

Expansion of B A C.

AND TRANSPORT (SHRI RAJ BAHADUR). I beg to move:

"That this House do agree with the Twentieth Report of the Business Advisory Committee presented to the House on the 5th December, 1972"

MR SPEAKER The question is

"That this House do agree with the Twentieth Report of the Business Advisory Committee presented to the House on the 5th December, 1972"

The motion was adopted.

13 11 hrs

The Lok Sabha adjourned for Lunch till Fifteen Minutes past Fourteen of the Clock

The Lok Sabha re-assembled after Lunch at Fifteen Minutes past Fourteen of the Clock

[MR DEPUTY-SPEAKER in the Chair]

श्री रामावतार शास्त्री (पटना)

उपाध्यक्ष महोदय, आज के अखबारों में आपने पढ़ा होगा कि बिहार की 6 यूनिवर्सिटीज के 28 अग्रीगत कालेजों के 2800 टीचर्स ने हड़ताल कर दी है। उन की मांग है कि यूनिवर्सिटी ग्रांट्स कमिशन ने जो महागार्ड भत्ता रिक्वेस्ट किया है वह वहां के टीचर्स को नहीं दिया जा रहा है। इसका ताल्लक यूनिवर्सिटी ग्रांट्स कमिशन से है। मैंने इसके सिलसिले में ध्यानाकर्षण प्रस्ताव दिया था, यदि वह नहीं माना गया है तो मैं निवेदन करूंगा कि मंत्री जी, यहाँ पर अपना एक ब्यान दें ताकि वहाँ के शिक्षकों की जो अधिकार मिलना है वह मिले। आज उनकी बड़ी दयनीय स्थिति है। इसके अतिरिक्त 7 हजार नॉन-टीचिंग स्टाफ भी हड़ताल पर है। आप या तो ब्यान दिलवाये या ध्यानाकर्षण प्रस्ताव को स्वीकार करें।

श्री सुतारण कपूर (पटियाला) डिप्टी स्पीकर साहब, भद्राक्ष में ई० एच० के० मिनिस्टर्स के घरो पर रेड्स हुई है। मैं समझता हूँ फाइनेंस मिनिस्टर को यहाँ पर बताना चाहिए कि क्या मामला है। . . .

(अखबार)... . . .

14.20 hrs.

INDIAN RAILWAYS (AMENDMENT) BILL

THE MINISTER OF RAILWAYS (SHRI T A PAI) Sir, I beg to move

"That the Bill further to amend the Indian Railways Act, 1890, be taken into consideration"

Up to 1961, the basic liability of Indian Railways with respect to goods entrusted to them for transport was that of a bailee, as defined in the Indian Contract Act. Broadly speaking, they were required to take as much of care of such goods as a man of ordinary prudence would of his own goods of similar description and value. The Act made no provision as to whether the Railways' liability as a bailee would continue after termination of transit and, if so for how long. But a rule in our Goods Tariff provided that in respect of goods not removed from railway premises at the destination station within a reasonable time, the Railways would not be liable for loss, destruction or deterioration of such goods.

From 1st January 1962, the Railways assumed the common carriers' liability, which approximates to the insurers' liability. The Railways also accepted the bailee's liability for a maximum period of thirty days after termination of transit, i.e. after arrival of the goods at the destination and expiry of free time for wharfage and demurrage.

This has not worked well. In fact, it has sometimes encouraged the trade not to remove goods from railway premises for fairly long spells, resulting in congestion in goods sheds, help-up of wagons, causing slower movement and shortage of wagons elsewhere, and more serious than anything else, artificial scarcity and rise in prices.

In order to see that we are able to make better use of the wagons available in the country, we had to think of two steps—reduce the artificial

scarcity created by registrations more than necessary doubling the registration fee and increase the demurrage charges. But we know also that both these can be passed on to the consumer whenever there is a price rise and this not the only solution to prevent the abuse. On the other hand, the fact that we are required to take care of the goods in our possession for 30 days also made us responsible for looking after the goods for 30 days, whereas our competitors, the truck transporters, are not required to keep the goods at the destination as we are compelled to carry these goods in our wagons. Very often, this has resulted in considerable abuse and we thought that by an amendment to the Act, we must reduce the liability of railways as bailees from 30 days to 7 days, so that the people are compelled to take delivery of the goods after a reasonable time after the goods reach the destination. For this reason I have moved this Bill and I hope the House will support it.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill further to amend the Indian Railways Act, 1890, be taken into consideration."

*SHRI MANORANJAN HAZRA (Arambagh): Mr. Deputy Speaker, Sir, I welcome the Bill that has been introduced in this House by the Hon. Minister and I also welcome the intentions behind the legislation.

