

(ix) Need for an Early Construction of
Railway Over Bridge in Sonapat.

SHRI DARAM PAL SINGH MALIK (Sonapat): Sir, there is a level crossing which was constructed before Independence in Sonapat opposite Hindu College in Haryana. There are so many trains passing through this crossing. Most of the time it remains closed. When this crossing was constructed there was very little traffic. Now there is a great rush of traffic at this level crossing as the traffic for Delhi-Panipat, Rohtak and Gohana has to pass through this level crossing. There have been a number of fatal accidents at this level crossing. Government has been requested on a number of occasions to construct an over-bridge on this crossing.

I would, therefore, request the hon. Railway Minister to take immediate steps for construction of an over-bridge on this railway crossing to avoid fatal accidents and to clear rush of traffic.

12.20 hrs.

INDIAN POST OFFICE (AMENDMENT)
BILL, 1986—*CONTD.*

[*English*]

MR. DEPUTY-SPEAKER: The House will now take up further consideration of the following motion moved by Shri Sontosh Mohan Dev on the 14th November, 1986, namely:

“That the Bill further to amend the Indian Post Office Act, 1898, be taken into consideration.”

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI SONTOSH MOHAN DEV): Sir, sixteen hon. Members of this House have participated in this debate on the Indian Post Office (Amendment) Bill. By and large, all the Members have supported the Bill excepting a few Members from the opposition who have pointed out their apprehensions in regard to certain Sections of the Bill.

Sir, this Act which is about 88 years old was over-due for various amendments,

The Law Commission in their Thirty-eighth report have suggested 29 changes out of which 22 are major and 7 are minor. While making amendments in this Bill we have accepted more or less all the important recommendations which have been made by the Law Commission.

After Independence there has been more industrialisation, urbanisation and modern facilities both in the urban and rural areas. So, we have tried to amend this Act in such a way that it suits the needs of today's modern India.

Sir, many Members who have participated in the debate have referred to the various provisions of the Act and have also made valuable suggestions but I find none of the members has pointed to the salient features of this amendment.

SHRI SHANTARAM NAIK: I have done that; I have only discussed the amendments.

SHRI SONTOSH MOHAN DEV: I would like to draw the attention of the hon. Members that Section 4 of the Act has been amended to provide for search of vehicles and premises of private couriers and also seizure and that is meant to protect the monopoly rights of the Indian post offices.

During the course of discussion, Shri Kurup as also many other hon. Members mentioned that it seemed that the Government had given up its right of exclusive monopoly of carrying mail and why the private couriers were being encouraged. The correct position is that Government has never foregone its right of monopoly of carrying mail. But unfortunately, as the law stands today, we had no right to conduct searches and seizures or intercept private couriers without going to the existing law of the country. Now, in this amending Bill, we have provided certain clauses by which if we apprehend the private couriers are affecting the monopoly of the Government and they are carrying individual mail we can intercept that. Even under the existing provisions, for your information, twenty-eight cases were launched against the private couriers and

[Shri Sonvish Mohan Dev]

the police investigation is going on almost in every case. The police have also prosecuted twelve parties in the court of law. Now, that this Act is being amended, it will allow the postal officials of certain categories to enter their premises and to verify whether the courier is taking the permitted mail or not. The monopoly of the Government is only in respect of mail of certain categories; documents of certain categories can be carried by the private couriers. At present, we cannot open a mail bag, we cannot enter any premises. But now, as said, we have provided in this amending Bill for conducting searches in any premises. I assure the hon. Members that all possible care will be taken to check any abuse; they do not carry the mail which they are not entitled to, and there is no bad reflection of the postal services.

However, keeping in mind that the public are interested to have faster service and are willing to pay for that, we have started, as you know, in certain metropolitan cities; speed mail service, which has been extended to more areas from the 15th of this month.

Further, we have provided in this amending Bill for rule framing power of the Government for such speed mail service in future also. I am sure, the Department will take immediate steps so that we can extend our speed mail service to other towns and areas in the country in the near future.

The courier mail service which has been in vogue in the country has drawn attention of the Government and while amending this Act we have taken care to see that the monopoly of the Government is not affected.

