava: May I submit that I know of cases where even orders are changed by the highest of officers at the back of those persons against whom the orders are passed? This is a matter which cannot be proved, but it has come to my notice. District magistrates have changed orders, district judges have changed orders. This sort of thing must be avoided. It is a public matter. We must have public servant in whom the public can confide, and not their near relations or those who are just like their domestic servants.

Shri Datar: The hon. Member should be careful in making allegations about district judges and other officers. They are judicial officers.

Pandit Thakur Das Bhargava: I can show files to the hon. Minister, if he wants to see them testifying what I have alleged. The files are there. I have brought this matter to the notice of courts.

Shri Datar: If there are any specific instances, let him mention them. It would be entirely wrong and it would be unfair to make such . .

Pandit Thakur Das Bhargava: It is not unfair at all. This has come within my experience.

Shri Datar: But what is the experience? Has he got himself an experience? Or is he hearing only something stated by others?

Pandit Thakur Das Bhargava: If such is the experience of hon. Mem-

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bers, they are entitled to place it before the House.

Shri Datar: But they are not entitled to make such allegations disparaging especially the judiciary.

Mr. Speaker: I agree. All that the hon. Member says, is that in his experience, he has come across a few cases. I do not think he ever meant that the whole judicial service was wrong, or that all the collectors were wrong.

Pandit Thakur Das Bhargava: No.

Mr. Speaker: He only says that here and there this is the position.

Pandit Thakur Das Bhargava: This is a rare thing.

Mr. Speaker: All that he meant was that there were cases within his knowledge of judgments having been changed; possibly, they have been changed on reconsideration, or, as the other clients would suspect, on account of various other considerations; it may be either the one or the other. But there are cases where judgments have been changed, according to the experience of the hon. Member. I do not think it need be understood that he has cast a general aspersion on the judiciary.

Pandit Thakur Das Bhargava: This is not general.

Mr. Speaker: Here and there, there may be a few cases.

That is what he is saying.

Shri Harish Chandra Mathur: He paid the highest tribute to the judiciary only yesterday. So, why should the Minister be worried about it?

14 hrs.

श्री बजरंग सिंह : अध्यक्ष महोदय, श्री मंत्री महोदय ने जूडिशियरी के सम्बन्ध में बहुत अच्छी और पवित्र भावनाएँ व्यक्त कीं। हम भी और सदन का हर सदस्य हिन्दुस्तान की जूडिशियरी के सम्बन्ध में बहुत पवित्र भावना रखता है उसको व्यक्त करता है। कहीं कहीं जो अपवाद होते हैं उनके बारे में

जल्द ध्यान दिलाया जाता है और वह इस तरह से कि हम अपनी जूडिशियरी को ऊँचा बनाए रखें। लेकिन मुझे यह बेशक कर भ्रमस्तो होता है कि एक तरफ तो हमारे मंत्री महोदय हमें यह कहते हैं कि जूडिशियरी के सम्बन्ध में कोई ऐसी वैसी बात न कही जाय और दूसरी तरफ यूनियन टैरीटोरीज में जजेज को मुकदर करने का अधिकार खुद अपने हाथ में लेना चाहते हैं। उदाहरणार्थ विल्ली में जो कि यूनियन टैरीटोरी है गवर्नमेंट बगैर यूनियन पब्लिक सर्विस कमिशन को कंसल्ट किये ऐडिशनल जूडिशिएल कमिशनर्स मुकदर करने का अधिकार इन रेगुलेशंस के जरिये ले रही है। एक तरफ तो आपकी यह स्वाहिशा कि डिस्ट्रिक्ट जजेज के बारे में और जूडिशियरी के बारे में कोई ऐसी बात न कही जाय जिससे उनके चरित्र पर प्रक्षेप होता हो और दूसरी तरफ इस तरह का अधिकार अपने हाथ में लेना, कु उचित और न्यायसंगत नहीं जान पड़ता। आपको इस तरीके की व्यवस्था करनी होगी जिससे कि हर एक व्यक्ति के दिमाग में और दिल में इस बात का विश्वास पैदा हो जाय कि इस तरह की बात हो ही नहीं सकती और गवर्नमेंट की हरगिज यह मंशा नहीं है कि वह यह अधिकार स्वयं हड़पना चाहती है। इसलिए मेरा निवेदन है कि गवर्नमेंट इन रेगुलेशंस के जरिये जो अधिकार लेना चाहती है उनको लेने की कोई आवश्यकता नहीं है।

जैसा कि अन्य माननीय सदस्यों ने भी कहा है कि भारतीय संविधान के आर्टिकल 320 के सबसेक्शन 3 के जो प्राविबंस हैं उनमें जिन तीन कंडिशंस की व्यवस्था की गई है उनमें प्रोबेशन में यह प्राविजन दिया हुआ है कि प्रेसीडेंट या गवर्नर यूनियन या स्टेट्स

may make regulations specifying the matters in which either generally, or in any particular class of case or in any particular circumstances, it shall not be necessary for a Public Service Commission to be consulted.

समैं आपने यह नहीं बतसाया है कि जनरली कर रहे हैं या पटिकुलर सरकारस्टान्सेज में कर रहे हैं। धामतीर से आप चाहते हैं कि इन रेगुलेशंस को बना दें। निवेदन कर्णा कि जब तक आप इस तरह के सरकारस्टान्सेज, पटिकुलर क्लास आफ केश एंड पटिकुलर सरकारस्टान्सेज का जिक्र नहीं करेंगे तब तक

स तरह के रेगुलेशंस बनाना बिलकुल गैर-कानूनी बात होगी। मुझे तो आशंका है कि अगर ये रेगुलेशंस अपने वर्तमान रूप में ही पास कर दिये गये तो आगे चल कर सुप्रीम कोर्ट और हाईकोर्ट्स में इनकी वैधानिकता को चुनौती दी जा सकती है। मैं यह कहे बगैर नहीं रह सकता कि इन नियमों को बनाते वक्त जिम सावधानी से काम लेना चाहिये था, नहीं लिया गया और मुझे यह भ्रमसेस वः साथ कहना पड़ता है कि इन रेगुलेशंस के बनाने में और इनके पास करने में इतिहाई दर्जे की लापरवाही बरती गई है। यह रेगुलेशंस १ सितम्बर १९५८ को बनाये गये और इनको पेश करने में दस दिन लग गये और ११ सितम्बर को यह पेश किये गये और २७ सितम्बर को मूव किये गये। यह रेगुलेशंस क्या २, ३ या ५ सितम्बर को पार्लियामेंट के सामने पेश नहीं किये जा सकते थे और उस हालत में इन पर खूनकर बहस की जा सकती थी और विचार किया जा सकता था। लेकिन ऐसा नहीं किया गया और दस दिन तक इंतजार करने रहे और उसको तब पेश किया जब कि उन पर बहस होना सम्भव नहीं था और कहा गया कि चूकि १४ रोज का घर्सा गुजर रहा था इसलिए इनको पास किया जाना जरूरी था। उस समय यहा पर सदन में इस चीज को लेकर आपत्ति की गई थी कि इन पर बहस करने और विचार करने का समय सदन को नहीं मिल रहा है और सरकार की ओर से कहा गया था कि कोई हर्ज नहीं है हम इस पर बाद में बहस कर लेंगे क्योंकि यह बहुत महत्वपूर्ण विषय है। इस सम्बन्ध में जो भ्रमावधानी और लापरवाही

बर्ती जा रही है और पार्लियामेंट को जो उसका उचित महत्व नहीं दिया जा रहा है वह भ्रमसेस की बात है। स तरह की भावना सरकार की नहीं होनी चाहिए कि जो रेगुलेशंस सरकार ने बना दिये सदन में उसी रूप में जरूर ही पास हो जायेंगे और सरकार को सदन के इस अधिकार को हड़प नहीं करना चाहिए। सरकार के लिए इस तरह की भावना रखना उचित नहीं है। आपने ऐसा करने से आज जनता के हृदय में जुडिशिएरी के लिए जो निष्पक्ष होने की भावना है उसको ठेस लगेगी। आप इसको यूनियन पब्लिक सर्विस कमिशन (कंसल्टेशन) रेगुलेशन, १९५८ का नाम दे रहे हैं मैंने रेगुलेशन नम्बर १ के सम्बन्ध में ५ नम्बर का एक सशोधन पेश किया है जिममें कि मैंने चाहा है कि "कंसल्टेशन शब्द के पहले "एग्जम्पशन फ्रीम" कर दिया जाय। मैं समझता हू कि इसको स्वीकार करने में मंत्री महोदय को कोई दिक्कत नहीं होगी।

Shri Datar: I am accepting that amendment.

Shri Braj Raj Singh: At least wisdom has dawned on Government Is the hon Minister accepting all my amendments?

Shri Datar: I am accepting his amendment to the effect that the words "Exemption from Consultation" be put in brackets in (1).

Mr. Speaker: That is all. I thought it was a substantive amendment that was being accepted. Anyway, the hon. Member seems to be more than satisfied with that.

Shri Braj Raj Singh: No, Sir I am not at all satisfied. I will be satisfied if all my amendments are accepted.

अध्यक्ष महोदय मैं अपने ८ नम्बर के अमंडमेंट को जिसमें कि मैंने प्राइमम नम्बर ८ को प्रोमित करने के लिये कहा है प्रेस करता हूं और मैं चाहता हू कि यह अध्यक्ष निकाल दिया जाना चाहिए।

Public Service Commission (Consultation) Regulations

[श्री बजराम सिंह]

इसी तरह सेइडूल के आइटम नम्बर १२ जिसके कि मातहत थाप एक ऐसा एकाधिपत्य कायम करना चाहते है कि जिसमें सरकार सदन को हमेशा के लिए बाईपास कर दे, उसका भी मैं मोमिशन चाहता हूं। आइटम नम्बर ६२ इस प्रकार है :

"Any service or post or class of posts in respect of which the Commission has agreed that it shall not be necessary for it to be consulted"

पंडित ठाकुर बाल भार्गव दिस इज प्रनकास्टीयूशनल ।

श्री बजराम सिंह : मैं भी उनसे इसमें सहमत हूं कि यह अवैधानिक है। मैं यूनियन पबलिक सर्विस कमिशन की बात नहीं कह रहा हूं लेकिन कुछ राज्यों में तो यहा तक हुआ है कि किसी एक खास राजनैतिक पार्टी के व्यक्ति जो कि प्रसेम्बली के मेम्बर होते थे उनको वहा से इस्तीफा दिलवाया गया और उनको यूनियन सर्विस कमिशन का मेम्बर बना दिया गया। मेरी मंशा कोई इस बारे में आलोच करने की नहीं है। मैं यूनियन पबलिक सर्विस कमिशन को एक बहुत ही आदर की दृष्टि से देखना चाहता हूं जो कि ड्यू है लेकिन ऐसा हो सकता है कि एक खास पार्टी के किसी व्यक्ति को प्रसेम्बली में स्तीफा दिलवा कर राज्य के पबलिक सर्विस कमिशन का मेम्बर बना दिया जाय और यही चीज यूनियन पबलिक सर्विस कमिशन के लिए भी की जाय और इसलिए मैं इस एम्ब्रप्शन को जो इसमें दिया गया है कुछ उचित नहीं समझता।

अन्त में मैं और अधिक न कह कर यही कहना चाहूंगा कि प्राप नम्बर ८ और १२ को अवश्य ही निकाल दीजिये। साथ ही मैं चाहता हूं कि प्रा टम नम्बर ६ और ११ स तरह के है कि जिनके निकल जाने से प्रापके न रैगुलेशंस की सुव्यवस्था और पवित्रता

बहुत बढ़ जावेगी लेकिन यदि मंत्री महोदय और सरकार स बात के लिए राजी न हों तो मैं कहूंगा कि ८ और १२ को तो अवश्य ही निकाल दिया जाय। इन शब्दों के साथ मैं अपने इन संशोधनों को पेश करता हूं।

Mr. Speaker: I would like to know how the provision regarding exemption of all those posts in respect of which the Public Service Commission says that it need not be consulted is within the scope of the proviso.

Shri Datar: You are referring to Judicial Commissioners and Additional Judicial Commissioners?

Mr. Speaker: I am referring to the general provision in (12) of the Schedule.

"Any service or post or class of posts in respect of which the Commission has agreed that it shall not be necessary for it to be consulted"

I would like to know whether it comes under the proviso or whether it is beyond the scope of the proviso.

Shri Datar: It comes under the proviso. I shall explain the whole matter.

Mr. Speaker: If someone is taken for the time being in a Ministry and then it is said, "No, no, we do not want the Commission; let the Commission be scrapped", the object of the Constitution itself will be frustrated. What is contemplated under the proviso relates to other exemptions. Wherever the Public Service Commission comes in, it is its duty to discharge its functions. I have my own doubts regarding the validity of this provision.

Shri Datar: In the course of the debate we had today, a number of points were raised based more or less on a misapprehension of the correct position regarding consultation with the UPSC. May I point out that the suggestion of an hon. Member that the rules which we have made are

enlarged rules, especially when they are compared with the earlier rules that we had, is not correct at all. We had already such non-consultation regulations so far as the earlier position before the Constitution was concerned. We had the rules and in some respects, the rules were not as they ought to have been in the present conditions. Therefore, what was done was that after the inauguration of the Constitution, the whole position was reconsidered.

Before I proceed further with my reply, may I point out that in respect of the Schedule or the Regulations we have the fullest support or the consent of the U.P.S.C.? We had to take the matter to them; we consulted them, not only as regards the principle but also as regards the language. And, that was one of the reasons why there has been such delay. So, if we start with this position, if we accept this position that these Regulations have been made not by the Government unilaterally but with the consent of the U.P.S.C., much of the criticism that has been levelled would have been naturally removed or would be found to be not well founded. This is the first point.

Secondly, as has been laid down in article 320, the Commission have to be generally consulted except where such a consultation is either inappropriate or impracticable. Let the House kindly understand that and I would explain how this particular principle has to be accepted.

Certain principles have been laid down in article 320. For example, if there is to be consultation in every case, it might become absolutely impracticable, in some cases, and in others it might be inappropriate. If this point is noted by the House, then, hon. Members would find that what I have stated is quite correct and the exemptions are only up to the minimum, not more than what are necessary.

Take, for example, the Schedule. In the Schedule, we have mentioned

items 1, 2, 3 and 4. So far as these are concerned, it was suggested by one of the hon. Members that even there we might consult the U.P.S.C. It is entirely a matter of a special nature. You will find that in item 1 are posts in respect of which the authority to appoint is specially conferred on the President by the Constitution. If there is an authority, naturally, it is the President who has to exercise his authority; and he cannot share his obligation with any other body.