It is our past experience that at the different procurement centres and also in big stations the wagons are detained unduly long as a result of this the prices of consumer goods which lie contained in these wagons are pushed up artificially causing great hardship to the common people. Sir, for a very long time I was a member of the West Bengal Legislative Assembly. I have seen for myself how traders used to secure a raise

in the prices of rice, pulses, oil, cloth, ready-made garments and other commodities of everyday use by detaining the wagons in Howrah goods shed. Whenever we wanted to draw the attention of the State Government to this exploitation by the traders in the Assembly through questions we were invariably told that Railway was a Central subject and the State Government could do nothing in the matter and in this way Sir, for a very long time we were prevented to raise this issue in the Assembly. Surely, the need for introducing a Bill of this nature as is being discussed in this House was a long felt one and I am glad that at least after 25 years of independence the Central Government have become conscious of their responsibility in the matter. For the last 25 years the traders have unscrupulously exploited the common people by artificially raising the prices of commodities of common use and even though the present Bill is a much belated action I have no hesitation to welcome it but while doing so I will urge upon the Minister to pay his attention to some measures for the proper implementation of the provisions of the Bill. The hon. Minister has already given expression of his good intentions to save the common people from the clutches of the profiteers and the unscrupulous traders but it is also necessary to ensure that no new loopholes are found out by the traders and for this they will have to be vigilant to plug in time and permanently for future. How can this be done? The Bill has reduced the period from 30 days to 7 days within which the goods carried by the Railways have to be cleared. This is a mandatory provision and no doubt the traders will have to abide by it. But along with this it is necessary to pay due attention to another aspect of the matter that is the role of the road transport vis-a-vis the Railways. Of course, it is true that the Hon. Minister may not have much to do for himself directly in this matter but still I will urge upon him to see that

*The Original speech was delivered in Bengali.

[Shri Manoranjan Hazra]

his department is able to maintain proper liaison with other departments of the Government of India to ensure that the traders are not able to defeat the very objective of through diversion of goods through road transport. If they succeed then they will continue to enjoy their present position and they would be able to push up the prices and the Railways will on the other hand lose their revenue too.

I will now mention about some of the centres in the north and in the Western Railways. In Sabarmati and Viramgam, a very large number of wagons remain blocked up and I have been told by the Railway authorities that the business community do not release these wagons in time and as a result of this the common man has to suffer. The story is the same when we move to the northern, central and the south-eastern railway. In Nagpur and Rourkela the detention of wagons is really menacing. In all these cases the traders harass the railway authorities by altering dates or by many other means and instances are not rare where the railways have to pay for damages to these traders. It is therefore necessary to ensure that the payment of damage should be reduced and secondly every care should be taken to see that the traders are not able to frustrate the objectives with which this Bill has been introduced. I am sure that the hon. Minister will pay his attention to these two objectives for the proper implementation of this Bill and I will expect that in future he will be able to come forward with a much better Bill in this regard. With these words and with thanks to the Minister for introducing this legislation in this House, I conclude, Sir.

SHRI N. K. SANGHI (Jalore): Sir, I have heard the speech of the hon. Minister with attention. The scope of the Indian Railways (Amendment) Bill is very limited. The railways are proposing to reduce the period of liability for loss, destruction, damage or deterioration on non-delivery from 30 days to 7 days. If this Bill is passed

as proposed, it will bring disaster to the revenues of the freight transport by the railways. It has been mentioned in the Statement of Objects and Reasons:

"The experience of the railways has been that this tends to encourage trade not to remove goods from railway premises for fairly long spells, resulting in congestion in goods sheds, hold-up of wagons, causing slower movement and shortage of wagons elsewhere, and, more serious than anything else, artificial scarcity and rise in prices."

This has been the broad objective.

I have gone through the Review of Performance reports of the railways, 1972 and I find no mention that wagon detention is the cause of under-utilisation of the wagons. I would like to read a few lines from the Review of the Performance of the Indian Government Railways, pages 8-9, wherein a resume has been given of the wagon loading in 1971-72. It says:

"The main factor responsible for the wagon loadings falling short of original anticipation was the increasing number of thefts of electric traction wire, tele-communication cables and signalling equipment and of wagon parts...."

It further says:

"Train running on Eastern, Northern, South Eastern and Western Railways was also affected during August and September, 1971 by unprecedented rains, leading to wash-aways, flooding of yards, etc."

It also says that this wagon shortage has been due to continuous labour trouble and some other reasons. But in the Review of the Performance of the Indian Government Railways (March 1972), it has never been stated that detention of wagons has ever been the cause of under-utilisation of wagons.

