

(ग) दिल्ली और जयपुर के बीच रात के समय की वर्तमान गाड़ियां सुविधाजनक हैं। इसके अलावा "ताज एक्सप्रेस" की तरह की कोई चीज डी-लक्स गाड़ी चलाने के लिए फिफ्ट-हाल यातायात सम्बन्धी औचित्य नहीं है।

Booking of baskets of tomatoes by Goods Train

5540. SHRI N.R. DEOGHARE : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that 85 baskets of tomatoes booked under PWB No. 214408 dated the 17th April, 1968 ex-Mughal Sarai to Delhi by Passenger Train, were carried by goods train with the result that the parcels which can reach destination the next day, reached destination the 20th April, 1968;

(b) whether it is also a fact that when the wagon carrying the parcels reached destination, it was placed in the yard in an unloading position for 24 hours and opened by the Railway Administration only when it was noticed that watery stuff was flowing from the wagon;

(c) whether the carrying of parcels by goods train and keeping the wagon in an unloading position for 24 hours in yard does not constitute negligence on the part of the Railway Administration; and

(d) if not, what is the responsibility and liability of the Railways in the matter ?

THE MINISTER OF RAILWAYS (DR. RAM SUBHAG SINGH) : (a) No. The parcels in question were carried by 71 UP Parcel Express train from Moghalsarai to Delhi. This train was running 10 hours late and arrived Delhi on 19-4-1968 at 11.30 hours.

(b) The Van containing the parcels could not be placed on the unloading platform on 19-4-1968 due to operating exigencies of the busy Delhi yard. It was placed on 20-4-1968 at 9 hours and released on the same date at 14 hours. It is true that the consignment was found damaged.

(c) The parcels in question were carried by Parcel Express and not by goods train. The delay in placement was due to operating exigencies and not to negligence.

(d) According to section 74 (3) of the Indian Railways Act, a railway administration shall not be responsible for any loss, destruction, damage, deterioration or non-delivery of good booked at owner's risk, from whatever cause arising, except upon proof that such loss, destruction, damage, deterioration or non-delivery was due to negligence or misconduct on the part of the railway administration or any of its servants.

Booking of Perishable goods by Passenger Trains

5542. SHRI N.R. DEOGHARE : Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 1696 on the 5th March, 1969 and state ;

(a) when the parcels were loaded in 230 Mahsana-Ajmer Fast Passenger and 14 DN Ajmer-Delhi Fast Passenger ;

(b) the number of parcels booked from Ajmer between 3rd to 6th April, 1966 for Delhi and onward stations;

(c) what is the exact responsibility of Railways in carrying the perishable goods booked by Passenger trains;

(d) whether it is a fact that though the Parcels reached destination on the 7th April, 1966 the physical assesment was made on the 8th April, 1966 as the goods reached at odd hours; and

(e) what is the scope of the term 'negligence' which would render the Railway responsible for accepting liability for damage and delay ?

THE MINISTER OF RAILWAYS (DR. RAM SUBHAG SINGH) (a) The parcels in question were loaded in Bogie Parcel Van No. 3046 between 9.00 A. M. to 11.00 A.M. on 3-4-1966 which was attached to 230DN Meh-sana-Ajmer Fast Passenger on its arrival at Palanpur. The train left Palanpur at 12.30