Similarly also you will find that under items 2, 3 and 4, whenever posts of Chairmen or Members of Boards etc. created under the provisions of this Act are to be filled or whenever any investigation or enquiry has to be conducted and Government have to be advised on special matters, naturally, consultation with the U.P.S.C. would not be appropriate. That is the reason why in item 4 we have put the posts of Diplomatic, Consular and other similar Indian Missions in countries abroad.

Do the hon. Members believe that such appointments also should be made only after consultation with the U.P.S.C.? That is why I pointed out that in respect of some posts it would be inappropriate to consult any other body. It must be the obligation as well as the responsibility of the Government to make such appointments.

With regard to item 5, considerable criticism was offered regarding the personal staff. One of the hon. Members was candid enough to concede that so far as personal posts are concerned—and as Pandit Thakur Das Bhargava rightly pointed out—there are certain posts which require the greatest confidence and not the ordinary measure of confidence. Under these circumstances, certain officers have been allowed this concession.

Ordinarily, what is done is this. The Private Secretary is appointed at the discretion of the Minister. We have made it clear that so far as the Personal assistant or others are concern-

[Shri Datar]

ed, generally, they should be appointed from the services already under Government. Still, it might be open, in a proper case, to a Minister or a Deputy Minister or to any of these persons to make special appointments giving reasons why so far as these other posts are concerned they desire to have a man of their own confidence.

May I point out that even in respect of Private Secretaries—though it is open to the Ministers and Deputy Ministers—only a few Ministers and Deputy Ministers have appointed Private Secretaries from outside the Government cadre. The number is less as we go down. But, in exceptional cases, it might be absolutely essential. But, only in a very small number of cases is such a discretion exercised.

There is also another point that has to be noted. So far as such appointments outside the encadred posts are concerned, they are coterminous with the Minister or the Deputy Minister. So, they come with the Ministers and go with the Ministers. Under these circumstances, all possible care has been taken to see that only in exceptional cases, only when it becomes absolutely essential are such persons outside the government services appointed. Therefore, it would not be proper to say that nepotism would be there, that persons would be brought in only for the purpose of helping them or obliging them. That is not the position at all. Generally we have to depend and we do depend upon the encadred services and, only in exceptional cases, in a very small number of cases, is any resort had to the exercise of the discretionary power.

For example, there is an Ambassador. The Ambassador's post is a very difficult and a very delicate post. It requires very tactful handling of the situation. Naturally, the Ambassador has to depend upon his Private Secretaries, upon his Staff. Would it or would it not be proper to give him the advantage of special discretion in this

matter? That is another reason why item No. 5 has been included with the consent of the U.P.S.C.

Item 7 deals with the Atomic Energy Commission. When we are dealing with such an important body where the largest measure of privacy has to be maintained, would it or would it not be proper to have persons in the fullest confidence of the authorities? They have to carry on the work on behalf of such a Commission. We have to be extremely careful to see that so far as this work of the atomic Commission is concerned. The House is aware of the kind of work that they have to carry on. Therefore, it was conceded advisable that not merely the technical staff but also the administrative staff ought to be fully in the complete confidence of the officers and the persons who are responsible for carrying on the work of the Commission.

You will see that some times the work is not necessarily confined to the technical side. It has to pass through the administrative side also. Therefore, you cannot make a distinction between the administrative side as such and the technical side as such. Both come into operation, perhaps, simultaneously on a number of occasions; and, sometimes, they overlap. Under these circumstances, it would be advisable, in the interests of the great work that the Atomic Energy Commission itself is doing—it is an extremely delicate and confidential work—and also essential that they have a staff of their own complete confidence.....

Shri Naushir Bharucha: There is nothing secret or confidential.

Shri Harish Chandra Mathur: It is an open book.

Shri Datar: Let us not talk on this matter in the way in which my hon. friend Shri Mathur talked.

These are very important, and, as I have stated, very delicate matters

and one has to be extremely careful—if necessary extra careful. That is the reason why, in this case, we have exempted the administrative posts from the purview of the U.P.S.C. There was considerable misapprehension about the appointments referred to in items 8 and 9. They relate to judicial posts. With regard to them, let the hon. Member understand, we have article 223 of the Constitution which deals with the appointment of district judges.

"Appointments of persons to be, and the posting and promotion of, district judges in any State shall be made by the Governor of the State in consultation with the High Court exercising jurisdiction in relation to such State."

So, appointment of district judges could not be made by the UPSC. So far as the Territories are concerned, may I point out the procedure that we follow—a procedure that has been laid down for the purpose of safeguarding the interests. In Delhi we have the Punjab High Court and so this question does not arise. In the other Territories we have judicial Commissioners. The judicial Commissioner is under the rules and also in practice the High Court for that territory. When such a judicial Commissioner is appointed, we consult the Chief justice of India; we do not make arbitrary appointments solely at our pleasure. We adopt a similar procedure for the appointment of the additional judicial Commissioner. Whenever any appointment of a district judge is made, we consult the Judicial Commissioner who corresponds to a High Court in the other States. So, in the appointment of District judges and other subordinate judges, district munsifs and others—whatever they may be called—we always consult the Judicial Commissioner.

I am confident that when this is pointed out much of the sharp criticism that was addressed to us will have disappeared.

Now, let us see the class 3 and 4 services and posts. The rule says: "Save as otherwise expressly provided in the relevant rules....." You will agree that the number of classes 8 and class 4 posts is extremely large; it runs into thousands and sometimes into lakhs also. Under these circumstances, consultation becomes impracticable. The House will remember that I pointed out two criteria: that it is inappropriate and the other, that it is impracticable. We have done this with the consent of the UPSC.

The House knows how the administration in the North-East Frontier Agency area is being carried on and it is considered essential that the appointments there should be made by the Government. There a number of considerations have to be taken into account and so the UPSC agreed that there need be no consultation so far as this is concerned.

Now, I shall deal with item No. 12. You also, Sir, have suggested that some light should be thrown in this connection. Often times it becomes difficult for the UPSC to give advice immediately, when an appointment has to be made forthwith. Therefore, in all such cases, with the consent of the UPSC, the particular consultation will be dispensed with. A misapprehension was given expression to by some hon. Members that the UPSC and the Government might agree together and thereby the scope of the UPSC might be brought down. In this connection, I may say that the UPSC is an important authority. That authority has been brought into existence by the Constitution for the purpose of seeing that there is proper recruitment and that the conditions of service etc. are properly made. Under these circumstances, I can understand the hon. Member making a criticism of Government's actions or omissions. But the UPSC is an independent body that is entitled to advise us and we have accepted the advice in a large number of cases. The reports of the UPSC during the last five or six years have also been debated on the floor of this

[Shri Datar]

House and we shall be placing their recent reports on the Table of the House as early as possible. Generally our attitude has been to accept the advice of the UPSC and there are hardly five or six cases where we acted otherwise. The number is brought down. There are 10,000 or more cases in which reference had to be made to the UPSC. In some years we have not at all departed from their advice and in some others, there are hardly one or two cases. Wherever we have departed from their advice—the number is extremely small—we have done so on certain grounds which have to be explained to the House by a separate memorandum, which has to be submitted to the House along with a copy of the report. In these circumstances, the UPSC need not be considered a body regarding which criticism can be offered.

It is not possible to mention all the grounds. Sometimes a new department has to be opened, a new appointment has to be made. Then, we consult the UPSC. Often times it becomes difficult for the UPSC also. There are cases where the UPSC asks us to make an appointment because of certain difficulties in finding out suitable people. They follow a particular procedure but they could not come to any conclusion about the suitability of a candidate, in some cases there are no suitable candidates at all, when new departments are opened and when a reference is made to the UPSC, in some cases, they ask us to make our own appointments because they are not in a position to advise us for a variety of reasons including the non-availability of suitable candidates. It is only under such exceptional circumstances that this residuary rule has been used. It does not depend upon the pleasure of the Government because consultation is made and if the UPSC also agreed that in the particular case there need be no consultation, then naturally we make the appointment. Therefore, I

would ask the hon. Members not to see anything of a suspicious nature in rule No. 12. I point this out against the background of our conduct. We accept the advice of the UPSC whatever that might be. Only in exceptional cases—in five or six cases, during the last five or six years—have we departed from the advice but we have also placed very strong and unanswerable reasons for this. Both the Houses have agreed that there were exceptional cases. Therefore, you will find that what we have stated as a residuary rule depends upon the agreement of the UPSC and that agreement is in these terms that so far as certain service or class of posts is concerned, there need be no consultation at all. So, Parliament is not in any way surrendering its right nor does the UPSC do so. There should be no question of any agreement other than legitimate, between the UPSC and the Government.

I would make a reference to the schedule itself.

Shri Braj Raj Singh: What about the constitutionality of item No. 12?

Shri Datar: Even now it is there. I think there is no difficulty. Take for instance this point. All class 3 and class 4 service posts have been exempted. Why should they be exempted at all? Under the Constitution as it is, we shall have to consult the UPSC but as I have said it becomes impracticable to consult them and it becomes difficult for them to go on answering all these references.

Therefore, I may point out that the proviso to article 320(3) is very clear. It says

“Provided that the President as respects the all-India services and also as respects other services and posts in connection with the affairs of the Union, and the Governor, as respects other services and posts in connection with the affairs of a State, may make re-

gulations specifying the matters in which....."

Mr. Speaker: My difficulty is this. There are two things here. It is not that anybody doubts the integrity of the Public Service Commission. But when they say that it is not possible for them to get through and that the Government itself may do so—that may be from the practical point of view—if it is opposed to the Constitution I am sure the hon. Minister will agree that the Public Service Commission, even if it should be willing in particular matters, ought not to act against the Constitution. When the Public Service Commission can absolve itself from this, what are the things which can be exempted. There it is said: "and posts in connection with the affairs of a State may make regulations specifying the matters in which...." It is not the posts, it is 'matters' with respect to which the posts arise. We can specify the matters. We can say matters relating to atomic energy where secrecy is required. Let us see further. It is further said: "matters in which either generally, or in any particular class of case or in any particular circumstances." After the word "matters" you can have a bracket "(in which either generally, or in any particular class of cases)". What I mean to say is, that particular class of cases must relate to a matter, and any particular circumstance also must relate to a matter. Therefore, what can be exempted is only particular matters and in relation to a particular matter any particular class of cases. You cannot exempt a particular class of cases first. You can exempt a particular matter like atomic energy and then a particular class of cases relating to that. Even in the case of atomic energy, it is all right if it is useful for defence purposes. If it is not useful for defence purposes and it is only useful for legitimate commercial purposes, that need not be exempted. Therefore, to me it does not appear that posts can be exempted. Matters can be exempted and then posts in relation to those matters.

If that is not the case, what will happen is that it may not be possible for this House to express its opinion at all in respect of these rules and regulations. There will be a sort of a blank agreement between the Government on the one side and the Public Service Commission on the other. I am sure hon. Members are not making any accusations against Government or the Public Service Commission. But it would appear that the power of the House to find out whether a thing is right or wrong is taken away once for all, and thereafter it becomes a business practically between the Government on the one side and the Public Service Commission on the other. I think in that way Parliament goes out of the picture. Today we might exempt atomic energy, but tomorrow we may find that atomic energy is only used for civil purposes and therefore no secrecy is required. We may then like to bring it under the jurisdiction of the Public Service Commission.

My difficulty is, firstly, from the constitutional point of view and, secondly, I feel that it will be a *carte blanche* and the power of Parliament will be taken away.

Shri Datar: Surely, Sir, I shall examine the constitutional aspect of this case. But I may add for your information that it is very difficult to make a distinction between matters and the actual cases. The words here are very clear: "in which either generally, or in any particular class of cases". I would like to deal with the earlier expression "generally". Is it not open to make a general exception or exemption?

Mr. Speaker: There must be a matter first. There is the Sputnik or some such other thing with respect to which knowledge has to be withheld.

Shri Datar: About the other point, Sir, you were very kind to state that

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[Shri Datar]

Government motives are not suspected nor was anything said against the U.P.S.C.

Mr. Speaker: I am sure no hon. Member who took part in the debate or has tabled a resolution ever wants to cast any aspersion by saying that there has been any conspiracy.

Shri Datar: But arguments were used by some hon. Members which lend weight to a supposition that possibly they fear.... (Interruption.)

Mr. Speaker: Let us assume that in their anxiety they quoted some cases where there was some abuse.

Shri Datar: To use an uncharitable expression, I would say, they wanted to see that there is no collusion between the Government and the U.P.S.C.

Mr. Speaker: As I said, they are actually anxious to maintain the power of the House. From what they said I could gather two things. Let us not give power of exemption. U.P.S.C. shall be consulted in exceptional matters. But exception ought not to be the rule. They are very anxious to see that this House does not lose its hold upon any matter of exemption that may be coming up from time to time. If an arrangement is made, however good the arrangement may be, when it comes before the House the House may or may not agree.

Shri Datar: I shall have the matter fully examined from the constitutional point of view.

Shri Harish Chandra Mathur: Sir, the provision is already there in the Constitution. You can do so in consultation with the U.P.S.C. That power is already there in the Constitution. Why do you want it here?

Mr. Speaker: He says that he will get the matter examined.

Shri Datar: We want these powers because it is not necessary in every

case to go to the U.P.S.C. If the U.P.S.C. agrees that we need not go to it, we can immediately start the work.

Mr. Speaker: As it stands even Class III and Class IV cannot be exempted. It does not appear under any provision that Class III and Class IV as a whole can be exempted. They also come under the U.P.S.C. That is rather a practical difficulty.

Shri Datar: Coming back to the Notification, my hon. friend, Shri Mathur made a reference to sub-clause (c) of clause 3. He said that it should not apply to Central Service Class II. So far as this is concerned, it is a question of selection from one class to the other class or promotion. Let it be understood very clearly that so far as the functions of the U.P.S.C. are concerned they have made it very clear in article 320. In article 320 it is said:

"(a) on all matters relating to methods of recruitment to civil services and for civil posts.

(b) on the principles to be followed in making appointments to civil services and posts and in making promotions and transfers...."