What has really been tried to be made out in this Bill is that the Railways are throwing away their liability for payment of claims for damages, deterioration and losses. In case particular goods are not taken delivery of within a period of seven days, the Railways will not be responsible for damages and losses.

I refer to the Unstarred Question No. 1859 of 4th April regarding the number of claims received the number of claims settled and the amounts of payments made. During the period April 1971 to January 1972, more than 2,89,000 claims have been settled where claims have been paid; the total number of claims is about 3,09,000 and the total amount paid is Rs. 10 crores, in a period of 10 months. According to this, I anticipate that the Railways will pay claims amounting to Rs. 12-14 crores during the whole year. This will be a modest figure.

What is proposed to be done by this Bill is that the Railways want to repudiate their liability of payment of claims for damages, losses and deterioration after a period of seven days. A great difficulty will be caused to the trading community and persons who transport goods by Railways. By reducing the period to 7 days, the Railways would be giving lease to anti-social elements who would pilfer goods after the seven days' period is over at destination where the goods have been received. We know how damages and losses occur. They usually take place where the goods are loaded or where the transshipment takes place, but at the destination, the losses are comparatively less.

We have seen that the liability on Railway employees has been pinned at times when the Railways have paid heavy claims. But no liability has been pinned on the employees when no claims have been paid by the Railways. When your liability is only for a period of seven days, you will be giving a lease to anti-social ele-

ments who after 7 days would go there to see that more damages are caused, more goods are stolen and the railway administration will never be able to pin any responsibility on the employees who are derelicts or who help in such matters. No claims will be paid and no liability will be attached to the railway administration.

As you know, the traffic is divided into two broad types, high-rated traffic and low-rated traffic. As far as the high-rated traffic is concerned, you have commodities like, sugar, textile machinery, etc.. As regards low-rated traffic, you have commodities like, coal, stones, salt ballast and other such materials. I would like to know from the hon. Minister whether there has been any chance for the Railways to experience that high-rated traffic commodities have not been removed by the consignees within a period of seven days. There will be very few solitary examples where high-rated traffic commodities have not been removed in time. It always happens that low-rated traffic commodities are not removed in time.

The whole matter has not been examined by the railway administration. The hon. Minister himself has been a very seasoned businessman in his past years. Take, for example, a wagon of coal, a low-rated traffic commodity. The total cost of coal loaded in the wagon is approximately Rs. 1000; the freight is approximately between Rs. 1000-1200 and the demurrage works out to Rs. 250 per day. Recently, the railway administration has increased the demurrage charges from Rs. 140 per day per wagon to Rs. 250 per day. If the wagon is detained for seven days, the detention charges or demurrage will amount to Rs. 1750 and the total payment, including freight and demurrage will be Rs. 2750. You ask him to take delivery of this wagon of coal by paying Rs. 2750. The demurrage itself becomes so uneconomic and then the Railways say that they have no liability to pay for damages and losses.

[Shri N. K. Sanghi]

You don't take the liability of damages or losses. It may be that half the wagon may have been pilfered at the point of transshipment and the person has paid for the freight and the demurrage. Do you think that will be fair to deny him claims from losses? After all, the responsibility is cast on the Railways. They are charging a high demurrage which is confiscatory in its very nature. It is always in respect of low-rated traffic commodities this is happening.

There are other points also which have to be considered. Merely to shirk your responsibility because of the failure on the part of the railway administration to check pilferages is not justified by making these provisions of such kind into law.

Then, again take for example a wagon of salt. The cost of salt amounts to Rs. 600—800; the freight is about Rs. 1000 and the demurrage is Rs. 250 per day. That itself will help in increasing the prices and the objective of the Bill is effected in the reverse direction. You do not take the responsibility for the losses or damages. I do not think that is fair to the business community which is booking and transporting goods by the Railways. Already a large amount of high-rated traffic has been taken away by road. If this is the attitude of the railway administration, then even the low-rated traffic will go away from the railways. This is a matter for serious consideration.

I remember, Mr. K. Hanumanthaiya made a statement in parliament the year when he was the Railway Minister that an additional amount of 1.5 million tonnes of freight traffic would be carried. But what we have seen from the last half year's actuals, the freight traffic has fallen short by 1.64 million tonnes proportionately. This has been the condition.

We should also look to the side of the trader, what are the reasons for not taking delivery of the goods. The banks have very often strikes for

indefinite periods and clearances do not take place. Under such circumstances, when the trader does not get the RR, how can he own the responsibility for the heavy demurrage charges and losses?

There is also the inefficiency in postal deliveries and the RRs do not reach in time.

Suppose, a trader has booked some goods in Bombay and he is delayed in coming to Delhi for certain grave reasons; he is not able to come within seven days. In that case, do you want to throw the whole liability from loss and damage on him? This is a serious matter. As a good courtesy, as a good business policy, you should have something reasonable. As I have pointed out, these are things happening every day. You do not get the RRs in seven days.