During the debate, Shri Shahabuddin, an hon. Member of the Janta Party has argued that the Government should not have the exclusive right of transshipment of the mail from one part of the country to the other.

Some of the hon. members stated that Government should have the exclusive right. So far as we are concerned, we think that

the Postal Department with its network is capable of giving good service to the consumers. We shall continue to do so and we shall take all efforts to see that our monopoly in these services is not eroded by other means.

One particular point which has agitated the minds of the Opposition and even some of the ruling party members is regarding Section 26. They tried to draw the attention of the Government that Section 26 by which we have a right to intercept any letter to mail, should not be used in such a manner that individuals or organisations including the political parties are put to difficulties. They said that mail should not be intercepted. Here, I would like to give the background in detail. Section 26 of the Indian Postal Act, 1898 as it stands today, reads as follows :

“Section 26 (1). On the occurrence of any public emergency, or in the interest of public safety or tranquillity, the Central Government, or a State Government or any officer specially authorised in the behalf by the Central or the State Government, may, by order in writing, direct that any postal article or class or description of postal articles in course of transmission by post shall be intercepted or detained, or shall be disposed of in such manner as the authority issuing the order may direct.”

The existing law, as per Section 26 (2) is as follows :

“If any doubt arises to the existence of a public emergency, or as to whether any act done under sub-section (1) was in the interest of the public safety or tranquillity, a certificate of the Central Government or, as the case may be, of the State Government shall be conclusive proof on the point.”

According to law as it stands today, even if any officer of the Central or State Government intercepts a particular mail of a particular individual or organisation and if the person who has done so, gives his explanation as to why he has done it, then his interception cannot be challenged in the Court of Law. Now, this particular pro-

vision in the law was subject to criticism because it was framed during the British time. Here in this Parliament, one hon. member of the Opposition, who is now member of the Rajya Sabh, Shri Atal Behari Vajpayee, brought a Private Members' Bill in this House in July 1982. During the discussion, the then Minister, the late lamented C.M. Stephen assured the House that this particular clause would be restructured in such a manner that not only the order of the Government regarding interception of any mail would be a subject matter of judicial judgement, but he also agreed that it would be brought in conformity with Article 19 of the Constitution of India. The Law Commission also in their 38th Report recommended that either a separate clause should be inserted in the law, whereby it should be brought in conformity with Section 19 (2) of the Constitution, or it should be restructured.

In our present Bill, which has been introduced before the House, instead of having a separate clause, we have restructured the whole Section 26, whereby the fundamental rights and its restrictions given by Section 19 (1) and (2) have been inserted in the Bill. Thereby we have not done anything contrary to the Constitution of India. Not only that. When Shri Stephen replied, he assured Shri Vajpayee that the present law, that is Section 26 (2) by which, Government's action was not challengeable in the Court of Law will be deleted. I may tell the hon. members that in the present Bill, we have deleted that particular clause. Hence I believe that the hon. members should not have any apprehension that Government is going to misuse this particular clause. And I fail to understand why there is an apprehension in the minds of many members of the various national parties that Government is going to intercept their mail. I do not think that they are involving themselves in any activity which is contrary to the national security and the integrity of the country. We do not think so. Why are they so much afraid of it? We are not interested.

SHRI SURESH KURUP : We are afraid because of the past experience.

SHRIMATI GEETA MUKHERJEE : We were not engaged in any anti-national activity.

SHRI SONTOSH MOHAN DEV : If a situation arises where a group of people or a political party tries to indulge in creating communal disharmony or terrorist activities, I think, all the Members will agree with us, that irrespective of the ism of the party, the Government should be firm and take action. But under no circumstance, the Government is going to interfere in the normal working of any political party of any individual.

Sir, some Members have pointed out that, why Government is not taking steps, regarding the expansion of Post Offices in rural areas? In this case, I would suggest to the Members that it is a fact that Savor Committee has submitted a report, and it is still under the examination of the Government. We are having dialogues with the various trade unions. We have not taken any decision. Most of the Members of this House—both from the ruling party as well as from the Opposition have raised their voice that the rural post offices or extra-Departmental Post Offices should not be abolished. Rather it should be strengthened. We have taken this information and the suggestions of the Members with right earnestness and we shall keep it in mind. Some Members have pointed out that what steps the Government.....