So far as recruitment is concerned, it is always the duty of Government to seek the advice of the U.P.S.C. With regard to transfers or promotions, it is a matter within the jurisdiction of Government itself. It is open to Government to make proper transfers. The U.P.S.C. need not be consulted in that respect. Even their transfers are not subject to any revision. But the principles that have to be followed are to be taken into account. That is why the phraseology used in article 320 is different so far as recruitment is concerned. Even in respect of promotions we follow the policy of making them on the suggestion of what are known as "Departmental Promotion Committees". There, generally, as you are aware, a member of the Union Public Service Commission is invited and he presides over them and then we

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have their advice and generally we follow their advice. So far as transfers and promotions are concerned, it is not a matter which is directly governed by the Constitution, but recruitment is directly governed and when once a recruitment has been made, say, in the case of Class II officers, you will find that there cannot be an appointment in that class except with the consent of the Union Public Service Commission or according to the methods laid down by them. Then, if we have once the consultation of the U.P.S.C. and an appointment based thereon, then, it would not be practicable to expect the Government to go to the U.P.S.C. even for selection. The selection is entirely an independent matter in which the Government ought to have the largest measure of discretion because they know a number of matters. Therefore, there can be no doubt that all appointments or transfers would be made only if the person is suitable to the post. For example, an engineer will not be appointed to a post which is more administrative than technical. So, to that extent, I would request the hon. Members to trust the Government, because, the Government must have powers to make proper transfers in proper cases, and that is a matter which is not within the jurisdiction of the U.P.S.C., though we follow the general principle laid down by them so far as such transfers are concerned.

In respect of sub-clause (c), may I point out what is stated there? It is stated:

"who is already a member of the Central Service Class II".

So, when he is already a member of the Central Service Class II, after the consultation of the U.P.S.C., and when a further procedure has to be followed for selecting him, then, it is not necessary at all. It would not be proper, when once we have a consultation with the U.P.S.C., to consult them further; it would be impracticable; it would be inconvenient; it would be

harassing to the U.P.S.C. to flood them with numerous cases of transfer or of selection.

I believe I have replied to all the points and I have nothing more to add.

Shri Harish Chandra Mathur: Now that it has been drafted as a resolution, I think I have a right and the opportunity to reply. I think when a Member opened the speech on the resolution, he has the right to reply.

Pandit Thakur Das Bhargava: May I put one or two questions?

Mr. Speaker: So far as the resolutions are concerned, there are three resolutions. Am I to allow every hon. Member who has tabled an amendment, to speak now? I have read the amendments and there is no meaning in again replying. But if one or two questions to clear a doubt are to be put, I will allow one or two questions.

Pandit Thakur Das Bhargava: I would respectfully refer the hon. Minister to article 234. There, there is the question of appointment of judicial officers other than district judges, etc., and as far as that is concerned, there is the provision that the Governor shall appoint them in consultation with the State Public Service Commission and the High Court. In regard to clause 9 of the Schedule, the hon. Minister will be pleased to see that he has referred to subordinate judges, munsiffs, etc. Now, in the Union territories such as Manipur, Tripura and Himachal Pradesh, there is no State Public Service Commission. Also, there is no Governor as such. In that case, where is the question of a district judge coming in? Only there is the question of subordinate judges and munsiffs etc., though in regard to district judges, he has been pleased to point out the provisions in article 233, which stands by itself. I should think that when there is no State Public Service Commission and no Governor in regard to these three Union territories, it is desirable that

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[Pandit Thakur Das Bhargava]

all the appointments are made in consultation with the Union Public Service Commission. This is one point to which I respectfully invite the attention of the hon. Minister.

Mr. Speaker: Does not the Union Public Service Commission have jurisdiction over those States?

Pandit Thakur Das Bhargava: It is stated "no State Public Service Commission".

Mr. Speaker: There are territories under the Union.

Pandit Thakur Das Bhargava: Therefore, who will be consulted. Will the Government themselves directly appoint?

Mr. Speaker: As Parliament has got jurisdiction over certain subjects in all States, likewise, in respect of the States—there are fourteen States—the jurisdiction of the U.P.S.C. is there in relation to certain things. So far as the States mentioned by the hon. Member are concerned, they are Union territories, and therefore, he enquires whether the Union Public Service Commission should not have jurisdiction over them.

Pandit Thakur Das Bhargava: In accordance with the principle given in article 234, it is very desirable that the Union Public Service Commission

Mr. Speaker: They are not States; they are only territories belonging to the Union; territories of the Union

Pandit Thakur Das Bhargava: So, it is all the more desirable.

Shri Datar: It was stated that the district judges' appointments were made directly and exempted from the U.P.S.C. I pointed out that analogy in relation to article 233 which deals with the States and with the appointment of district judges is made by the

Governor in consultation with the High Court. I have pointed out only that analogy. It does not apply to the Union territories at all.

Pandit Thakur Das Bhargava: I am only submitting that, because there is a provision here in regard to subordinate posts in the States which do not have a body which can be consulted. In that case, it is only the Union Public Service Commission which can be consulted. There is no corresponding body in those territories. Therefore, it is desirable that you consult the Union Public Service Commission in regard to such appointments.

My second point to which I would respectfully call the attention of the hon. Minister is this. In article 320 (3) (b), the words are:

"On the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another and on the suitability...." etc.

Now, I may submit that, for instance, you cannot appoint an engineer as a civil surgeon, when you make a transfer from one service to another. In these Regulations, you say that the Public Service Commission need not be consulted if you make a transfer from one place to another of the same man, we do not say that you should ask for the opinion of the Union Public Service Commission, but in regard to appointments in which a person is already in service, as in clause (i), if the person has to be transferred from one department to another, then the opinion of the Union Public Service Commission has to be sought: the Commission has to be consulted.

Shri Datar: Only the principles have to be settled; not that the Commission has to be consulted. That is why I drew a distinction and a difference between the phraseology in article 320 (3) (a) and (b) on all matters relating to methods of recruitment.

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mission (Consulta-
tion) Regulations

Mr. Speaker: I did not want to take part in this, but the hon. Minister will kindly read the last two lines. It is not only the principles; the principles are set out in the earlier portion and "on the suitability of candidates for such appointments," etc. come later.

Shri Datar: The word "principles" applies to "suitability"; not the "suitability of candidates".

Mr. Speaker: Otherwise, the Public Service Commission has no right to appoint except under this.

Shri Datar: With due apology —

Mr. Speaker: Under what article or right does the Public Service Commission make the appointment?

Shri Datar: Let us read the sentence:

"On the principles to be followed"....firstly, in making appointments, etc., and secondly, on the desirability or suitability of candidates for such appointments, promotions or transfers.

Mr. Speaker: The one relates to the principles and the other to individual appointments.

Shri Datar: No, Sir.

Mr. Speaker: "On the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another". That is one thing. And then, "on the suitability of candidates for such appointments, promotions or transfers".

Shri Datar: This clause deals only with the question of principle: "on the principles to be followed", and "on the suitability of candidates for such appointments," etc.

Mr. Speaker: Yes, "to be followed in making appointments" etc. The word "principles" occurs in the earlier portion and the actual "appointment"

occurs in the latter portion. That is my reading.

Shri Datar: May I point out the practice? All along we did not consult them, as far as the actual transfers are concerned.

Mr. Speaker: The interpretation of Pandit Thakur Das Bhargava seems to be quite right for this reason that "suitability of candidates for such appointments, promotions or transfers" is one thing, and making promotions in the same service and "transfers from one service to another" is another thing. Therefore, so far as the promotion in the same service is concerned, the Public Service Commission has to be consulted. So far as the transfer from one service to the other is concerned, it has to be consulted; it might be that it has not been done, but strictly, looking at this, I think it has to be done.

Shri Datar: It might be difficult and impracticable. Suppose we have to transfer a man....

Pandit Thakur Das Bhargava: Only impracticable for you.

Shri Datar: What is impracticable cannot be brought into question.

Mr. Speaker: Normally, we have also seen that a Defence Secretary, who was appointed as Defence Secretary, suddenly becomes Secretary of the Agriculture Ministry, and later on he is posted to the Finance Ministry and is also posted to some other Corporation. Now, that seems to be against the spirit of the Constitution. That is what Pandit Thakur Das Bhargava says. All right. If the hon. Minister does not agree, he will consult. I will now put the amendments to the vote.

Shri Braj Raj Singh: Article 234 says:

"Appointments of persons other than district judges to the judicial service of a State shall be made

[Shri Braj Raj Singh]

by the Governor of the State in accordance with reference made by him in that behalf after consultation with State Public Service Commission and with the High Court exercising jurisdiction in relation to such State."

There is no State Public Service Commission in the Union territories. So, the Union Public Service Commission must be consulted. This is a mandatory provision. The hon. Minister has said that it is not necessary to consult the UPSC in this respect. My point is that since the State Public Service Commission is not there in the Union territories, so the UPSC shall come into operation in the Union territories. So, in regard to the recruitment of munsiffs and other posts, article 234 shall be imperative.

Mr. Speaker: That is why he wants exemption and has included it in the schedule. Knowing full well that article 234 does not apply and that the UPSC has jurisdiction, he has come here invoking the aid of the proviso to have this portion exempted.

Shri Braj Raj Singh: That means amendment of the Constitution.

Mr. Speaker: It does not come under the proviso and he wants an exemption. Hon. Members might or might not accept it. Which of these motions shall I put to the vote of the House.

Shri Braj Raj Singh: Motion No. 5.

Mr. Speaker: I shall put motion No. 5 standing in the name of Shri Braj Raj Singh, omitting the second paragraph of the motion saying, "This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution."

The question is:

"This House resolves that in pursuance of clause (5) of article

320 of the Constitution the following amendment be made in Regulation No. 1 of the Union Public Service Commission (Consultation) Regulations, 1958, laid on the Table on the 11th September, 1958 namely:—

before "Consultation" insert
"Exemption from"

The motion was adopted.

Shri Harish Chandra Mathur: Except motion No. 1, I press the other motions.

Pandit Thakur Das Bhargava: They are treated as resolutions, but there was no occasion for us to table amendments to these resolutions. If you do not mind, I would like to suggest that, 'except the Personal Secretary, other members of the staff should not be so exempted,' may be put to the House by way of amendment.

Mr. Speaker: He could have tabled it earlier. I will put motion No. 2 without the second part:

The question is:

"This House resolves that in pursuance of clause (5) of article 320 of the Constitution, the following amendment be made in the Schedule to the Union Public Service Commission (Consultation) Regulations, 1958, laid on the Table on the 11th September, 1958, namely:—

omit item No. (5)."

The motion was negatived.

Shri Braj Raj Singh: My motion No. 8 may be put.

Mr. Speaker: The question is:

"This House resolves that in pursuance of clause (5) of article 320 of the Constitution, the following amendment be made in the Schedule to the Union Public Service Commission (Consultation)

Regulations, 1958, laid on the table on the 11th September, 1958, namely:—

omit item No. (8)."

The motion was negatived.

Shri Harish Chandra Mathur: Motion No. 4 regarding item No. (12) may be put.

Mr. Speaker: It is a general one relating to the agreement between Government and the Public Service Commission. The hon. Minister has said he will examine and if it is constitutional, he would have it; otherwise he would not. In view of this, I do not think the hon. Member will press it.

Shri Harish Chandra Mathur: My mind is quite clear about it.

Mr. Speaker: I take it that the other motions are not being pressed.

*The motions were, by leave,
withdrawn*

Mr. Speaker: One motion has been carried. I need not put the original rules, because these are not amendments, but they are treated as resolutions.

The House will now proceed with the next item on the agenda.

14.56 hrs.

CONVICTION OF A MEMBER

Mr. Speaker: I have to inform the House that I have received the following communication dated the 15th November, 1958, from the Judicial Magistrate, First Class, Belgaum City:—

"I have the honour to inform you that Shri Balasaheb Patil, Member, Lok Sabha, was arrested by the Police Sub-Inspector, Belgaum city, on the 3rd November, 1958, at 17.00 hrs. at Belgaum for offences under sections

135(iii) and 149 of the Bombay Police Act, 1951, for contravention of the orders issued by the District Magistrate, Belgaum, under section 37(3) of the said Act and was convicted by me for the said charge and sentenced to undergo one month's rigorous imprisonment and to pay a fine of Rs. 100, in default to suffer rigorous imprisonment for 15 days under section 149 of the Bombay Police Act. He was also held guilty under section 135(iii) of the Bombay Police Act and was sentenced to pay a fine of Rs. 50/-, in default to suffer simple imprisonment for 15 days. The conviction was accorded on the 8th November, 1958 and the prisoner was forwarded in custody to the Central Prison, Belgaum for undergoing his sentence. He was given Class I."

Shri Braj Raj Singh (Firozabad): When was the conviction made?

Mr. Speaker: Conviction was made on the 8th November. Parliament was not in session then. The House met only yesterday and today it has been brought up.

14.58 hrs.

DISCUSSION RE: INSECURITY OF LIFE IN RAILWAY TRAVEL—contd.

Mr. Speaker: The House will now resume further discussion on the insecurity of and danger to life and property in Railway travel and protection of Railway staff against Police and other officials who violate Railway rules raised by Pandit Dwarka Nath Tiwari on the 27th September, 1958. Pandit D. N. Tiwari may continue his speech.

Shri Braj Raj Singh: What is the time allotted?

Mr. Speaker: Two hours.

वंशित हा० ना० सिधारी (केसरिया) :

अभ्यक्ष महोदय, कुछ दिनों से रेलवे में चोरियों, डकैतियों और मछें की संख्या बढ़ती जा रही है और इस कारण देश में एक भय सा उत्पन्न हो गया है। लोगों के दिलों में यह सन्देह हो गया है कि रेलों में यात्रा करना मयाबह है और सेफ नहीं है। इस सम्बन्ध में मैं पिछले दो महीनों के वाक्यात का हवाला देना चाहता हूँ। इस प्रकार की घटनाएँ पहले भी होती थीं, लेकिन इधर दो महीनों में उन की संख्या बहुत अधिक बढ़ गई है।

14:59 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

मेरे एक प्रश्न के उत्तर में मुझे यह सूचना दी गई कि रेलवे गोदाम, राक्सौल, में चोरी हुई और उस में रेलवे का स्टाफ साथ में पाया गया। जब वे लोग कपड़े वगैरह ले जा रहे थे, तो उन को अरेस्ट किया गया और उन पर केस चला।

दूसरा इन्स्टेंस अवध-तिरहुत मेल का है, जो इस प्रकार है—

"A sensational dacoity in the running Oudh-Tirhut Mail was committed on Friday last in the night between Katihar Rly. Station and Thana Bihpur when dacoits armed with daggers forced a passenger to surrender all his belongings including cash and later walked out of the train when it steamed in Thana Bihpur."