Then, when you get the RR, the goods do not arrive for weeks together. You have to send your men every day to get the RR date-marked. In case you fail to have it date-marked and in case the goods come, you are liable to pay demurrage charges.

It also happens that many times the goods have come but are not traced in the yards. It becomes a continuous process. If the date is not marked, then you are liable to pay heavy demurrage charges.

Since the liability of the Railways is reduced to seven days, I would ask the Minister whether he can consider sending an intimation to the consignee that the wagon is expected to come on such and such date, and then if the consignee fails, then you may repudiate the responsibility. The Railways should take care of their own inefficiency and callousness and try to improve matters and should not try to find a remedy through such legislative methods.

There is another aspect. The traffic is increasing; with the industrial

and agricultural growth, the traffic is unprecedented. But the capacity of the Railways to hold goods has been as bad as before. The goods transportation is under the Commercial Department and when they write to the Railways that terminal facilities are very limited and should be increased, no action is taken. What is happening in Jodhpur? They are not able to hold the daily incoming wagons at the Jodhpur goods-shed and these are being offloaded at a station which is three miles away from the city, as Bhagat-ki-koti; this is because the terminal facilities are only limited and no expansion was planned.

I would also like to draw attention to Patiala where a number of oil-tankers are coming. They are not able to off-load them due to lack of terminal facilities, and every day some accident or hazard takes place.

If this is the way you go on, not increasing the terminal facilities but taking advantage of legislative measures, I do not think there will be efficiency.

I would like to suggest that, instead of seven days, it should be at least 15 days, if not 30 days. An amendment to this effect has already been moved by some of my hon. friends. I hope that the Railways will take effective measures to see that the efficiency is maintained and the losses are reduced.

I am told, when senior officers are transferred, if they have to send their costly goods, they usually use the road transportation. They know the working of the railways. This can be verified from the T.A. Bills.

I would suggest that there should be some sort of insurance policy for the losses due to claims. You are paying about Rs. 12 crores. Is it not advisable to pay Rs. 12 crores as insurance premium and save yourself the over-increasing losses by claims. The General Insurance is nationalised and they will be happy

to do this. You should not have this confiscatory legislation.

I would also like to draw attention to another aspect. Very recently, the Railways have introduced pre-payment of freight on certain commodities. This is what the Government have said in reply to Unstarred Question 916:

"There are at present 362 commodities on which pre-payment of freight is compulsory. It has been decided to extend the condition of compulsory pre-payment of freight to additional 26 low-valued commodities with effect from 1st April, 1972."

Giving the details, they have said:

"The reasons for extending the condition of compulsory pre-payment of freight to additional 26 low-valued commodities and the main advantages which will accrue to the Railway by this decision are:

"The delivery of the consignment is sometimes delayed by the consignee. Meanwhile, the consignment incurs wharfage and demurrage charges. Because of very low value of goods, the Railway is not in a position to recover these charges which have to be wholly or partly waived."

This is the crux of the whole matter.

The demurrage charges themselves are confiscatory. The freight charges are high and prepayment of freight is made compulsory. All these put together make it impossible for the dealer to take delivery of the low-rated goods. It is for this reason I say that the proposal to reduce the free period from 30 days to 7 days is untimely and is not in the interests of the Railways.

श्री सरजू पांडे (गजीपुर) : उपाध्यक्ष महोदय, रेल मंत्री जी ने रेलवे का नया चार्ज लिया है । श्री हनुमंतैया जी से इन्होंने चार्ज लिया है । हमें आशा थी कि वह रेलवे सम्बन्धी नीतियों में इसमूल परिवर्तन करेंगे ।

[श्री सरजू पांडे]