SHRI K. RAMACHANDRA REDDY : With regard to the opening of the new postal offices in the rural areas, every time.....

SHRI SONTOSH MOHAN DEV : I will come to that. I will answer that. Please take your seat.

Sir, certain Members like Shri Girdhari Lal Vyas, Shri Kurup, as well as other Members, have pointed out, about the amount of defalcations which are taking place in money orders and what steps the Government have taken regarding this?

* Sir, the Money orders booked every year are of the order of Rs 2,000 crores, while the total amount of frauds in the service amounts to about Rs. 10 to Rs. 15 lakhs per annum. The percentage of frauds comes to about 0.005. But, even

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then it should not occur. I wan't agree. Again, it has been asked that what steps the Government have taken against the erring officials ?

The statistics which I have with me is for 1983-84. 4 Group 'B' Officers, 9172 Group 'C' Officers and 971 Group 'D' Officers, who were either punished for direct involvement or for contributory negligence. Out of them, 3663 were removed or dismissed and 81 were compulsorily retired. So, this is a continous process. We do take drastic steps against the erring officials, whether it is money order or Insurance or any other negligence.

Sir, I do not like to go into the details of the other clauses because there are about 7 or 8 Amendments, during which the Members will speak and then I will answer.

Before, I conclude, I would like to urge upon the Members of this House that the Postal Departments of this country are one of the biggest Department and we are trying our best to serve our people. We do know our shortcomings. We cannot assure overnight that we will be able to overcome it. But because of the volume of work that has been taken by us, it is fact that, certain times, letters in certain areas are delivered in a very slow speed, and that always become an issue of criticism or publicity in the papers.

Sir, we have gote in the country about 1,44,060 Post Offices-in rural areas, it is 1,28,330 and in urban areas, it is 15,747.

These post offices are mostly carrying 1,198 crores of pieces of mail annually. We are also taking money orders about 1,288 lakhs in number, and the amount involved is Rs. 1,301 crores. You will certainly appreciate that the volume of work which is being taken by the Postal Department, there is bound to be some lapses here and there; but that should not be considered as a standard of the Postal Department.

In order to give better services, we have brought in a certain clause by which multi-storcyed buildings will be able to deliver

the mail in the gates where there will be post boxes by the recipients and thereby we will be able to render services.'

The franking machine which is widely used by various commercial firms and individuals, we have not only encouraged the use of the franking machinery, but we have also taken a right to give some concessions under our rule power capacity. We have also introduced a system whereby now these undelivered letters which are kept in one particular office of the PMG, will be decentralised so that we can dispose of these letters more promptly. Now, as per rules, when you deliver a letter, value payable article, if I fail to collect the money from the recipient, I will not be responsible to pay money to the sender. But in this Act, we have provided that even if the money has not been collected through the mistake of the Post man, we shall first pay the money to the sender and then we shall recover the money. So, whatever was told in the past, as far as practicable, we have tried to bring this rule, as per the Act. With these words, I request the hon. members to support the Bill.

SHRI SOMNATH CHATTERJEE :
Are you happy with the situation ?

SHRI SONTOSH MOHAN DEV : No. You see one cannot say I am happy; I cannot say I am unhappy. But I feel the responsibility which has been given to me deserves a lot of improvement; and with the help and advice of the hon. members, which I am always open to, with the employees of the Postal and Telecommunications Department from whom I expect that I will get total cooperation, we will be able to improve it. Let us hope for that.

(Interruptions)

SHRI SOMNATH CHATTERJEE :
The hike point, he has not answered at all. He can answer that keeping in mind that he has to keep his job and all that.

SHRI SONTOSH MOHAN DEV : So far as hike is concerned, since it is not within the purview of the Bill, I will not answer it. With these words, I request the hon. members to support the Bill.

MR. DEPUTY SPEAKER : The question is :

“That the Bill further to amend the Indian Post Office Act, 1898, be taken into consideration.”

The motion was adopted

MR. DEPUTY SPEAKER : The House now shall take up clause-by-clause consideration of the Bill.