इतना ही नहीं, वे लोग डकैती कर के सामान ले गये और फिर उन्होंने थाना बीहपुर स्टेशन पर जाय भी पी। जब जी० प्रार० पी० को इस बारे में इन्फॉर्मेशन दी गई, तो उन्होंने जवाब दिया कि स्टेशन में जी० प्रार० पी० को खबर दो। जब तक उन को खबर पहुँची, तब तक वे लोग भागब हो चुके थे। यह समाचार १६ सितम्बर के इंडियन नेशन में निकला था।

15 hrs.

अब मैं आप के सामने इस प्रकार की बारदातों का और हवाला देना चाहता हूँ :

"Track Tampered for looting

Samastipur, September 16.

The Government railway police, who conducted investigation into the cause of the accident of the ill-fated 2 Down Mail train, has come to the conclusion, it is reliably understood, that the track was tampered with for derailing and looting the properties."

इसके बाद डकैती की एक और घटना देखिये :

"Armed men enter train
Passengers robbed

Katihar, September 16.

Armed men entered a compartment of a running mail train between Katihar and Bihpur stations on the Katihar-Barauni section of the North Eastern Railway on Friday night and forced passengers to surrender whatever cash or valuables they were carrying on the point of dagger."

अब मैं इस सम्बन्ध में इंडियन नेशन का एक कमेंट पढ़ कर सुनाना चाहता हूँ :

"Odds & Ends

Train robberies in North Bihar are on the increase. They are inconveniencing the public greatly. There are reports that robberies are committed with impunity. But we note that robbers have a sense of humour. The PTI reports that train robbers recently relieved the officer-in-charge of the Katihar police station of his suit-case, containing about one thousand rupees. The public are not disposed to shed tears for the loss of the police officer"

एक घोर घटना इस प्रकार है—

"Students attack train:

Two railway employees hurt.
Gorakhpur, October 10.

A railway officer and a dining car bearer were injured when a crowd of nearly one thousand students attacked the One Up Lucknow-bound train this morning and pelted stones and brickbats at Bhandarpur Rani station on the Sawan-Gorakhpur section of the N. E. Railway, according to a message received at the headquarters of the N. E. Railway here."

ये सब घटनाएँ एन० ई० रेलवे की ह। अब
एक घोर घटना का समाचार सुनिये—

"Train accident at Bihpur

Katihar, Oct. 10.

The brake van of a Katihar-bound goods train on Katihar Barauni section of the North Eastern Railway capsized and two other wagons derailed in the small hours of Wednesday night at Thana Bihpur railway station, 46 miles from here, when an engine engaged in marshalling operations knocked the rear of the brake van by accident, according to a report received here."

अब रेलवे में होने वाली चोरियों के बारे में
एक समाचार देखिये—

"Thefts from N.E.R. on
increase.

Samastipur, November 2.

Thefts and pilferage of goods in transit in the N. E. Railway seem to have greatly increased and the R. P. F. appears to be of no utility in checking or detecting the fast increasing menace. In Samastipur Sub-division alone claims for damages to the tune of more than Rs. 2 lakhs have been

filed against the railways during the last 6 months of which a claim of about Rs. 60,000 has been made by one company alone."

एक समाचार में बताया गया है कि रेलवे
पुलिस के लोग भी चोरी में शामिल होते हैं।

"Four railway policemen held:
Theft charge

The railway police has arrested four members of the Railway Protection Force, including one Sub-Inspector, Ajit Kumar, on a charge of stealing goods from running trains."

This is on the North Eastern Railway.

एक घोर घटना का समाचार इस प्रकार
है—

"Passengers Stone train—75 hurt

Faizabad, September 23.

Seventyfive persons were injured, six of them seriously, when the Mughalsarai Lucknow passenger train yesterday was stopped by some passengers a few miles ahead of Bilharghat station and stones were thrown at squads of special ticket-checking staff and the train. Five ticket collectors and one policeman, who received severe injuries, were admitted to the district hospital at Faizabad."

Mr. Deputy Speaker: Does he
propose to read all the cases?

Pandit D. N. Tiwary: Only a few
cases.

The Minister of Railways (Shri Jagjivan Ram): Are all these cases
covered by the motion?

Pandit D. N. Tiwary: These are
some of the cases. What I wanted to
show is that the incidents like thefts,
robberies and insecurity to safe travel
by passengers are increasing. That
I wanted to impress upon the House
and the railway authorities.

[श्री. वें. डा० ना० विहारी]

विषयगत यह है कि जब इस सम्बन्ध में हाउस में सवाल पूछा जाता है, तो जबाब में कहा जाता है कि यह मामला सा एण्ड ग्रांडर का है, और इस के लिए स्टेट्स रेस्पॉन्सिबल हैं। यह ठीक है कि जिस स्टेट से रेलवे जाती है, वहां की गवर्नमेंट को देखना होगा कि रेलवे पर किसी तरह की वारदात न हो। लेकिन इस के साथ ही साथ मैं यह भी कहना चाहता हूँ कि रेलवे कनसर्न एक व्यापारिक संस्था है, हालांकि वह गवर्नमेंट के हाथ में है और वह एक मानोपली है, और लोगों के सामने सामान लाने ले जाने या स्वयं सफर करने का कोई दूसरा रास्ता नहीं है। रेलवे एडमिनिस्ट्रेशन को यह सोचना होगा कि क्या इन वारदातों की सारी जिम्मेदारी स्टेट्स पर डाल देना काफ़ी है और क्या उस को स्वयं कोई उपाय काम में नहीं लाना चाहिए। नास्ट सेक्षन में ग्रानरेबल डिप्टी मिनिस्टर, श्री रामस्वामी, ने इन बातों को चैक करने के बारे में भेजे गए एक सर्कुलर के विषय में प्रश्न का उत्तर देते हुए कहा था कि—

"So far as I am aware, no such circular has been sent, but all steps are being taken to see that offenders are brought to book as early as possible. This is largely a question of law and order, which belongs to the States."

इस पर स्पीकर साहब ने इन्टरबीन करते हुए कहा कि—

"How is it a question of law and order in a running train?"

इस पर मिनिस्टर साहब ने जबाब देते हुए कहा कि—

"Because these dacoits pull the chain and run into the forest which is in the territory of the

State. Our limitations are there. This line passes through forests."

यै रेलवे एडमिनिस्ट्रेशन की क्रिटिसिज्म नहीं करना चाहता हूँ। मैं तो केवल यह चाहता हूँ कि रेलवे एडमिनिस्ट्रेशन और स्टेट्स को मिल कर यह सोचना चाहिए कि किस तरह से इस प्रकार के वाकयात को रोका जाए। जब कोई वुकानदार या कोई व्यापारी व्यापार करता है, तो उस का सब से पहला फ़र्ज यह होता है कि उस के कारण उस के कस्टमर्स के हितों को नुकसान न पहुँचे। रेलवे के मामले में ग्राहक पैसेंजर्स, कनसाइनमेंट्स और कनसाइनीज हैं। रेलवे एडमिनिस्ट्रेशन को देखना चाहिए कि उन पर धांच न ध्राए। जब किसी व्यापारिक संस्था के ग्राहकों को वह मालूम हो कि उस के साथ व्यवहार करने से वे लूट लिए जायेंगे, उन को किसी प्रकार की हानि होगी या वे मर्दर कर दिए जायेंगे तो जब तक वे बाध्य न हों तब तक नहीं ध्रायेंगे। चूंकि रेलवे के धलावा दूसरा कोई रास्ता ध्रावे जाने का नहीं है इसलिए वे बाध्य हो वहां नहीं जायेंगे। अगर यह कम्पिटिटिव बिजिनेस रहता और गवर्नमेंट के मनेजमेंट में ऐसी बात होती तो लोग दूसरी जगह जा सकते थे या दूसरी सर्विस से फायदा उठा सकते थे। लेकिन अब तो कोई और चारा ही नहीं है। इसी रास्ते से उनको जाना घाना होता है।

मैंने एक कम्पेरेटिव स्टेटमेंट मांगा था और पूछा था कि किस साल में कितनी मर्दस हुईं, कितनी डकैतियां हुईं, कितनी रौबरोज हुईं। उसका तत्वमीना मेरे पास ध्राया है। फ़ारेन कंट्रीज में रेलों में ऐसी कितनी वारदातें हुई हैं, इसके ध्रांकड़े तो मेरे पास नहीं हैं लेकिन जो ध्रांकड़े सप्पाई किये गये हैं उनको देखने से पता चलता है कि रनिंग ट्रेंस में १९५३ में ७ मर्दस हुई और स्टेशन प्रेमिसिज में १५ मर्दस हुई। १९५४ में रनिंग ट्रेंस में ८ मर्दस हुई और स्टेशन पर १२

मई से हुई। १९५५ में ९ मई से हुई और
स्टेशन पर १७ मई से हुई। राबरीज रनिंग
ट्रेन में १९५३ में ४५ हुई, १९५४ में २७ हुई,
१९५५ में ३४ हुई, १९५६ में ३५ हुई और
१९५७ में ५९ हुई। डकैतियों की भी संख्या
कम नहीं है, उनकी संख्या २७००, २९००
और ३००० तक पहुँची है। अब देखना यह
है कि दिन-प्रति-दिन डकैतियों की जो
संख्या बढ़ती जा रही है, उसका क्या कारण है।
इसका नतीजा यह होता है कि लोगों में भय
की भावना फैलती है और इसका उपाय करना
बहुत आवश्यक है। मैं मानता हूँ कि सा एण्ड
थार्डर का जो सबजेक्ट है वह रेलवे मिनिस्ट्री
के हाथ में नहीं है। लेकिन हमको देखना यह है
कि हम क्या कर सकते हैं। मैं सजैस्ट करूँगा
कि हमारे रेलवे मिनिस्टर साहब होम मिनि-
स्टर साहब के तत्वावधान में या प्राइम
मिनिस्टर साहब के तत्वावधान में जितनी भी
स्टेट्स हैं उनके चीफ मिनिस्टर्स को बुला कर
या उनके जो सा एण्ड थार्डर के मिनिस्टर हैं
उनको बुला कर और साथ ही रेलवे बोर्ड
के मैनबर्स को बुला कर, उनकी एक कान्फ्रेंस
करें और कोई रास्ता निकालें कि कैसे ये
बारदातें कम हो सकती हैं। गया में चलती
ट्रेन में औरती के डिब्बे में जजीर स्वीच कर
बोन घूम गये थे और जब दूसरे मुसाफिर
आए तो वे लोग भागे। यह बात नहीं है
कि पुरुषों के जो कम्पार्टमेंट्स हैं उनमें ही इस
तरह की बारदातें होती हैं, जो लेडीज कम्पार्ट-
मेंट्स हैं उनको भी अब खतरा पैदा हो गया है।
पता नहीं कब चीन स्वीच कर कोई बदमाश,
कोई चोर उनके डिब्बे में जा घुसे, उनके
घसबाब को छीन ले या उनकी इज्जत पर
हमला करे। ये सब दिक्कतें हैं, ये कैसे दूर हों,
इसका कोई न कोई उपाय होना चाहिए।
हमको कम्प्लेसेंट नहीं होना चाहिए।

श्री जगजीवन राम कुछ रास्ता बताइये।

पंडित डा० ना० तिवारी रास्ता ही तो
बै बतला रहा हूँ।

उपाध्यक्ष श्रीश्रीधर : आपने तो अभी तक
वह बताया है कि कान्फ्रेंस करें और रास्ता
निकालें, रास्ता नहीं बताया है।

पंडित डा० ना० तिवारी रास्ता भी
भागें बस कर बताऊँगा, अभी मुझे और
बोसना है।

आपके पास रेलवे प्रोटेक्शन फोर्स है
और उसके सिपाही कभी कभी कुछ गाड़ियों
के साथ चलते हैं। क्या उनका व्यवहार होता
है, किस तरह से वे लोग अपना काम करते हैं,
क्या उन पर सुपरविजन भी होता है या नहीं,
इन सब चीजों की तरफ आपका ध्यान जाना
चाहिए। मैंने देखा है कि जो दो चार प्रोटेक्शन
फोर्स के भ्रामरी गाड़ी के साथ जाते हैं वे अपनी
बन्दूक लेकर गाड़ी में सो जाते हैं और अगर
जामें भी होते हैं तो कोई बारदात हो जाती
है तो जल्दी से नहीं निकलते हैं। मैंने देखा है
कि दिन के वक्त ट्रेन का सिगनल पुलिस
दुआ, हमारे साथ सिपाही फस्ट क्लास में बैठा
दुआ था, गाड़ें इत्यादि तो इधर उधर दौड़
रहे थे लेकिन वह निकलने को रजामन्द नहीं
दुआ। काफी देर के बाद वह निकला।

बात यह है कि जो रेलवे प्रोटेक्शन फोर्स
के लोग होते हैं वे स्टेट्स से मगनी पर घाते
हैं, स्टेट्स से उनको लिया जाता है और उनकी
जो सर्विस होती है वह स्टेट्स के भन्दर हो
रहती है। उनको कोई परवा नहीं होती है
कि रेलवे अधिकारी उनसे नागज है.....