इनके बारे में हम लोगोंने बहुत सुन रखा था कि यह बहुत कम्पीटिष्ट आदमी हैं। बड़ा हुन्ला भी था इस बात का। रेलवे विभाग में तशरीफ लाने के बाद वह इस बिल को लाये हैं। यह बिल तो ठीक है और मैं इसका मूल रूप में समर्थन भी करता हूँ। मैं समझता हूँ कि आम तौर पर जो व्यापारी हमारे देश के हैं वह इमलिये भी माल नहीं छुड़ाते हैं कि माल की बाजार में कमी पैदा हो और माल बाजार में महंगा बेचा जा सके। और भी इस तरह का भ्रष्टाचार इससे होता है। इस वारत जो बिल लाया गया है यह तो ठीक है। लेकिन मैं जानना चाहता हूँ कि क्या रेलवे की भी कोई जिम्मेदारी माल पहचान की है या नहीं है मैं आप को अपने जिने का ही उदाहरण देना चाहता हूँ। एक व्यापारी ने पूरी एक बैगन में माचिस के डिब्बे लदवाये लेकिन तीन महीने तक उस का पता ही नहीं चला। अब इस तरह के मामलों में रेलवे की कोई जिम्मेदारी है या नहीं है। रेलवे को घाटा इसलिए भी हो रहा है कि लोगो ने रेलवे से माल भोजना बन्द कर दिया है और ऐसा उन्होंने इसलिए किया है कि वे बूक तो कराते हैं आम लेकिन बाद में जाकर निकलते हैं पत्थर। अगर भेजे गए माल की जगह ककड़ और पत्थर या इस तरह की दूसरी चीजें निकले तो कौन रेलवे से अपना माल भोजना पसन्द करेगा। ऐसी भी कोई व्यवस्था होनी चाहिए या ऐसा भी कोई बिल आना चाहिए ताकि इस तरह की चीजों को रोका जा सके।

लोगो की परेशानिया बढ़ती जा रही हैं। कोई भी आदमी आज बगैर घूस दिये माल के डिब्बे प्राप्त नहीं कर सकता है। खुले आम यह घूम ली जाती है। खुले आम कहा जाता है कि कितने माल के डिब्बे लेना चाहते हो उनके लिए इतना रुपया लाओ। रेलवे बहुत बरी तरह से इस भ्रष्टाचार में जकड़ी हुई है। किसी को पता नहीं रहता है कि माल पहुंचेगा या नहीं पहुंचेगा, बिना पैस

के डिब्बे मिलेंगे या नहीं मिलेंगे। व्यापारी लोग जब माल पहुंच जाए तो उस को छुड़ावें और अगर नहीं छुड़ाते हैं तो पेनल्टी दे यह तो ठीक है और इसके लिए ऐसी कोई व्यवस्था होनी चाहिए थी। लेकिन कम से कम रेलवे प्रशासन में जो भयानक मगर-मच्छ बैठे हुए हैं रेलवे बोर्ड के जो अधिकारी हैं ये अपने को एक खुदा मान कर बैठे हुए हैं और कोई भी किसी की बात भी सुनने को तैयार नहीं है। मंत्रिया तक की बात ये नहीं सुनते हैं। पता ही नहीं चलता है कि आप मंत्री है या ये मंत्री है। ये मगरमच्छ बैठे हुए हैं जिन का कोई काम नहीं है भिवाय इसके कि बड़ी बड़ी तनख्वाहें ले और दश को लूट कर खाते हैं। यह इनका पशा बन गया है। मंत्री महोदय की कोई सुला दी नहीं है। मेरा आप से आरोप है कि आप प्रकाशन को रोकना चाहते हैं। मैं भी रेलवे में मगरमच्छ का प्रेजिडेंट हूँ। लेकिन मैंने देखा है कि एक उग्र यूनियन का रिकग्नाइज कर लिया गया है जिसका रजिस्ट्रेशन तक नहीं हुआ है। नार्थ ईस्टन रेलवे की इस यूनियन के बारे में जब प्रश्न किया जाता है तो मंत्री मन्नादय जवाब नहीं देते हैं और नहीं बताते हैं कि यह झूठ है या सच है। आज वे लोग सारे के सारे अधिकारियों के साथ मिल कर जनरल मैनेजर गोरखपुर के साथ मिल कर भ्रष्टाचार फैलाए हुए हैं उनको ट्रांसफर हो सकते हैं न वे दफ्तरो में काम करने हैं बाजार में दवाए बेचते हैं और तनख्वाहें दफ्तरो से लेते हैं। यह जो भ्रष्टाचार फैला हुआ है इसको आप बन्द करें। जब तक आप कोई आमूलचूल परिवर्तन नहीं करेंगे तब तक भ्रष्टाचार नहीं जाएगा।

हमने आपके बारे में बहुत सुना था। लेकिन अभी तक आपका हमने कोई चमत्कार नहीं देखा। हनुमान्जी से हम लोग बहुत परेशान थे। वे चमके गये हैं। उनकी जगह पर पर आप बड़े हनुमान बैठे हैं। ऐसा नहीं

कि आप सारी रेलवे को फूक कर जाए। रेलवे में आग है तो कम से कम यह कोशिश करे कि माल जो बूक करवाया जाता है वह लॉगो तक सुरक्षित पहुंच जाए। जा व्यवस्था आप कर रहे हैं इसको तो आप करे लेकिन जो भ्रष्टाचार हो रहा है, उसको भी आप दूर करें—

MR DEPUTY SPEAKER I am not asking you to conclude. Please confine yourself to the bill under consideration.