MR. DEPUTY SPEAKER : *Clause 2.* There are no amendments to Clause 2. The question is :

“That Clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 (Amendment of Section 2)

SHRI BASUDEB ACHARIA
(Bankura) : I beg to move :-

Page 1

Omit lines 14 to 18. (16)

My amendment is that these three lines should be omitted. I hope that the Minister will accept my amendment.

SHRI SONTOSH MOHAN DEV : We have already taken care about these points. We are just trying to frame it in a different manner. I say that it is not acceptable to me.

MR. DEPUTY SPEAKER : I shall now put the amendment moved by Shri Basudeb Acharia to the vote of the House.

The question is :

Page 1, —

omite line 14 to 18.

Amendment No. 16 was negatived

MR. DEPUTY SPEAKER : The question is :

“That Clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

MR. DEPUTY SPEAKER : Now we come to Clause 4. There are two amendments one by Shri Shantaram Naik and the other by Shri K. Rama chandra Reddy.

Clause 4 (Amendment of Section 3)

SHRI SHANTARAM NAIK (Panaji) : I beg to move

Page 2, line 28, —

add at the end—

“and after clause (c), the following proviso shall be inserted, namely :—

“Provided that no postal article deposited in such letter box, shall be deemed to have been delivered to the addressee unless such letter box was locked at the time of depositing of postal article and also, no postal article which cannot be safely and conveniently deposited in a letter box on account of the size or volume of the article or otherwise, shall be deemed to have been delivered to the addressee.” (1)

SHRI K. RAMACHANDRA REDDY
(Hindupur) : I beg to move—

Page 2, line 27, —

after “house” insert—

“or at the gate or on the ground floor in case of multi-storeyed building”. (5)

SHRI SHANTARAM NAIK : If a postman takes a letter and places it in a letter box, it is deemed to have been delivered, that is all right. But the question is, some times the letter which has to be delivered may be a big packet or it may not be accommodated in a letter box. Therefore, I have moved a clear cut amendment which says, that

[Shri Santaram Naik]

“Provided that no postal article deposited in such letter box, shall be deemed to have been delivered to the addressee unless such letter box was locked.....” and so on.

For instance court papers may come. The postman may just drop the court papers in letter box which is unlocked and it is deemed to have been delivered. What happens then ?

SHRI K. RAMACHANDRA REDDY : As far as Clause 4 is concerned, the Government is trying to give a comprehensive definition. Now in this Clause 4 they say that an article may be placed in a letter box kept at the house. When you want to make the definition comprehensive the word ‘house’ has to be defined or made clear. Now, there are houses which have got three or four storeys and the Postman cannot be asked to go up and deliver the letters. If there is a post box in the ground floor the postman can put the letters in them. If there are multi-storeyed flats, where can the post box be kept ? It can be kept in the lower part of the House or in multi-storeyed buildings on the first floor or on the ground floor. I want the hon. Minister to define this word “house” and make it more comprehensive.

SHRI SONTOSH MOHAN DEV : It is clear that the post box will be kept in the ground floor. Certainly, in multi-storeyed buildings the postman cannot deliver them from flat to flat especially if there are nine or ten or twelve storeys. The idea is to have a letter box in which the postman can post the letters and the delivery is effected. That is what he has pointed out. It is expected that each multi-storeyed building will have its own security arrangements and we cannot take responsibility of locking or unlocking.

On the other point he is very much right. While making rules we shall take care that those particular items which cannot go inside the letter box, they have to be delivered to the individual in the respective place. I assure you that care will be taken to delivered those articles.

As regards the point raised by Mr. Reddy, delivery of letters in the gate has been done because in some multi-storeyed buildings, the people who are living there are in the habit of having pet animals like dogs and sometimes, it becomes difficult for the postman to enter into certain flats. That is why we have said that post boxes which are supposed to be there, should be there on the gate. We have also given option that if individuals think that they have got more delivery of letters, they can hire post box in post offices for delivery of letters. And the point which Mr. Reddy has said can be taken care of under the existing laws. Well can assure you that when we identify the place where the postal box will be installed by the individuals, there will be discussion with the owners of flats and the postal department and nothing will be done by which the recipient gets difficulty. I assure you that care will be taken.