श्री जगजीवन राम : आपका मतलब
शायद प्रोटेक्शन फोर्स से नहीं, जी० धार०
पी० से है।

पंडित डा० ना० तिवारी : जी० धार०
पी० से ही सही। उनको यह परवा नहीं होती
है कि कोई उनके काम से नाबुश है या कोई
नाराज है। मैं चाहूँगा कि रेलवे ट्रेन में जितनी
भी पुलिस ट्रेवल करे, चाहे वह जी० धार०
पी० की हो या रेलवे प्रोटेक्शन फोर्स हो,

[पंडित डा० ना० सिवारी]

वे रेलवे के घण्डर होनी चाहिए। अगर ऐसा हुआ तो जो बारदातें होती हैं, डकैती की या चोरी की या मर्डर की, उनकी इन्कवायरी बे ठीक तरह से कर सकेंगे तथा रेलवे के हाई आफिशल्स उन पर सीधे कंट्रोल रख सकेंगे। आवश्यक होता यह है कि ये लोग एक दो या चार पांच बरस के लिए भाते हैं और फिर वापिस चले जाते हैं। जब वे यह जानते हैं कि उनको वापिस चले जाना है तो वे अपनी रिसपासिबिलिटी फील नहीं करते हैं। जब उनको यह भी मालूम होता है कि उनकी कोई तरक्की इत्यादि नहीं होने वाली है, तो उनके मन में जो कुछ भाता है उसे वह करते हैं जो इच्छा होती है करते हैं और जो इच्छा नहीं होती है नहीं करते हैं। मैं चाहता हूँ कि उनके ऊपर जो सुपरविजन है वह कुछ और स्ट्रिक्ट होना चाहिए।

जो सिपाही ट्रेन्स के साथ चलते हैं उनकी संख्या बहुत कम है। सब गाड़ियों के साथ वे जा भी नहीं सकते हैं। सब गाड़ियों की देखभाल वे नहीं कर सकते हैं। मैं मानता हूँ कि यह समस्या बहुत बड़ी है। रेलों सारे देश में फैली हुई हैं और हर स्थान पर पुलिस नहीं रखी जा सकती है, रेलवे प्रोटेक्शन फोर्स नहीं रखी जा सकती है। लेकिन आपको देखना होगा कि किन किन लाइन्स पर ज्यादा केसेज होते हैं, किन किन एरियाज में ज्यादा केस होते हैं, किन किन ट्रेन्स पर ज्यादा केस होते हैं और उनको मार्क करना होगा। जब ऐसा हो जाए तो उन एरियाज के लिए हमको ज्यादा स्टाफ देना चाहिए, उन एरियाज की प्रोटेक्शन की तरफ हमारा ज्यादा ध्यान होना चाहिए। सब ट्रेन्स में केसेज नहीं होते हैं, यह आपकी रिपोर्ट्स से ही पता चलता है। दिन में बहुत कम केसेज होते हैं। ज्यादातर केसेज रात में ही होते हैं। तो रात में प्रोटेक्शन देने की तरफ आपका ज्यादा ध्यान होना चाहिए।

रेलवे मंत्रालय कई तो करोड़ खपचा खाना खर्च कर रहा है। अगर एक दो करोड़

खपचा और अधिक प्रोटेक्शन प्रदान करते-कर खर्च किया जाए तो किसी को कोई एतराज नहीं होगा, कोई इसको महसूस नहीं करेगा। आप पैसैंजर्स से लेकर पैसा खर्च करते हैं। उनकी रक्षा के लिए एक दो या चार करोड़ खपचा अगर आप खर्च करना चाहें तो हाउस धन नहीं करेगा और न ही देश के लोग मरमर करेंगे या कोई इसके खिलाफ आवाज उठावेगा।

श्री जगजीवन राम : आपका मंचा क्या है ? क्या आप चाहते हैं कि हर एक डिब्बे में कांस्टेबल बिठाये जायें ?

पंडित डा० ना० सिवारी : यह मैं नहीं कहता। अबतक का जो अनुभव हुआ है उससे मालूम हो गया होगा कि किन-किन ट्रेन्स में और किन-किन सैक्शंस पर मेल ट्रेन्स या दूसरी ट्रेन्स में बारदातें होती हैं। अगर कोई कदम नहीं उठाये गये तो दूर जाने वाले पैसैंजर्स की सैफ्टी खतरे में पड़ जाएगी। हमें चाहिए कि खास तौर पर ज्यादा प्रोटेक्शन हम रात में दें। हम फोर्स बढ़ायें लेकिन यह न हो कि वे लोग गाड़ियों में सोयें या बैठे ही रहें। उनको स्टेशन स्टेशन पर उतर कर घूमना चाहिये जिस से जो बहमाश लोग हैं, जो गुंडे लोग हैं वे यह समझें कि इस ट्रेन में प्रोटेक्शन फोर्स है और यदि इसमें कुछ हमने किया तो हम पर घांच घा मकती है, हम पकड़े जा सकते हैं। आपने देखा होगा कि एक जगह पर चार बारदातें हुई हैं। लास्ट सेशन में प्रश्न संख्या ६६५ का जवाब देते हुए मैंने यह कहा था :

"In the last two years four such incidents have occurred at that very place. May I know what steps have been taken by Government to prevent such incidents?"

तो आप जानते हैं कि किस एरिया में, कहां पर और किन-किन गाड़ियों में वे केसेज

बचिक होते हैं और उन एरियाज को आपको खराबीह बेनी चाहिये। वहाँ पर हमको ज्यादा प्रोटेक्शन देना चाहिये। अगर बारदातें बढ़ती जायेंगी तो आपको उनकी लावार भी बढ़ानी होगी। मैं मानता हूँ कि आप हर डिब्बे में सिपाही नहीं दे सकते हैं हर ट्रेन में नहीं दे सकते हैं। लेकिन जो इम्पार्टेंट ट्रेन हैं जो रात की ट्रेन हैं, उनमें तो आपको देने ही चाहियें। इसलिए आपको संख्या बढ़ानी होगी और जरूरत हो तो नई रिक्लूमेंट करनी होगी। सुपरविजन के लिए भी कुछ लोग रखने होंगे और देखना होगा कि काम ठीक से होता है या नहीं।

मैंने आपको बताया है कि प्रोटेक्शन फोर्स के सिपाही ठीक से काम नहीं करते हैं गाड़ी में सो जाते हैं। इसका नतीजा यह होता है कि जो बदमाश लोग या जो चोर डाकू होते हैं वे इनसे भय नहीं खाते हैं। जब बदमाश लोग जान जायेंगे कि इस गाड़ी में पुलिस है तो मेरा अनुमान है कि बारदातें कम होंगी। आबकम ज्यादा हिम्मत ये लोग उसी ट्रेन में करते हैं जिस के बारे में वे जानते हैं कि यह अनप्रोटेक्टिड जा रही है।

उपाध्यक्ष महोदय, आज भारतीय रेलों में नाइफ इनसिक्पोर है और यात्रियों के जान व माल के लिए सुरक्षा और प्रोटेक्शन की कोई समुचित व्यवस्था मौजूद नहीं है। मैं हर डिब्बे और हर ट्रेन में रक्षा के तमाम दिन आदमियों का बन्दोबस्त करने के लिए नहीं कहता क्योंकि रेलगाड़ियों में इस तरह की बारदातें दिन में होने का कम चांस रहता है। कहीं कहीं दिन में भी इस तरह की बारदातें हो जाया करती हैं लेकिन उनकी संख्या बहुत कम है। ज्यादातर रात में ऐसे केसेज होते हैं और इसके साथ ही कुछ खास एरियाज भी होते हैं जहाँ कि यह केसेज अधिकतर होते हैं। इसलिए मैं आपसे अनुरोध कहना कि आप इस समस्या पर जरा ध्यानपूर्वक विचार करें। आप इसके लिए कान्फेंस बुलायें और वहाँ पर बिस्तार से इस समस्या के समाधान

के हेतु विचार करें क्योंकि अपराधियों द्वारा चूर्म करने के रोज बरोख नये नये तरीके काम में लाये जाते हैं और उनको सफलतापूर्वक रोकने के लिए यह बहुत जरूरी हो जाता है कि हम भी समय समय पर मंत्रणा करें और उनको बन्द करने के उपाय सोचें।

मैं मानता हूँ कि इस विषय में आपकी बराबदेही कम है लेकिन रेलवे के द्वारा ट्रेड होती है और इसलिए आपको यह देखना चाहिए कि जो आपके ग्राहक हैं हमारे जो कनसाइनीज है उनका माल और जीवन सुरक्षित रहे। हमारे यात्रियों की टेबिल मैक्र हो सके।

Shri Tangamani (Madurai): Mr. Deputy-Speaker, Sir, I rise to support the previous speaker when he said that it is essential the responsibility of the Railway Ministry to give protection to the life and property of the travellers and also protection to the railway staff and also to any of the allied Central Government staff. He has given many instances of thefts, many instances of attacks on railway passengers. I remember, during the last session, in reply to Starred Question No. 1358, on the 18th September, 1958, the hon. Minister was pleased to state that certain measures have been taken to prevent these occurrences. So far as passengers were concerned, it was stated that five measures had been taken: passenger trains will be escorted regularly by railway police; safety devices will be increased considerably; a special kind of light will be included in the brake van; guards and T. Ts. will be asked to pay special attention to the travellers if they are ladies; women compartments will be in the middle of the train. So far as goods and articles were concerned, we were told that there will be frequent drives against such thefts and prosecutions under section 122 of the Railway Act, that an attempt will be made for co-ordinating with the District police, that many plain-clothed men will set up to detect these men, that valuable commodities will be

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escorted, that armed police will go to vulnerable places and that there was also a certain patent locking of wagons, etc. It is all very good to say that these measures will be taken. But, even after the announcement of this, I am sorry to say that these incidents are on the increase.

I would like to classify them under three or four categories. First are incidents where there is threat to the safety of passengers. For example, when an Express train left Calcutta, the alarm chain was pulled and the train was stopped and a third-class compartment was looted. This happened about 50 miles from Calcutta. That is, I believe, the Mokameh Express and that was a subject on which some information was given. Recently, between Lucknow and Mogulsarai, a passenger train was stoned. The reason given was that some of these passengers were not given tickets, that the train was overcrowded and the angry passengers pelted stones. The result was 70 passengers received serious injuries.

A different type of offence also happens. To that, I will come later on. In this connection, what I would like to say is, where such things have happened in the past, those areas must be alerted. Another suggestion which I would like to make is this. There are certain Express trains which travel in a particular area after mid-night. The hon. Deputy Minister Shri S. V. Ramaswamy also will bear me out that three important Express trains leaving Madras, pass, after mid-night, Vriddhachalam and they reach Tiruchirappalli before 3 o'clock or 4 o'clock. This is a very opportune time for people who can pilfer, people who can indulge in thefts. Such small thefts are very much on the increase. That particular area can be alerted. If the Railway administration is vigilant enough, they will be able to find out such areas and these instances of thefts can be minimised. On this particular point, I do not propose to develop much further.

The second point is, where the railway employee himself wants to do his duty, I think it is the important duty of the Railway administration to give him the maximum protection. I remember the particular question I raised in the House how enough protection was not given to the Assistant Station-master who was doing his duty in Madras. In the Kodambakkam station, on the 8th October, four persons, in broad daylight at about 1 P.M., surrounded the Station-master and knifed him and there was no protection at all. There was no watch and ward and there was no railway police also. The Deputy Minister said that the four persons were running amuck and we cannot be bothered to give protection to all these way side stations. Surely, I think, it is the responsibility of the administration to give protection to these conscientious employees. What has been done to this particular employee, I would like to know.

Another instance is, where an employee wants to do his duty, external pressure is brought upon that particular employee for having done his duty. Many instances I can give. I will give only one instance. In the Southern Railway, there was a Ticket Collector who was a very conscientious man. He will not allow any one without seeing his pass or ticket. This happened in a station, Sankaridurg near Salem. The poor man who refused to show his ticket or pass happened to be an important person locally and what happened is, he is facing trial under various sections of the Indian Penal Code. I would like the hon. Minister to check the position. I understand that certain Members of Parliament also took up this issue for prosecuting the poor railway employee who was doing his duty.

Another instance, I can mention. It was brought to my notice four months ago. Here it is not an important person, but it was the police. This particular Inspector wanted a police

officer who was travelling to show his ticket. Of course, it was too much. The police officer immediately protested and he is also facing prosecution. It is in the Olavakot division. The name I can give and the details I can give to the hon. Minister. It was raised in this House also how a particular Inspector or Ticket Examiner, for having checked up a Police Inspector who was travelling without ticket in the First Class, was subsequently assaulted. He was prosecuted and he was put in the lock-up and even bail was refused. I remember that was also brought up. What I would like to mention here is, let not the police take it into their head that because they happen to be police officials, they have got perfect liberty to harass these employees. I have mentioned three instances. Many more, I can give. Protection also must be given to these honest employees who are doing their duty, from harassment from the police officials.

The next type is this. There have been several recommendations and the hon. Minister of course knows these recommendations. So far as night patrol duty is concerned, I believe there was a recommendation in the Enquiry Commission regarding the Ariyalur accident that two watchmen should be sent in groups, not a single watchman. I do not know whether it is being followed today. I know,—it was a very pathetic case also—in October or so, one Class IV employee, on night patrol duty, reminded me of this particular recommendation of the Ariyalur Enquiry Commission—a month later, the report was that he was knocked down by a night train. Whether he was knocked down by a night train or whether he was brutally murdered, God only knows. The worker who raised this is Chinnamayan of Tirumangalam. After a month, he is not there to tell me what has happened. This recommendation also must be taken up seriously. I believe this has been raised by all the trade unions. Very recently, even when the Southern Railway Labour Union met in their

Executive in Golden Rock on the 1st and 2nd of this month, they suggested that this recommendation must be taken up seriously.

Another instance is this. There are certain persons who break the law and cross railway lines. When the person who crosses the railway lines happens to be an influential person, the night patrol man or watchman gets into difficulties. I can mention an instance in Podanur. This happened four months ago. Two night patrol men suspected a particular individual. So they stopped him. Nothing much happened. The next day the railway sub-inspector sent for the two watchmen and they were kept in custody, and they were told not to interfere with that individual. I am told a case is now pending against these two men before the sub-magistrate's court. I do not know who is going to defend them.

Then there is the third aspect. There are also other employees who are very much associated with the railways. The RMS are involved in accidents. The RMS Employees' Union, their all-Indian federation, has been demanding that proper RMS vans should be provided. This has been a continuous demand in the Southern Railway. Particularly from Madras to Madurai in the Trivandrum Express they wanted the T-9 service should be extended. They wanted a bigger, more convenient and comfortable mail van, and that mail should not be placed in places other than the mail van. What is it we find?

On March 12 in Tundla the RMS guard, the RMS peon and porter were found brutally murdered, and to this day we do not know what were the defects in this mail van which allowed the murderers to get into the compartment. To this day we do not know what has happened. The only thing that we know is that six men have been arrested. It may be that one or two of them are also postal or railway employees. The case is pending, but what we would like to

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know is whether there was any defect in this van, whether it was a proper RMS van, or whether it was a rickety van which could not be locked from inside so that persons could get inside and murder the RMS men. This is a point on which we are not getting any clear reply.

Shri Jagjivan Ram: That you will get after the case is over.

Shri Tangamani: This morning it came up, and the hon. Minister of Transport and Communications said that the matter was under investigation. The matter as to how these people were murdered may be under investigation, but as to how the persons were able to get into the van, whether there was any defect in the van, needs no investigation. I hope the hon. Railway Minister will be able to throw some light on that.

There is also another point which I consider to be important. Thefts have been on the increase after independence. In the pre-war period thefts took place mostly within the compound of the station. Thefts by way of breaking the wagons started during the war period, and hence it was during the war period there were orders to shoot persons at sight. In this connection, I would like to mention certain suggestions which were given to me by a railway employee who has put in 44 years of service. This is what he says.