श्री सरजू पांडे मैं इस बिल का समर्थन करता हूँ किन्तु मैं आशा करता हूँ कि मंत्री महोदय रेलवे में आमूल परिवर्तन लाये अगर वह इसकी कोशिश करे तो हम उन की हर एक बात का समर्थन करेंगे।

श्री श्रीकिशन मोदी (सीकर) :
उपाध्यक्ष महोदय, रेलवे में बैगन्ज डिले न हो माल जल्दी जल्दी चले और सब लोगों का माल बूक हो, इस बारे में समय समय पर विचार होता रहा है। पीछे भी एक ऐसे कानून की व्यवस्था की जा रही थी कि कुछ माल की पेड बिल्टिया हो, किराया पहले दिया जाये। उस का भी मतलब यही था कि बैगन्ज रुके नहीं। यह जो बिल श्री पाई लाये है उसका भी उद्देश्य यह है कि ज्यादा माल बूक हो बैगन्ज न रुके और गोदामों में माल न पड़ा रहे। लेकिन मैं निवेदन करना चाहता हूँ कि इस बिल में कुछ गलतिया है। आगे जाकर इस से क्या क्या तकलीफें होने वाली हैं मैं इस के बारे में कुछ जानकारी देना चाहता हूँ।

यह कानून 82 साल पहले का एक्ट है, जिस को उस समय बैलैरीज लाय बिलिटी एक्ट कहते थे। 77 संवत्स का कैरियर लायबिलिटी एक्ट 1961 में भी चेंज किया गया था। उस समय कहाया श्री बढ़ाया गया था और डमरेज और ब्लाफेंज भी बढ़ाया गया था। मतलब

यही था कि माल न पड़ा रहे और व्यापारी जल्दी उस की छुटा ले। अब श्री डमरेज और ब्लाफेंज इतना ज्यादा है कि व्यापारी जरूर अपना माल जल्दी छुड़ायेगा। वह इस से कभी गलती नहीं करेगा।

इस बिल से नुकसान यह होने वाला है कि सान रोज के बाद रिस्क हट जाएगा और उसी गत को चोरी होनी शुरू हो जाएगी। मंत्री महोदय भी मानते हैं कि रेलवे में चोरी बहुत हो रही है। इस कानून के बनते ही अगर किसी कारण से बिल्टी व्यापारी के पास न पहुँची, वह माल न छड़ा पाया, तो उसी दिन से माल की चोरी होने लग जायेगी। जिम्मेदारी किस की है? रेलवे का रिस्क हट जायेगा। व्यापारी का माल नहीं है, उस को दिया नहीं जायेगा। तब क्या होगा? तब लापरवाही डिस-आनेस्टी और चोरी बढ़ेगी।

सात दिन के बाद रेलवे क्या करेगी? वह नोटिस देगी उस माल को नीलाम करेगी। आखिर वह उस माल का कुछ तो करेगी। यह सारी कार्यवाही करने में भी उस को समय लगेगा। इस से क्या होगा? इस से व्यापारी हार्ड-रेटिड गुड्स ट्रक से भेजेंगे और सिर्फ लो-रेटिड गुड्स को रेलवे से भेजेंगे। यह ठीक है कि आज रेलवे का व्यापार बढ़ रहा है रेलवे में डिमांड बहुत ज्यादा है और बैगन्ज की बहुत कमी है। लेकिन यह भी हो सकता है कि तीन, चार, पांच साल बाद जब रेलवे की नार्मल पोजीशन हो जाएगी, तो उस समय ये सब दिक्कतें सामने आयें। इन सब बातों को मैं रखने की बड़ी जरूरत है।

प्रश्न यह है कि माल जल्दी छूटता क्यों नहीं है, व्यापारी माल को क्यों न जल्दी छुड़ते हैं। हर आदमी का पै

[जी किश्वर बोली]

फंसा होता है, हर आदमी रकम लगाता है। माल को जल्दी छुड़ाने और बेचने में उस को फायदा है। लेकिन कुछ टेकनिकल कठिनाइयाँ हैं। जब गाड़ी आती है तो उस में माल पहले चोरी हो जाता है। उस की वजह से व्यापारी माल को छड़ा नहीं पाता है। वह क्लेम करना चाहता है। वह कहता है कि रजिस्टर में दर्ज कर लिया जाये कि पचास बोरे कम हैं इस लिए मैं माल छुड़ा नहीं पाऊँगा।

दूसरा कारण यह है कि कुछ बिल्टियों में रेट गलत लगा दिया जाता है और इस बारे में सुनवाई नहीं होती है। व्यापारी को क्लेम कर के वह पैसा लेना पड़ता है? इस वजह से भी माल देर से छूटता है।