SHRI SHANTARAM NAIK : I seek leave of the House to withdraw my Amendment.

MR. DEPUTY SPEAKER : Has Mr. Shantaram Naik leave of the House to withdraw his amendment ?

SEVERAL HON MEMBERS : Yes

*Amendment No. 1 was, by leave,
withdraw*

MR. DEPUTY SPEAKER : Now I shall put the amendment moved by Shri K. Ramachandra Reddy to clause 4 to the of the House.

*Amendment No. 5 was put
and negatived*

MR. DEPUTY SPEAKER : The question is :

“That clause 4 stand part of the Bill.”

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 was added to the Bill.

*Clause 6- (In section of new
section 4 A)*

SHRI BASUDEB ACHARIA : I beg
to move :

Page 3, lines 4 and 5, —

for “by the Central Government by
general or special order”

substitute “by the order of a court not
lower than the High Court” (17)

In section 6 a new section is to be
added. It says :

“Any officer authorised by the Cen-
tral Government by general or special
order may, if he has reason to believe
that any package containing letters
of the nature referred to in sub-section
(1) of section 4 is, or any such letters
are, in any vehicle...

I want to replace these words
“authorised by the Central Government by
general or special order” by “by the order
of a court not lower than the High Court”
In order to check misuse of these provi-
sions, or postal articles, orders must be
obtaining from the High Court.

SHRI SONTOSH MOHAN DEV : The
hon. Member seems to have no idea how
the High Court is moved. If for each and
every inspection I have to go to the High
Court or the District Judge Court, think the
Government will not be able to function.
So, it is not acceptable to us. But you
may rest assured that the idea is to stop
leakage of revenue in various forms of
the Government. Why should it be
misused? Have faith in our officers and
staff and it will not be misused in any way.
So, it is very difficult to accept this amend-
ment.

MR. DEPUTY-SPEAKER : Now, I
shall put the amendment moved by Shri
Basudeb Acharia to clause 6.

*Amendment No. 17 was put and
negatived.*

MR. DEPUTY-SPEAKER : The
question is :

“That clause 6 stand part of the Bill”

The motion was adopted.

Clause 6 was added to the Bill

Clause 7 was added to the Bill.

Clause B (Amendment of Section 8)

SHRI K. RAMACHANDRA REDDY :
Sir, I beg to move .

Page 3,—

omit lines 28 to 31; (6)

MR. DEPUTY SPEAKER : Shri
Zainal Abedin-Absent.

SHRI K. RAMACHANDRA REDDY :
Sir, as far as the express delivery is
concerned, a fee is levied. I will read out
the present lines under clause 8(b) :

“(b) in clause (d), for the words
‘charged for the “express delivery” of
postal articles, the words “charged
for such service in relation to the
delivery of any postal article as may be
specified” shall be substituted ;”

This amendment appears to be very
vague. I am not able to understand
what is the purpose of this amendment.
Previously for express delivery it was very
clear. It was clothed in terms which
were not at all ambiguous. It said; “pres-
cribe the fees to be charged for the
“express delivery” of postal articles, in
addition to, or instead of, any other
postage chargeable thereon under this Act.”
So, in the original Act the words are very
very definite. There is no ambiguity.
Instead of this, the Government is now
trying to bring in some phrases and words
which do not give any meaning, which are
highly ambiguous. So, I request the
Minister to withdraw these words and
allow the original Act to stand as it is.

SHRI SONTOSH MOHAN DEV : Sir, there is no ambiguity in the rule; rather it is very specific. The express delivery system which was in vogue has been withdrawn. The idea of having this rule is to start another speedier service which I have stated during the reply-speed-post and that gives a wider scope to Government to give better service in future by introducing more speedier service of various types which may come in future. So, I cannot accept the amendment moved by the hon. Member.

MR. DEPUTY SPEAKER : The question is :

Page 3,—

omit lines 28 to 31.

Amendment No 6 negatived.

MR. DEPUTY SPEAKER : There is no amendment to clauses 9 to 12. Therefore, I put clauses 8 to 12 to the vote of the House. The question is :

"That clauses 8 to 12 stand part of the Bill."

The motion was adopted,

Clauses 8 to 12 were added to the Bill.