After independence thefts have reached such a pitch that neither the railway police nor the railway protection force is in a position to check them. Crores of rupees are paid to the owners of property stolen. Thefts cannot be detected because there are certain other internal conditions which have to be set right. There is also a deliberate attempt to suppress evidence. Where the case happens to be of railway property—and I mentioned certain circumstances of what happened in November, 1956 and November,

1957 in the Perambur Workshops—honest persons who try to catch the thieves are transferred to distant places as inefficient men.

Now, the Home Ministry has started a vigilance organisation in the railways since the last two years. Every unit has got a committee consisting of a vigilance officer, an assistant, 20 to 25 inspectors and one sepoy under it. These are to investigate bribery cases or thefts of various kinds. This department has now fallen a prey to what it was going to remedy.

So, this officer suggests that the vigilance officer should be a Superintendent of Police. Under him there should be three inspectors, five retired station masters, three permanent way inspectors, nine retired police inspectors. The officer must be invested with the power of dismissal or discharge of the defaulter. Retired officers should be taken because they alone will dare to arrest gazetted officers since they do not go back to the parent service. Their period may be two years, or it may be revised. This is a serious suggestion by a railway employee, and I commend this to the Minister for what it is worth.

Lastly, the hon. Minister will agree with me that not only the public but the employees also must be taken into confidence. We cannot take the employees into confidence by just discharging them without even assigning reasons. Of late, the application of rule 148 of the State Railway Establishment Code is very much on the increase. Even men who have put in 23, 29 or 30 years of service are dismissed without any enquiry. I will mention three instances. Driver K. Raju of Villupuram, Station Master K. R. Thyagarajan of Cuddalore and Station Master N. R. Venkataraman of Trichy who have put in more than 20 years service have been dismissed without any enquiry under rule 148 of the State Railway Establishment Code.

In paragraph 185 of their 24th report the Estimates Committee have recommended thus:

"The Committee are glad to learn from the recent budget speech of the Railway Minister that a scheme will be drawn up to associate workers in the management and the running of the Railway workshops and that a proposal is being considered for sending a team including representatives of workers to other countries, where such participation of workers in management has been tried. The Committee recommended that these proposals should be pursued vigorously."

And this is what the Railway Ministry says:

"This is being done now by the Ministry of Labour and Employment, and this item is being transferred to that Ministry."

The reply of the Labour Ministry is still awaited by the Committee.

What I would like to say is this. There is now the Staff Council. Election takes place and it is functioning. At each level, at least at the divisional level and at various key branches if we can have these staff councils. . . .

Shri Jagjivan Ram: What has it got to do with the present motion?

Shri Tangamani: If the hon. Minister would bear with me, I can tell him also how certain thefts can be detected. Certain officers who are to detect thefts know such a thing is going to happen. Such things will be divulged to the Ministry if the workers are taken into confidence. Such things are also happening. In certain areas the workers freely talk about *mamul*.

Shri Jagjivan Ram: I will always welcome any information from them.

Shri Tangamani: I will convey this to them. So, this workers' participation in industry and consulting them at different levels will not only give confidence to the employees; it will give confidence to the travelling public also and those who are entrusting their goods to the custody of these workers.

So, my submission will be that those steps which they propose to take as mentioned during the last session must be taken seriously. Secondly, the areas where such thefts take place must be earmarked and special attention paid to them. Thirdly, the railway employees must be given full protection not only from certain cantankerous superiors but also from the railway police. Fourthly, the railway employees must be given protection from certain political forces and certain important individuals. Lastly, at different levels railway employees should be associated in the management and also in the administration. The co-ordination between the railways and Posts and Telegraphs must also be taken up much more seriously particularly for the safety of the RMS employees.

Shri B. Das Gupta (Purulia): With an apology to the hon. Railway Minister.

An Hon. Member: Why start with an apology?

Shri B. Das Gupta: I may just begin with an M.P.'s story.

Shri V. F. Nayar (Quilon): Every M.P. has a story to tell.

Shri B. Das Gupta: A letter was published in the *Amrita Bazar Patrika* on the 11th November by Mr. Prafulla Chandra Bhanj Deo, M.P. I think he is a Member of the Rajya Sabha. I am reading the relevant portion from his letter:

"On the 4th November night while travelling from Banaras

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station to Howrah by the Banaras Express, I was robbed in my first class compartment of property and money worth one hundred and fifty. My wallet contained Rs. 70 and my gold Parker fountain pen was worth Rs. 80. Both these articles were under my pillow at night and the contents of my wallet and my gold fountain pen were gone in the morning with the culprit. The culprit was a dark thin Bengali passenger who told me he was a disciple of a sadhu."

An Hon. Member: Member of the Sadhu Samaj?

Shri B. Das Gupta: That is not the most important thing.

That he had lost Rs. 150 worth of money and fountain pen is not a very important factor. The most important thing is what I am coming to presently.

"He got into my four-seater compartment at Moghalsarai and told me he was travelling to Jhajha, as he was in Railway service. This fellow got off at 4 A.M. somewhere as the train was stopping frequently at odd places. The chains for stopping the train were not functioning properly..."

And it is the assertion of an M.P. that the chains in the Banaras Express were not functioning properly.

"... either and in most of the third class compartments there was no chain at all."

And mind you, it was not a local passenger train, but an express train from Banaras to Calcutta.

Shri Jagjivan Ram: Many chains have been sealed.

Shri B. Das Gupta: This is the condition of the alarm chains in the trains.

"... as the train was stopping for a short time at regular stations but for long periods at deserted places where there was no station, it was impossible for us to get off anywhere to be able to make our report or point out suspicious persons to anyone.

Two other gentlemen got into our compartment after midnight... One of the two gentlemen occupying the upper berth was Mr. Gyanoo Singh, Panchayat Officer of Dumka, Santhal Parganas. Seeing me completely stranded he very kindly lent me Rs. 10. At Jasidih station, we tried to contact..."

—Now, we are coming to the police.

"... the GRP. Much time was wasted as no one seemed to be at his post, and the TTC's did not bother themselves much about our troubles or difficulties. It was learnt, the Sub-Inspector, GRP, Jasidih was fast asleep at this time and Mr. Gyanoo Singh's repeated requests to subordinate police officers to wake him up were quite fruitless."

I would request the Railway Minister to wake up these officers and ask them to be alert about passengers' distress and complaints.

"Mr. Gyanoo Singh's repeated requests to subordinate police officers to wake him up were quite fruitless".

So, the one was a Government officer, a well-placed panchayat officer, and the other was an M.P., and these two together could not wake up the railway officer in order that they may file their complaint before him,

Shri V. P. Nayar: He was doing Kumbhakarna seva.

Shri B. Das Gupta: Then, he goes on to say

Meanwhile, the train started to move. Mr. Gyanoo Singh tried to pull the wire substituted for the usual chain in a third class compartment, close to us, but it would not work."

Just see the condition of the railways.

Shri V. P. Nayar: Oh! what a tragedy!

Shri B. Das Gupta: And this has been written by no less a person than Mr. Profulla Chandra Bhanj Deo, Member of Rajya Sabha.

"He kindly helped me to get into this third class compartment in the moving train and advised me to report to the GRP at Madhupur, the next station. At Madhupur station there was great confusion. The GRP police was contacted there with great difficulty. I was given a small piece of paper to make my report, standing in front of my compartment on the platform. They (the GRP) took the leather bag with the papers—left by the thief in my compartment—but gave me no receipt for this. As the train was gathering speed also, there was no time for me to ask for a receipt for this from the GRP. This is how First Class passengers have to travel in independent India."

I do not require any explanation, nor do I require any reward for passing this on to the hon. Minister. This is the condition in our railways. I would submit that theft, robbery and such other incidents should be wiped off completely from the railways. But I know that that is not possible. While there are dacoits and there are robbers and thieves in our country generally, such incidents will be taking place, but the point here is that these incidents are occurring more and more because of the fact

that the persons who are in charge of security,—whether they be the GRP or the railway constables or the railway officers,—are practically asleep. They are not mindful of their business. That is the difficulty.

It is not possible to guard a whole railway by Protection Force or by the police. It is not possible to guard the whole track. I admit that. But if it is possible to wake them up, if it is possible to make them mindful of their duties more and more, then I think these incidents will occur less and less. And that is the point which I would request the hon. Minister to give his attention to. I feel that if proper steps are taken in the proper way, these incidents can be checked.

As regards their negligence, I would say this. It is a fact that the GRP or the Government Railway Police are under the States, and the Railway Minister puts forward the excuse that they are controlled by the State Governments. That is true. But there is also the Railway Protection Force. I have got personal knowledge about their working. I have seen a goods train running and how that train was looted. The miscreants just disconnected the vacuum connection, and the train stopped. There were two trucks, one on either side of this train. The Railway Protection Force with their guns were standing about a hundred or two hundred yards from the train, and the goods train was being ransacked like anything, and the trucks were being loaded, and the miscreants were just going scot-free. These are facts. This is how the Railway Protection Force are discharging their duty. If such be the condition, how can such incidents be checked? I hope the Railway Minister will kindly take note of it, and will enquire into it and give exemplary punishment to the sleeping GRP or ask the State Government to give exemplary punishment to the sleeping inspector or whoever he might be. If that is done in right earnest, and also whenever any such incident is brought to

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the notice of the railway authorities, to the notice of the Railway Minister or to the subordinate railway authorities, if it is properly enquired into, then I think the situation could be remedied to a great extent. I say this because I have brought many such instances to the notice of the railway authorities, both the State authorities and the Chairman of the Railway Board. But I regret that nothing has been done.

15.50 hrs.

[SHRI BARMAN in the Chair]

As regards officers who work honestly in the railways, I can cite instances. But time is short and I will just cite one instance. In Muri Junction in Adra District of South-Eastern Railway, last year, a ticket collector arrested a passenger who was without ticket. The railway constable was standing by. The railway constable asked the ticket collector to let him go, but the ticket collector refused, saying 'I will not let him go. I will hand him over to the police. Then let him be released or let him go to jail'. The constable got some money from that man and when the ticket collector refused, he assaulted him. He beat him right and left; the man was sent to hospital. There was a great commotion over this incident. I do not know what action the State authorities have taken against the constable. A dutiful officer who wants to do his duty is faced by such behaviour on the part of the railway police.

I can cite scores of other instances where dutiful railway officers—class III and class II officers—have been suspended for doing their duties. I have brought several instances to the notice of the railway authorities. If the hon. Minister wants, I can give him many such instances with documentary evidence and proof. Recently an ASM was suspended. If you go into the record of that officer, you

will find that he increased railway revenue by stopping corruption and theft. But what was the result? He was suspended on certain flimsy grounds. I have already brought this case to the notice of the General Manager and the Railway Board. But he is still under suspension, though I have been assured that justice will be done.

Railway employees who are treated in this way are afraid to come to us because if they approach us, they will be censored by the higher authorities. That is the tragedy of the whole thing. In most of the cases, we also do not dare to approach the railway authorities because if they are suspended or punished for this offence, we cannot give any protection to them. If we refer it to the hon. Minister, he will refer it to the Railway Board, who will refer to the General Manager who in turn will refer it to authorities under him. Then a report will come in that hierarchical order, and there will be no remedy.

I think we should take cognisance of this. Wherever any such instances are brought to the notice of the railway authorities, immediate steps should be taken and severe punishment given. The offenders should be tried summarily and punished severely. Only by this there can be a remedy.

There is another point, as regards the railway staff on the wayside stations.

Mr. Chairman: The hon. Member should confine himself to the matter under discussion, that is, how to stop dacoities, thefts and other things, instead of going into all other matters.

Shri Tangamani: The question of the railway staff and their security is also part of the discussion.

Shri B. Das Gupta: The subject for discussion is:

"Insecurity of and danger to life and property in railway

travel and protection of railway staff against police and other officials who violate railway rules....".

I think officials include railway officials also.

Shri Jagjivan Ram: Then it means promotions and everything!

Shri B. Das Gupta: There are many wayside stations; there are stations in out of the way places. The Station Masters and other staff at such stations do not have any protection. I know that sometimes they are robbed. Dacoities take place. The dacoits surround them. They are practically at the mercy of robbers and dacoits. I suggest that in those places the railway authorities should arrange to supply arms to those officials. I do not think there is any harm in supplying them with revolvers to protect themselves.

As regards the RMS staff who travel in trains, they may also be supplied with revolvers to protect themselves, because they run the same risk. Why should they not be armed while they are on duty?

The main thing is that the whole administration—whether railway or non-railway—is corroded. Even if we try, it will be very difficult to control the administration. The administration is getting out of their hands. The whole machinery is getting out of their hands. But if Government can feel the seriousness of the situation now—it is not too late; there is still time—if they can remodel the administration, if they can reorient the administration, if they can control the administration, then there will be a chance to remedy all these things. Otherwise, I fear the history of Pakistan and the history of Sudan may be repeated in India, if you do not take this as warning from my humble self.

Mr. Chairman: There is just one hour to go. The hon. Minister will take half an hour. I propose to give

chance to two hon. Members. I hope each will take 15 minutes.

Pandit D. N. Tiwary: My reply will take some time.

Mr. Chairman: There is no right of reply. There is no resolution before the House.

Shri D. C. Sharma (Gurdaspur): Hon. Members who preceded me have drawn a very alarming picture of the law and order situation so far as it affects the railways. One hon. Member more out of imagination than out of a sense of reality went so far as to say that the whole administration was corroded and that we should take a warning from the ominous things which have happened in certain other countries and certain other regions. I think this was nothing but a case of imagination running riot. It was a case of going very much outside the pale of the discussion of this problem. To say that everything is all right with the railways so far as the security of passengers and the railway staff is concerned, so far as the protection of the railway property or the property of the customers of the railway is concerned, is, I think, not to the point. There are many things which need to be looked into and tightened up. Many controls should be geared up. All these things are necessary and I think Pandit Tiwary was well within his rights to draw the attention of the administration to those things. That there are murders committed on the running trains and in the station premises, no one can deny; that there are robberies and dacoities both on the running trains and in the station premises, no one can deny and we are all ashamed to admit their existence. There are thefts in the passenger trains and goods trains. But the question is this. Is the law and order situation that prevails in the railways worse than the law and order situation that prevails elsewhere? That is the question to be taken into account.

[Shri D. C. Sharma]

16 hrs.