तीसरा कारण यह है कि हमारे नेशनलाइज्ड बैंक इतना अच्छा काम कर रहे हैं कि अगर जयपुर से बिल्टी आये तो वह यहाँ नेशनलाइज्ड बैंक में आठ दिन में पहुँचती है। जब बैंक में बिल्टी पहुँचिगी नहीं, तो दिल्ली का व्यापारी कैसे छुड़ा पायेगा? इस तकलीफ की वजह से भी माल देर से छूटता है।

यह बात स्वागतयोग्य है कि हमारे देश में बैगन्ज की जो तकलीफ है, वह जल्दी से जल्दी दूर हो और माल जल्दी से जल्दी पहुँचे। यह सही बताया गया है कि महंगाई का एक कारण यह भी है कि बैगन्ज और माल ठीक समय पर नहीं पहुँचते हैं। लेकिन मैं यह भी निवेदन करना चाहता हूँ कि जब रेलवे सात दिन की पाबन्दी लगाना चाहती है तो वह अपने आप पर भी कोई पाबन्दी लगाये कि हम व्यापारी का माल इतने दिन में—आठ रोज़ में या दस रोज़ में—दिल्ली से कलकत्ता अवश्य पहुँचा देंगे। रेलवे को एक मैक्सिमम लिमिटेड लिब्रिटी करनी

चाहिए और उस के अन्दर माल को पहुँचाने की जिम्मेदारी अपने ऊपर लेनी चाहिए।

रेलवे ने जो क्विक सर्विस चालू की है, क्या वह आइडल है, क्या उस की डिमांड नहीं है, क्या लोग उस में माल भेजने के लिए तैयार नहीं हैं? आज उस की डिमांड बहुत ज्यादा है। लोग क्विक सर्विस से माल भेजना चाहते हैं, लेकिन रेलवे में जगह नहीं मिलती है। जब व्यापारी माल को जल्दी भेजना चाहता है तो फिर डिले का सबाल क्यों पैदा होता है, फिर माल रेलवे के पास सात रोज़ तक क्यों पड़ा रहेगा?

यह सौभाग्य की बात है कि श्री पाई एक प्रैक्टिकल आदमी है और उन की सूझ-बूझ बहुत ज्यादा है। माल के विदाउट रिस्क होने से जो बेईमानी बढ़ने वाली है जो गैर-जिम्मेदारी बढ़ने वाली है रेलवे की जिम्मेदारी जो कम होने वाली है, उस को ध्यान में रखते हुए कम से कम पंद्रह दिन की मियाद अवश्य रखी जाये।

*SHRI E. R. KRISHNAN (Salem):
Mr. Deputy Speaker, Sir, I rise to say a few words on The Indian Railways (Amendment) Bill, 1972.

In the Statement of Objects and Reasons, the hon. Minister of Railways has stated that the experience of the Railways has been that the present position of allowing thirty days after termination of transit has encouraged the trade not to remove goods from railway premises for fairly long spells, resulting in congestion in goods sheds, hold-up of wagons, causing slower movement and shortage of wagons elsewhere, and more serious than anything else, artificial scarcity and rise in prices. Therefore, this Bill seeks to reduce the

*The original speech was delivered in Tamil.

period of liability, after termination of transit from thirty days to seven days. I know personally that the new Railway Minister, Shri Pai, is a person of proved talents and enthusiastically takes up his assignments.

Here, I would like to point out the exact position. When the wagons reach the destination, the goods are unloaded in two or three days and after that they are stacked in the goods sheds for 30 days. It is not correct to say that the goods are held up in the wagons for thirty days resulting in wagon shortage. This is not the practice in any station. Even so, I agree that the goods should not be allowed to be kept in the goods sheds for thirty days or more. I welcome the provision in this Bill reducing this period of thirty days to seven days.

Sir, I am really surprised that this Bill has been welcomed by me and the Member from the Communist Party (Marxists) sitting on the Opposition Benches, and it has been opposed by the Members belonging to the ruling party who preceded me.

The hon. Minister of Railways has clearly pointed out that the shortage of wagons results in artificial creation of scarcity in foodgrains, which in turn leads to spiralling price rise. The requirement of different kinds of pulses like Bengal gram, Black gram etc. in Tamil Nadu has to be met from the supplies from Rajasthan, Haryana, Maharashtra and Bihar. On account of shortage of wagons, the pulses are not transported to Tamil Nadu in proper quantities to meet the requirement and consequently each bag of pulse costs Rs. 20 or Rs. 30 more in Tamil Nadu. Similarly, in the Punjab several lakhs of tonnes of foodgrains were damaged in rains because the wagons were not made available in time. Likewise, from southern States, groundnut oil has to go to Calcutta and to northern States. The cement from South has also to reach northern markets. The cement, groundnut oil etc. are in surplus in the Southern States, while there is

scarcity for them in the North. As I pointed out, there is scarcity of pulses in Tamil Nadu and other southern States. The hon. Minister of Railways will agree with me if I say that such artificial scarcity creates scope for black-marketeering in these goods.