Clause 13 [Insertion of new sections 16(A)]

SHRI K. RAMACHANDRA REDDY : Sir, I beg to move :

Page 4, lines 37 and 38,—

for "give a notice in writing of his intention to do so to the occupier of such premises."

substitute "follow the procedure for searches as provided for in the Criminal procedure Code 1974." (7)

MR. DEPUTY SPEAKER : Shri Mool Chand Daga-Absent,

SHRI K. RAMACHANDRA REDDY : Sir, as far as this amendment is concerned, the Government wants to reserve powers for house search. For house search they have added a proviso that while going for house search, the officer must give a notice in writing of his intention to do so to the occupier of such premises. When you go for the house search, I do not see any purpose in your giving a notice. The very purpose for which you are going to have the house searched will be defeated. That is why I request the Government to remove that amendment and substitute : "follow the procedure for searches as provided for in the Criminal Procedure Code 1974". This will be useful not only for the man who goes for search but also useful for the person whose house is to be searched. So, I request the Government to adopt this amendment as far as clause 13 is concerned.

SHRI SONTOSH MOHAN DEV : Sir, the Criminal Procedure Code Provides that the person who goes for search, will go with a search warrant. Here we are going with a notice. That is the only difference. That is what the hon. Member is asking for. This has been provided as per the advice of the Law Ministry because in certain houses there may be family members staying in the same premises where printing machines are being used. So, a notice should be given so that the man gets notice. But it will not go in advance. The man who will go to search the premises, the notice will go along with him and it will be served. If any family members are there or any privacy is there, he will take care of that. So, what he has said is also there because instead of search warrant, we are introducing notice. So, there by his idea is already being implemented.

MR. DEPUTY SPEAKER : The question is :

Page 4, lines 37 and 38,—

for "give a notice in writing of his intention to do so to the occupier of such premises."

substitute "follow the procedure for searches as provided for in the Criminal Procedure Code 1974."

Amendment No. 7 was negatived.

MR. DEPUTY SPEAKER : The question is :

“That clause 13 stand part of the Bill.”

The motion was adopted.

Clause 13 was added to the Bill.

Clause 14 (Amendment of section 21)

SHRI SHANTARAM NAIK : Sir, I beg to move :

Page 5,— (i) line 21, omit “(a)”

(ii) omit lines 32 to 34. (2)

Page 5,— line 27, —

after “installed” insert—

“by the Post Master General” (3)

SHRI K. RAMACHANDRA REDDY :

Page 5,—

omit lines 11 to 15. (8)

SHRI SHANTARAM NAIK : Sir, I have already said that keeping of letter box in multi-storeyed buildings is a welcome thing. But the question is who should provide this letter box.

13.00 hrs.

Now it is the duty of the postal authorities to deliver letter on the basis of payment that is made by virtue of stamps affixed thereon. Therefore, obviously, since you are restricting certain things, it is also part of the duty of the postal authority to provide letter box. Besides, you are already hiking the postal rates. I think, we will be paying within eight days, whatever stamps we may have been using, you will be able to provide me two letter boxes with the same expenses that we incur. So, in such circumstances, I have moved an amendment to say after the words ‘letter deposit box installed’ the words “by the Post Master General” should be inserted and the specific provision which requires owner or occupier to provide letter box should be deleted.

SHRI K. RAMACHANDRA REDDY : I have given amendment to Clause 14(g). 14(f) provides, a man posts a number of letters say five or ten. Some sorting arrangement is to be made. It is all right. He is in control of a number of letters he posts.

14(g)—when a man receives a certain number of letters, say more than ten, then they say these cannot be delivered at the house. He must fix up a letter box at the post office. When I receive ten letters of a certain number of letters, it is not under my control. One day I may receive, the other day I may not receive. So, enforcing me to have a letter box fixed at the post office is very frivolous. Everybody will have to get a letter box fixed at the post office whosoever gets a number of letters. Very rarely I may receive a number of letters. You will be compelling every individual to have a letter box at the post office. That is why I have asked for deletion of clause (g).