To begin with, I would admit that any kind of criminal activity, be it minor or major, any kind of anti-social activity, be it a murder, robbery or dacoity or thefts, shows social ill-health. It also shows, if I can put it like that, administrative incompetence and the inadequacy of the resources to cope with the situation that prevails and also the lack of proper vigilance. All those things are there I do not deny them. But on the floor of this House, I was once told by the hon. Home Minister that so far as the law and order situation in this country was concerned, it could compare favourably with any country of the world. The law and order situation in this country was much better than any country in the world, though there are break-downs of the law and order situation so far as the railways are concerned. While I plead urgently, most emphatically and most insistently for the tightening up of the supervision and all that kind of thing, I would say that the railways did not have as poor a record as my alarmist friends have made it out. The MPs are robbed. But other people are also robbed. Then why should not the MPs be robbed? If thefts take place in the houses of other persons, I do not see any reason why thefts should not take place in the houses of the MPs.

An Hon. Member: You be robbed

Shri D. C. Sharma: It does not mean that, if an MP is robbed, the whole universe has come to an end. I am sorry for anybody who is robbed, whether he is an M.P. or anybody else. I feel sorry for it; I feel sorry for myself if I am robbed. But, if an MP is robbed and loses Rs. 120 because he was travelling in the company of a man who described himself as a disciple of a sadhu. I do not know whether I should admire the wits of the M.P. or the wits of the

man who described himself as a disciple of a sadhu. We are all persons who are occasionally objects of such mishaps. But to tar the railway administration with this kind of a brush because a murder has taken place somewhere...

Pandit D. N. Tiwary: I protest; there is no tarring. We have simply drawn the attention of the railway administration to these acts for tightening up of the machinery.

Shri D. C. Sharma: You do not interpret it literally. It is a phrase which does not mean perhaps as much as its literal meaning.

So, to tar the railway administration with this kind of a brush, I think, is not justified. All the same, I have said and say again that something should be done and I have some constructive suggestions as to what should be done regarding this.

In the first place, I would ask the hon. Minister to see to it that the GRP becomes an independent body, controlled entirely by the railways. I do not know how this can be done but I think the ingenuity of the Railway Minister can be depended upon to do something so that GRP does not serve under two masters. All the ills that have been pointed out on the floor of this House show that the GRP is serving two masters at one and the same time and therefore, it is not as vigilant about its work in the railways as it should be. Therefore, the first thing that should be done is that the GRP should be brought entirely under the control of the railway administration. If the railway administration can have a railway protection force for doing various things, I do not see the reason why this body cannot be constituted to look after the welfare and the security of the passengers and others.

My second suggestion is this. We have recently instituted a mobile unit.

My friend over there was referring to the out of the way stations. I come from a place which could be described as situated near an out of the way station. I know sometimes on East branch line thefts have occurred and those thefts have done some kind of harm and put fear into the hearts of the railway employee. Our authorities should have some mobile units of police so that these units can travel along those routes and railway lines which are in a way removed from the centre of the railway administration and from the centre of urban life. We have such a mobile police unit in Delhi.

The third thing is that it should be made compulsory for the railway staff to be instructed in the use of rifles and they should be given some training. Unless that is done, this will go on all the time. Only this morning, I read that in Delhi they are going to have this rifle training. They have divided Delhi into certain zones and they will give rifle training to any person who is certified as a fit person by an MP or a member of the Corporation or by some body else. If rifle training is necessary for the citizens of Delhi, it is also necessary for the railway employees who are working in so many places. Therefore, I would ask the hon. Minister to work out some scheme, by means of which rifle training is made as wide-spread amongst the railway workers as possible.

Sir, while I feel worried about the murders that take place, about the thefts that take place, about the robberies that take place—as a citizen of India I feel as much worried about them as my hon. friend Pandit Tiwary or any other Member—I am not going to say that all these thefts that take place, whether it be railway goods or goods belonging to passengers, are on account of collusion between the railway employees and the anti-social elements. I am not going to make such a sweeping generalisation. All the same, I would say that sometimes they are the result of that kind of collusion. It is not something

new that I am saying; I think the Enquiry Committee over which Acharya Kripalani presided also had something to say on that subject. Therefore, while you have to keep a watch over the anti-social elements in the country you have also to keep a watch over your own employees so far as goods trains, godowns and other things are concerned. I do not say that you should keep a watch over them like the police, but what I say is that the Railways should have a very intensive programme of social education.

I know that social education is done by the Railways. They have the microphones and megaphones for announcing the arrival and departure of trains, even though it is very difficult for an ordinary passenger to follow the announcements. Only a lucky few can follow those announcements; but even then it is good, it is a step in the right direction. Therefore, I would say that the Railway Administration should take in hand social education of its employees, especially those who deal with these things. If the right kind of education is undertaken, other things will become better than before. I am a great believer in education. I think where the police fails, where other agencies fail, education can succeed. We need education of these gentlemen as much as that of anybody else.

Sir, I feel unhappy to read all these statistics. I am sure the Railway Minister will look into all these things. But the most important thing is to give the people, the passengers and the railway employees some kind of a new attitude as has been done in China so that these anti-social activities will become a thing of the past.

Shri Bose (Dhanbad): Sir, there has been a good deal of discussion over this subject. It cannot be denied that there is something wrong in the Railways in regard to these matters. If I remember aright, there was a different system in the Railways previous to the Protection Force: there was the Watch and Ward. Then, as

[Shri Bose]

a result of discussion in this House this Protection Force was introduced. Therefore, I do not think that the Railway authorities are sleeping over it; they are also constantly thinking over this matter. I also feel, as my hon. friend Shri Sharma has just now said, anti-social elements have very much increased in number.

I have only one or two suggestions to make. I find that the G.R.P. and the Protection Force have got no legal responsibility in regard to their duties. If a package is stolen from a station the poor clerk there is caught hold of and not the man who was actually guarding the package at the station. There is no fencing at stations. Sometimes no lock and key is provided to keep things in safety. I think this responsibility should be attached to the G.R.P. and the Protection Force; otherwise they go Scot-free even though they are responsible for guarding the goods at stations

Regarding passengers travelling in trains, I think it is very difficult to protect every passenger all over India in every compartment of every running train. I myself had an experience. I was travelling in a first-class compartment. I found a man trying to snatch away a packet belonging to another man in the compartment.

Shri Jagjivan Ram: A gentleman?

Shri Bose: He looked like a gentleman. I immediately got up and I did not sleep for another two or three stations. Both of us were sitting like that for some time. He was getting down at every station—probably looking up his companion and talking to him—and coming back I could not bolt the door of the compartment. Therefore, what I say is, it is very difficult for the Protection Force to protect every passenger. But you can provide proper fencings and lock and key for safety of goods at all big stations, and thereby save the railway employees from unnecessary

troubles. I had occasion to discuss these things recently with some railway employees. They said that articles remain on the platforms without any proper fencing. The guards are there to watch over those things for the whole night, but if something is lost the next morning the poor clerk is held responsible and the guard goes Scot-free. Therefore, the law must be so amended that the people who guard the things are held responsible. As Shri Sharma said, the G.R.P. and the Protection Force are now under the State Governments. If they can be brought under the Railway Administration, it would be much better. I understand that only the local S.P. can appear before the courts for prosecution purposes. The Railway Police also should have the right to present their cases before courts. It is not very difficult to make the necessary changes in the legislation.

I feel that responsibility, legal responsibility should be attached to these people in the Protection Force and the G.R.P. If there is no such responsibility they simply come and go away, they do not care for the station master or other staff. Now the responsibility remains with the railway employees. That is a real flaw in the whole Administration. Of course, as I said, there are also more anti-social elements now and, therefore, we shall have to be more careful and watchful

The Deputy Minister of Railways (Shri Shah Nawaz Khan): Mr. Chairman, Sir, I am very grateful to the hon. Mover of the motion and other Members who have taken part in this discussion which has served to focus the attention of this House and through this House of the whole country on this very important problem of law and order on the railways; and the thefts, murders, all these things, which disturb the mind of the public. We ourselves in the Railway Ministry have been much concerned

whenever there is any such incident which disturbs the Railway Ministry. We might say we have been concerned more than other people because it happens either in running trains or in railway premises and this problem has been agitating and seriously exercising the mind of the Railway Minister and his Ministry. I might add that we have taken whatever steps were possible to collaborate and to secure the co-operation of the State Governments in curbing crime wherever and whenever it comes to our notice. Whenever they feel the necessity for it, the Chief Security Officers of all the railways meet the Inspectors-General of Police of the States and the General Managers contact the Chief Ministers of States and they all try to meet the situation.

Recently, only on the 7th of this month, the hon. Railway Minister met the Chief Ministers of all the States where this question was also discussed and whatever preventive steps could be taken were fully discussed, and I am very glad to tell the House that we were assured by all the Chief Ministers that they would extend their fullest co-operation to us in trying to curb crime on the railways.

Nevertheless, I cannot refrain from stating that there was too much exaggeration, and I might add, an alarmist view was taken of the whole situation. I am very glad that our hon. friend Shri D. C. Sharma has made my task very much easier.

Shri Tangamani: He came to your rescue.

Shri Shah nawaz Khan: He took a very rational and balanced view and he has made my task much lighter. Whatever happens on the railways....

Pandit D. N. Tiwary: May I intervene? One wrong impression has been given, and that is by the speech of Shri D. C. Sharma. This occasion was not taken for criticizing the railway administration. It was only an occasion to focus the attention of the

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railway administration and of the Home Ministers of the States to remedy these defects. This view, that they have taken an alarmist view, is totally wrong. They have never taken an alarmist view. We wanted to put our heads together and find out ways and means to check this trouble.

If my speech was understood in anyway like that, I am very sorry that I must tell the hon. Minister of Railways that perhaps he did not give that much attention to it which it deserved.

Shri Tangamani: The alarm signal had to be given!

Shri B. Das Gupta: The small things gather up and make big ones. As our hon. Prime Minister has been saying, the small things together make a big thing.

Shri Shah nawaz Khan: I submit that whatever happens on the railways cannot be completely isolated from whatever else is happening around us all over the country, and I would like to read from the recent report published by the Ministry of Home Affairs, reviewing the crime position in India in 1956, as compared to the year 1955. This is what they say:

"All heads of crimes excepting counterfeiting showed increases. The most noticeable increase took place in offences against property and in murders. The increase has spread practically all over India".

This is what the Ministry of Home Affairs have stated in their report.

In the year 1956, there were 10,025 murders throughout the country, and in the same year, the number of murders on railways was 29; it is 29 compared to 10,025. I might say that every day, the railways carry 38 lakh passengers. So, it is by no means a very alarming picture.

Shri Tangamani: Murder in a railway train is not alarming? Has it to be taken just as murders elsewhere?

Shri Shah Nawaz Khan: Nevertheless, as I said in the very beginning, even if there is one murder, that is a matter for very grave concern, and we do take a very serious view of it, and it will be our constant endeavour to try and minimize crimes to the extent that is possible.

The hon Members who spoke today on this motion talked about crimes in passenger trains and in railway premises, thefts in goods trains either while they are at the stations or while they are running. Also, they spoke about the safety of the railway staff. They also spoke about the duties of the GRP, that is, the Government Railway Police, and of the RPF. There is a little confusion—I should say, in understanding the duties which are assigned to these Forces. Under the existing arrangements under the Constitution, the responsibility for looking after the passenger trains and for looking after the safety of passengers travelling in trains and on the railway premises is that of the GRP which is controlled by various States through which our railways run. This GRP is again divided into two parts: one portion is known as the Crime Police, and the other is the Order Police. The duties of the Crime Police are to detect crime and to bring the culprits to book and to prosecute them in various courts. The Order Police has to maintain order on the railway premises and to control traffic. The State Governments pay for the Crime Police, but for the Order Police I might say that annually we are paying something like Rs 80 lakhs or perhaps a little more.

Shri Dasappa (Bangalore): Why don't you have your own force then?

Shri Shah Nawaz Khan: Beside this GRP, there was another force known as the RPP—Railway Protection Police. During the war time, looting

of wagons, murders and dacoities increased and it was decided to organise this force known as the RPP. Their duty was to escort various trains. When we reorganised the Railway Protection Force, we took over the duties of escorting goods trains from the RPP, but, the duty of escorting passenger trains still rests with the GRP, which is controlled by State Governments.

As has been pointed out, the Railway Protection Force had to be reorganised in order to cope effectively and efficiently with the increasing responsibility which they were expected to shoulder. Their jurisdiction is very limited and this thing was fully discussed in this House. Their main duties are to render protection to the railway property in railway premises.

Shri Raghubir Sahai (Budaun): The hon Deputy Minister may tell us whether he is completely satisfied with the present arrangements of the GRP and RPF.

Shri Shah Nawaz Khan: We have not experienced any serious difficulties so far. As I will be explaining a little later, the increase in crime is by no means on such an alarming scale as to warrant any major changes.

I was talking about the Railway Protection Force. It has been organised only to ensure better protection to property belonging to the railway or entrusted to them as carriers and this force has been given certain very limited powers of search and arrest for that purpose; but it has no powers or duties as such in respect of thefts and robberies against passengers and employees. This force has no powers of investigation, which is within the scope of police duties of the State. So, the RPF has been reorganised and I have no hesitation in saying that it has now been transformed into an efficient and well-disciplined force. But their duties are slightly different from what hon

Members seem to imagine. It was previously known as the Watch and Ward....

Pandit D. N. Tiwary: What is the use of spending so much money on the RPF if it does not protect the passengers?

Shri Shah Nawaz Khan: The RPF was reorganised and at present its strength is about 43,000 and odd throughout India. We are spending nearly Rs. 6 crores—Rs. 5.69 crores to be exact—over the RPF.

I am very glad to tell the House that there has been a distinct reduction, in the number of thefts of railway property. I will give the figures later on. There has also been an improvement in the number of compensation claims that we have had to pay. I know that cases of thefts in collusion with members of the RPF sometimes do occur; I do not deny it. Every person out of the 43,000 men who serve on the RPF is not an angel or saint or one who does nothing wrong; far from it. Cases do occur. An odd employee may collaborate with outside thieves in stealing railway property. It will happen in every organisation, in even the best disciplined forces.

Shri Rajendra Singh (Chapra): Why talk only of the employees? Even the officers are collaborating with the thieves.

Shri Shah Nawaz Khan: That is a new point. The hon. Member did not speak when the motion was under discussion. I think the idea has struck him rather late.

An odd case might occur here or there. But, on the whole, I can assure this House that the Railway Protection Force is functioning well and it is improving day by day. And it will be our endeavour to try to improve matters as much as we can.