I would like to say here that the provisions of this Bill alone will not relieve wagon shortage throughout the country. I doubt very much whether this unhappy situation will change on account of this Bill. The steps taken by the Railways for increasing the number of wagons are not also very satisfactory. The Fourth Five Year Plan target for having more wagons was the addition of 76,192 wagons. I regret to say that, according to the Fourth Plan Mid-term appraisal, this number of additional wagons has been reduced to 33,148. The hon. Minister might say that the number of replacement wagons has been increased by 10,288. Still, I would like to know the reasons for bringing down the addition of new wagons by 43,044. In the 1972-73 Railway budget, provision has been made for acquisition of 14,000 wagons. I would like to know from the hon. Minister how many new wagons have been purchased so far and how many replacement wagons have been bought during this year. In the Mid-Term Plan Appraisal of the Fourth Plan, it has been stated that the Railways are unable to meet in full the increasing demand for covered wagons for foodgrains and products like cement and fertilisers.

Even after 25 years of our Independence, there is this kind of wagon shortage throughout the country. In the trade circles there is this feeling that there are malpractices in wagon allotments. The only solution to this is that more number of wagons should be available on the Railways. There is no meaning in cutting down the Fourth Plan targets so far as wagons are concerned. If the industrial development in Indian sub-continent is to be kept apace, then it is essential

that there should be free availability of wagons. I request the hon. Minister of Railways to ensure this.

With these words, I welcome the Bill.

MR. DEPUTY-SPEAKER: Now we take up Shri Samar Guha's Motion on Durgapur Alloy Steel Plant for discussion.

14.59 hrs.

MOTION RE. EXPANSION OF DURGAPUR ALLOY STEEL PLANT

SHRI SAMAR GUHA (Contai): I move:

"That this House is of opinion that the Ministry of Steel and Mines should reconsider the issue of expansion of the Durgapur Alloy Steel Plant for production of 60,000 tonnes of stainless steel, as was planned at the time of construction of the Plant and subsequently approved by the Ministry at a meeting held on the 6th March, 1971, instead of expanding it for production of unprofitable seamless tubes".

The issue whether the Durgapur SP will be expanded to produce stainless steel or seamless tubes created a lot of technological stir and agitation in the ASP itself. While discussing the issue on the floor of the House on the earlier occasion, I made a request to the hon. Minister to set up a Review Committee to go through the whole issue in a wider perspective and in the development of new technology in the steel industry all over the world. That request was spurned.

15.00 hrs.

However I am glad to note, the Minister has already informed me in reply to one of my unstarred questions, and also a starred question in Rajya Sabha, that the Government is going to re-examine the whole issue of expansion of Durgapur Alloy Steel Plant. I welcome the attitude of the Government and I think the Government has taken a very commendable

posture and given up its rigid, dogmatic view, which they should not have in any technical matter. They should 1971, when the steel ministry took a firm decision in regard to the production of stainless steel in the ASP, no starting new discovery in the steel world has been made in technology.

It has been said that a delegation was sent outside to review the latest technological developments in regard to the production of stainless steel and other kinds of steel in the world steel industry and that this delegation has come back and recommended to the Government to make a fresh review of the whole issue whether Durgapur Alloy Steel Plant will produce stainless steel or seamless tube. It is good that the Government has accepted the views of the delegation. I think there was no need to send such a delegation abroad because during the last one year after 6th March, 1971, when the steel ministry took a firm decision in regard to the production of stainless steel in the ASP, no startling new discovery in the steel world has been made in technology.

In dealing with the issue whether Durgapur ASP will produce more stainless steel or seamless tube, I do not in any way want to prejudice the claim of the Salem steel plant. It is a matter of regional distribution of industries and it is a national policy. It is natural that the Tamil Nadu people can claim a steel plant at Salem. But I say there is essentially no controversy and there should not be any controversy whether there should be a stainless steel plant at Salem in preference to Durgapur. That controversy is irrelevant because according to the field survey and also the market survey made by the National Council of Applied Economic Research, the requirements of stainless steel in our country by 1985 will be 140,000 tonnes; it may be plus or minus ten per cent. It may be provided that Durgapur ASP could produce 60,000 tonnes of stainless steel; perhaps the Salem project can also afford to produce 75,000 tonnes of