SHRI SONTOSH MOHAN DEV : I wish I could agree to the proposal given by Shri Naik. But it is a very expensive one. To keep letter box is left to the discretion of the addressee and not enforceable by us. Just at the moment when you are opposing the like of tariff, and you are trying to push more expenses on our shoulder, it will not be possible. Regarding the point raised by Shri K. Ramachandra Reddy about fixing up a letter box, letter box in post office is one of the alternatives. He can have letter box at his own residence. Those who have got volume of postal mail, they generally prefer. Those who have letter box, they can afford to send people to collect letters. Mainly wealthy people or business people do so. So, the suggestion given by the Member is not accepted.

SHRI K. RAMACHANDRA REDDY : You read the Section correctly—

“(g) provide that the delivery of postal articles to an addressee receiving more than such number of postal articles as may be specified therein from a post office shall be made only through a post box rented by him at that post office.”

SHRI SONTOSH MOHAN DEV :
What you are saying is about the specification of letters. The point which you are saying—ten, fifteen letters. We shall not specify. We will judge what will be the volume for a particular person, then we will have calculation by us. That is why we have not at the moment specified. How many letters should be the minimum we have not specified. Your point will be taken into consideration so that for a small number of letters one need not have a letter box at the post office. That is your main point.

SHRI K. RAMACHANDRA REDDY :
Clause 14(g) say at the post office and not at the house.

SHRI SHANTARAM NAIK : I withdraw my amendments to clause 14

MR. DEPUTY SPEAKER : Is it the pleasure of the House that the amendments moved by Shri Shantaram Naik be withdrawn ?

SEVERAL HON. MEMBERS : Yes.

Amendments Nos 2 and 3 were, by Leave, withdrawn.

MR. DEPUTY SPEAKER : I put amendment No. 8 moved by Shri K. Ramachandra Reddy to the vote of the House.

Amendment No. 8 was put and Negatived.

MR. DEPUTY SPEAKER : The question is :

“That Clause 14 stand part of the Bill”.

The motion was adopted.

Clause 14 was added to the Bill.

MR. DEPUTY SPEAKER : Shri Mool Chand Daga is not present. Shri K. Ramachandra Reddy, are you moving.

SHRI K. RAMACHANDRA REDDY :
Yes.

I beg to move :

Page 6, line 2,—

for “sent”; substitute—

“received by either the addressee or sender of the article.”(9)

Some letters are posted which do not conform to the rules. Those letters can be seized, they can be destroyed. It has been mentioned—notice is to be given to the addressee.

It is mentioned :

“...and the article shall not be destroyed until after expiry of one month from the date on which the last of such notices is sent”.

I want this word “sent” to be replaced by “received by either the addressee or sender of the article.” When letter has to be destroyed, you agree that the notice has to be given to the sender or the addressee. But you do not know whether the sender or addressee has received the letter and then sends any objection or claim. And the postal authority will simply say, a letter is sent and therefore, this article can be destroyed. In order to obviate this mischief, when you post a letter, you must wait for one month, until after expiry of one month from the date on which the letter is received by the sender or addressee. That is why, I have put this amendment.

SHRI SONTOSH MOHAN DEV : It is not acceptable.

MR. DEPUTY-SPEAKER : I shall now put the amendment moved by Shri K. Ramachandra Reddy to clause 15 to the vote of the House.

Amendment No. 9 was put and Negatived.

MR. DEPUTY-SPEAKER : The question is :

“That clause 15 stand part of the Bill”.

The motion was adopted.

Clause 15 was added to the Bill.

MR. DEPUTY-SPEAKER : Now, we take clause 16. There are some amendments. Shri Syed Shahbuddin, Shri Satyagopal Misra not present.

Now, the question is :

"That clause 16 to 22 stand part of the Bill".

The motion was adopted.

Clauses 16 to 22 were added to the Bill.

MR. DEPUTY-SPEAKER : Now, we go to clause 23. Shri Mool Chand Daga— not present.

The question is :

"That clause 23 stand part of the Bill".

The motion was adopted.

Clause 23 was added to the Bill.

Clause 24—(Insertion of new section 43A)

MR. DEPUTY-SPEAKER : Now, we go to clause 24. Shri Basudeb Acharia.