An hon. Member here has suggested that the railways should take over the Government Railway Police. That

appears to be the main suggestion. There are constitutional difficulties in the way. Also, the crime taking place within the railway premises cannot be isolated from the conditions existing in that particular area. It is common knowledge that breaking of vans, for instance, takes place in a particular locality where certain type of conditions exist. So, we have tried to liquidate these gangs which live in various areas in very close collaboration with the State police, whose responsibility it is to carry out investigation and prosecute people. It is for this reason that we cannot take over the responsibility which at present devolves on the Government Railway Police. But the Railway Protection Force is always there to give support to the Government Railway Police whenever it is required. Only recently, one of my hon. friends was talking about a running train dacoity. It took place, I think, somewhere near Mughalsarai—Bharthana is the name of the station. Some people got into the compartment. On the way they looted the passengers. As they were trying to get away the Railway Protection Force arrived on the spot and they caught them red-handed and arrested them on the spot. They have also had to shoot a number of people who were breaking wagons. I am sorry that we cannot take over the duties of the Government Railway Police under the existing conditions.

Some hon. Member—I think it was Pandit Tiwary—talked about the molestation of women in running trains and all that. Some cases have happened. But, as I will quote from the figures a little later, cases are very few. There is nothing to be alarmed about and in fact there is nothing worth mentioning. Of course, women travelling in trains are open to all these dangers, but this is no more than the danger of risk which a young girl going to school all by herself incurs.

My hon. friend, Shri Tangamani, read out my reply to a question; the

[Shri Shahnawaz Khan]

steps that we had taken to ensure the safety of passengers and particularly of women passengers. Their compartments are put in the centre of the train, the guard and other railway employees have instructions to go and watch that compartment at every station and the latches or the catches inside their compartments are kept in order. These are the normal precautions that we are taking.

He also said that the strength of the Railway Protection Force and the GRP was not enough. I have already given the figure. We pay a little less than a crore of rupees for the G. R. Police and spend a little less than Rs. 6 crores on the Railway Protection Force. I do not know whether our Railway revenues would permit more than this.

Pandit D. N. Tiwary: Parliament can sanction one or two crores more for the safety of the passengers.

Shri Shahnawaz Khan: Even if we were to increase our Force three-fold or four-fold, it would not be possible to ensure absolute protection for every passenger who is travelling. How can you watch every person's wallet or foundation pen in a compartment?

Shri B. Das Gupta: If they are not asleep then something can be done.

Shri Bose: The difficulty arises when the G.R.P. do not co-operate with the Railway officials in big stations. That is the most important point. They are under the State Government and railway officers do not obey their orders.

Shri Shahnawaz Khan: As I said, there may be some instances where they have not co-operated very well with each other, but on the whole the arrangement is working satisfactorily. Apart from a few odd cases that happened here and there, there is no serious situation that has developed.

Shri Tangamani talked about the protection that should be given to R.M.S. employees. Of course, every person travelling in a train must be protected and specially persons who travel in R.M.S. vans. The case is sub-judice and at present, I would not like to say very much about it. But he would remember that in one of my replies, I had given out that amongst the persons who travelled in that R.M.S. van were some postal employees and one beautiful woman also.

Shri T. B. Vittal Rao (Khammam): In the R.M.S. van?

Shri Shahnawaz Khan: It was not as if they had forced their way into the compartment. They were probably welcomed in the compartment. But I would not say anything more about it.

Shri Tangamani: This is the first time that we are hearing about it. Last time what we were told was that there were three men in the R.M.S. van—one was the main guard, the other was a peon and the third was a porter who had no business to be there.

Shri Shahnawaz Khan: The fourth was a woman.

Shri Tangamani: Only when the list of arrested persons was given, we came to know that one of them happened to be a woman. That is my recollection of the reply. It is for the first time that we hear that one of the persons in the R.M.S. van was a woman.

An Hon. Member: A beautiful woman.

Shri Shahnawaz Khan: Before I sit down, I would like to give a few figures about looting and dacoities in running passenger trains.

	1955	1956	1957	1958 (Upto August)
Western Railway	19	31	37	16
Central Railway	10	11	7	20

In 1958, there has been a steep rise in the Central Railway.

	1955	1956	1957	1958 (Upto August)
North Eastern Railway	13	6	9	2
Northern Railway	7	17	15	13

Southern Railway: Nil during all these years. Similarly in other Railways, it is 4 or 5 or two. As I said, the situation is not so serious or alarming as it has been made out. I might add that during these years, there has been a very substantial increase in the number of passengers that are travelling and the goods that are carried.

About molestation of ladies in compartments, on the Western Railway, from 1955 to 1958, for four years, there has been a total of four cases. On the Central Railway, there has been only one case during the last four years. The North Eastern Railway has been very good: no case at all. On the Northern Railway, there have been seven cases. On the Southern Railway, no case. On the Eastern Railway, only one case. On the South-Eastern Railway, there have been two cases. On all the Railways, during these four years, there has been a total of 15 such cases which, I am sure, the whole House will agree, is nothing to be alarmed about.

Shri Mahanty (Dhenkanal): May I seek a clarification from the hon. Minister?

Mr. Chairman: Let him finish.

Shri Shah nawas Khan: If the House is interested in knowing the number of murders, I would give.

Some Hon. Members: Sure.

Shri Shah nawas Khan:

	1955	1956	1957	1958 (Upto August)
Northern Railway	14	13	23	17
Southern Railway	1	1	None	3
Eastern Railway	8	Nil	5	2

	1955	1956	1957	1958 (Upto August)
Central Railway	7	1	8	4
Western Railway	10	10	8	10
South Eastern Railway	2	2	5	1
North Eastern Railway	4	2	3	3

These are the total number of murders that were committed on the Railways.

The number of thefts of goods in transit is also showing improvement. There is definitely a downward trend. I might quote some of the figures.

	No. of cases of theft of goods in transit
	Southern Railway
1955	617
1956	479 a big decrease
1957	453 further improvement.
	Western Railway
1955	927
1956	784
1957	776
	North-Eastern Railway
1955	708
1956	546
1957	626

Here, of course, in the year 1957 there has been a slight increase.

	South-Eastern Railway
1955	2,857
1956	2,864
1957	1,833

There is a very distinct improvement in 1957 over the figure of 1956.

The area which now comprises the North-East Frontier Rly.

1955	207
1956	171
1957	195

Central Railway

1955	1,402
1956	1,057
1957	890

[Shri Shah Nawaz Khan]

Northern Railway

1955	464
1956	516
1957	587

Eastern Railway

1955	2,784
1956	2,149
1957	3,141

On the Eastern Railway the position is not very satisfactory. It has always been rather unsatisfactory, but we are taking steps to improve the position.

Shri Tangamani: What is the comparative value of the goods stolen and the claims paid? Any increase or decrease?

Shri Shah Nawaz Khan: I could give the figures if it would not tire the House.

Mr. Chairman: He wants to know the claims position.

Shri Rami Reddy (Cuddapah): Is the list read out just now about the number of thefts complained of or detected?

Shri Shah Nawaz Khan: About the claims that have been paid by the railways during the last five years the figures are as follows:

Year	Rs.
1953-54	2,89,22,804
1954-55	2,55,45,116
1955-56	2,56,48,204
1956-57	3,32,79,455
1957-58	3,04,00,000

An Hon. Member: That is a distinct improvement!

Shri Shah Nawaz Khan: Compared to the preceding year, there is a distinct improvement—in 1957-58 over 1956-57.

These are some of the figures which go to prove that although some crimes and thefts do take place, they are not of a very alarming nature.

In the end, I would like to thank my hon. friend, Pandit D. N. Tiwary, for

very kindly focussing the attention of this House on this important problem. For that, I am very grateful to him.

Shri Tangamani: What about protecting those railway employees who are doing their duty? That was also part of the discussion which was raised.

Shri V. P. Nayar: "They will get all the protection".

Shri Shah Nawaz Khan: Some of the railway employees have been molested and sometimes assaulted, but that is a thing which we have to take up with the local police. And wherever it has happened, we have taken up those cases very strongly with the police and the State Government. The incident that happened at Sealdah recently, where two TTE's were arrested by a police officer—not by the same officer, but arrested by some other police officer—for having charged a police officer who was travelling in a higher compartment—was referred to some time back on the floor of this House, and that question actually agitated the minds of hon. Members of this House. We took up that question with the State police, but we could not proceed very far because that case is sub-judice. The railway officials have also gone to the court, and the police have also filed a suit in the court. In cases which are sub-judice, we cannot do very much.

In cases where railway employees have given up their lives in performing their duties—and there have been cases where railway employees have been killed while performing their duties—we try and support their families as much as we can, and we have been trying to provide suitable jobs to their dependants if they have any. Apart from taking these matters up very strongly with the local Governments, there is very little else that we can do.

Shri Tangamani: What about the Kodambakkam station master?

Shri Jagjivan Ram: That case is sub-judice.

Pandit D. N. Tiwary: May I know whether there is any constitutional difficulty in extending the scope of the Railway Protection Force for the safety of the passengers and the protection of the running trains, not goods trains, but passenger trains, and if not, why the Railway Protection Force are not given to escort and protect the passenger trains?

Shri Shahnawaz Khan: There are serious practical difficulties in taking over the duties which are at present being done by the Government Railway Police.

I have said that in important trains, particularly in the areas which are known to be notorious, and areas which are bad from the law and order point of view....

Shri Jagjivan Ram: My hon. friend comes from such an area.

Shri Shahnawaz Khan: ...the passenger trains are escorted by the Railway Protection Force. I might also add that in areas where the law and order problem is not very satisfactory, sometimes, we do send our Railway Protection Force also to the various stations....

Pandit D. N. Tiwary: If you send them sometimes, that means that there is no practical difficulty. The difficulty is one of adjustment only.

The Deputy Minister of Railways (Shri S. V. Ramaswamy): We have no powers of investigation. That depends on the G.R.P.

Shri Shahnawaz Khan: It happens sometimes that when a dacoity takes place at a station, and the station staff are nervous, we then either arrange for

the G.R.P. force to be stationed there, or we send our own Railway Protection Force to go and patrol the areas in order to give them confidence.

Shri Dasappa: Why not re-examine the whole position of the inter-relationship between the Reserve Police and the Railway Protection Force in consultation with the Home Ministry so that there may be a better integrated force which will look after all the aspects of the case?

Shri Shahnawaz Khan: This question has been examined in co-operation with the Ministry of Home Affairs, the present one is the most practical solution that has been found.

Shri Achar (Mangalore): With regard to murders, may I know whether the Minister has got figures as to whether any of them ended in convictions, or whether any cases dropped out without any detection? Did all of the cases end in conviction, or some were dropped without detection? Has the Minister got any figures in regard to these?

17 hrs.

Shri Shahnawaz Khan: That is a very big job. As I said, prosecutions are launched by the local police and we do not collect those figures. I might say that there are quite a number of cases that go undetected.

Mr. Chairman: The discussion is now concluded.

17.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 19th November, 1958.

[Tuesday, the 18th November, 1958]

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PAPERS LAID ON THE TABLE

284-85

The following papers were laid on the Table :

1. A copy of the Second Annual Report of the All India Institute of Medical Sciences for the year 1957-58 (From 1st August, 1957 to 31st March, 1958) under Section 19 of the All India Institute of Medical Sciences Act, 1956

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2. A copy of Notification No. G.S.R. 632 dated the 26th July, 1958, under section 58 of the Delhi Development Act, 1957 making certain amendment to the Delhi Development Authority Rules, 1958.

3. A copy of the Administration Report of Delhi Road Transport Authority for the year 1955-56.

4. A copy of each of the following Notifications under subsection (3) of Section 133 of the Motor Vehicles Act, 1939, making certain amendments to the Delhi Motor Vehicles Rules, 1940 :

(i) Notification No. 12/130/56-MT/Home dated the 3rd September, 1958 published in Delhi Gazette.

(ii) Notification No. 12/154/56-MT/Home dated the 3rd September, 1958 published in Delhi Gazette.

5. A copy of the Report of the *Ad Hoc* Committee on Slaughter Houses and Meat Inspection Practices.

REPORT OF ESTIMATES COMMITTEE PRESENTED—

Twenty-ninth Report was presented.

STATEMENT BY MINISTER—

The Minister of Health (Shri Karmarkar) made a statement correcting reply given on the 18th September 1958 to a supplementary by Shri Tangamani on Starred Question No. 1360 regarding Contributory Health Service Scheme

REPORT OF THE BUSINESS ADVISORY COMMITTEE ADOPTED—

Thirty-first Report was adopted.

BILL PASSED

287—98

Further discussion on the motion to consider the Tea (Alteration in Duties of Customs and Excise) Bill concluded. The motion was adopted. After clause-by-clause consideration the Bill was passed.

MOTIONS RE: NOTIFICATION OF THE UNION PUBLIC SERVICE COMMISSION (CONSULTATION) REGULATIONS . . . 299—363

Further discussion on the motions regarding modification of the Union Public Service Commission (Consultation) Regulations, 1958, moved on the 27th September, 1958, was resumed. The Minister of State in the Ministry of Home Affairs (Shri Datar) replied to the debate.

The following motion moved by Shri Braj Raj Singh was adopted :

"This House resolves that in pursuance of clause (5) of article 320 of the Constitution the following amendment be made in Regulation No. 1 of the Union Public Service Commission (Consultation) Regulations, 1958, laid on the Table on the 11th September, 1958, namely :—

before "Consultation" insert "Exemption from".

Two motions, one moved by Shri Braj Raj Singh and the other by Shri Harish Chandra

Mathur, were negatived. All the other motions were not pressed and the discussion was concluded.

CONVICTION OF A MEMBER 263—64

The Speaker informed the Lok Sabha that he had received a communication, dated the 15-11-58 regarding conviction of Shri Balasaheb Patil, Member, Lok Sabha, at Belgaum City on 8-11-58 under sections 135 (iii), 149 and 37(3) of the Bombay Police Act, 1951.

DISCUSSION RE: INSECURITY OF LIFE IN RAILWAYS TRAVEL . . . 364—412

Further discussion on Insecurity of Life in Railway Travel was resumed. The Deputy Minister of Railways (Shri Shahnawaz Khan) replied to the debate and the discussion was concluded.

AGENDA FOR WEDNESDAY 19TH NOVEMBER, 1958—

Consideration and passing of the Poisons (Amendment) Bill, 1958 and also consideration of the motion to refer the Indian Electricity (Amendment) Bill, 1958 to a Joint Committee.