SHRI BASUDEB ACHARIA
(Bankura) : I beg to move :

Page 8, lines 10 and 11, —

omit "and in such manner"(21)

Sir, here it is mentioned :

"Money orders shall be paid at such times and in such manner as the Director General may, by order, from time to time, specify."

If the manner of payment is changed frequently, then people will be put to a lot of inconvenience. It is because people will not be aware of the manner by which the money is to be paid to the payee. That is why, I put this amendment. The manner which is now prevalent should continue.

SHRI SONTOSH MOHAN DEV : For every article which is to be delivered there are certain specific instructions and manner. This was what was lacking in the rule. Even now, for money order, there is a standard time. This clause has been included to protect the interests of the consumers, not of the Department. It is because unless you put it in the rules, it becomes difficult sometimes to do. It may happen in certain rural areas. And the manner will come as an instruction from the Department and the idea what you have in your mind, will be protected, I assure the hon. Member.

MR. DEPUTY-SPEAKER : Are you withdrawing your amendment—No. I shall now put amendment No. 21 moved by Shri Basudeb Acharia to the vote of the House.

*Amendment No. 21 was put and
Negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 24 to 26 stand part of the Bill".

The motion was adopted.

Clause 24 to 26 were added to the Bill.

Clause 27—(Insertion of new Section 47A)

MR. DEPUTY-SPEAKER : Now, we shall go to clause 27. Shri Shantaram Naik.

SHRI SHANTARAM NAIK (Panaji) :
I beg to move :

Page 8, line 29,—

add at the end—

"and may also be punished with an imprisonment for a term which may be extended upto three months or with fine."(4)

My amendment is very simple. If any value-payable article which is delivered is refused, in the sense, the person does not pay back, when he has to pay, what is the

[Shri Santaram Naik]

provision that you have made. It is only to recover that amount from him as arrears of land revenue. That means, you will be exhausting the energy of your officers to recover the amount from him. Sir, I have made a provision for punishment. If the person does not pay the amount which is due to the postal authority, besides recovering that amount, he should be punished with some imprisonment or fine. I do not know whether the Minister is going to accept it or not.

SHRI SONTOSH MOHAN DEV : I wish I could do that. But it will be too harsh on our part. The previous rule was that if we failed to recover the money, then we were not liable—unless we recovered the money from the receiver. Under this Bill, irrespective of the fact whether we recover the money or not, the Department will pay the money to the sender and will recover the money from the receiver, if he fails to pay as an arrear of land revenue. Let us not assume that the person will not pay. And if he fails to pay, other than as arrear of land revenue also, we have got the standard law of the country by which we can prosecute. So, it does not bar us from going for prosecution.

The idea with which the hon. Member has given his amendment is already there. But we are taking a measure by which it will be easier for us to collect as an arrear of land revenue. I hope, the hon. Member will withdraw his amendment.

MR. DEPUTY-SPEAKER : Does the hon. Member want to withdraw his amendment ?

SHRI SHANTARAM NAIK : Yes, I want to withdraw my amendment.

MR. DEPUTY-SPEAKER : Has the hon Member leave of the House to withdraw his amendment ?

SEVERAL HON. MEMBERS : Yes.

Amendment No. 4 was, by leave, withdrawn.

MR. DEPUTY-SPEAKER : The question is :

“That Clauses 27 to 39 stand part of the Bill.”

The motion was adopted.

Clauses 27 to 39 were added to the Bill.

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

SHRI SONTOSH MOHAN DEV : 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.

MR. DEPUTY-SPEAKER : According to our agenda, a discussion under Rule 193 is scheduled to be taken up at 2 O' Clock. Since we have taken more than ten minutes beyond 1 O' Clock, we will be reassembling only at 2.15. We now adjourn for lunch and reassemble at 2.15 p. m.

13.14 hrs.

The Lok Sabha then adjourned for Lunch till Fifteen minutes past Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at Nineteen Minutes past Fourteen of the Clock.

[MR. SPEAKER in the Chair.]

DISCUSSION RE : RECENT
SPURT IN TERRORIST ACTI-
VITIES IN PUNJAB AND OTHER
PARTS OF THE COUNTRY.

[English]

MR. SPEAKER : The House will now take up discussion under Rule 193. Bhattamji will speak.

[Translation].

Shri Bhattam will speak today.