

[Mr. Deputy-Speaker]

Motion. The Motion says: "the situation arising out of the arrests and convictions....", and I wanted to know what that situation was. These arrests have been taking place for some time, and convictions also are taking place; they are being ordered. But now the question is whether it is a matter of such urgent public importance that the House should take notice of it just now.

It has been repeated from this Chair many a time that the urgency should be such as cannot brook any delay; Members should feel that they are perturbed and disturbed over a particular matter and they are not in a mood to discuss any other matter unless this is taken up first of all. If such an urgency arises, the House has to suspend its business and take up that matter before everything else. But I feel that no such urgency is there so far as this is concerned.

The Movers have also made it clear that they want that this should be discussed as early as possible. There is already a Resolution regarding the Proclamation issued by the President on the Order Paper, which will come up in due course of time. Our normal course is that we should proceed with the business that we have got. An adjournment motion is intended to disturb and suspend all that business, and unless that is taken up first, no business should be proceeded with. When we have other remedies and this Motion and discussion can brook delay of a day or two or three days, we can take it up, and the Proclamation is also coming up for discussion. So I do not see that there is such a necessity that Members should feel in a mood not to proceed with any other business unless this is disposed of first.

Therefore, I fail to appreciate that urgency which is needed in such a motion and I am sorry I have to withhold consent to this Motion.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SIXTY-FOURTH REPORT

Shri Ramachandra Reddi (Nellore):
I beg to present the Sixty-fourth Report of the Committee on Private Members' Bills and Resolutions.

*CORRECTION OF ANSWERS TO STARRED QUESTIONS Nos. 2589 AND 2608 DATED 28TH MAY, 1956.

MOTOR VEHICLES (AMENDMENT) BILL

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): Mr. Deputy-Speaker, Sir, I beg to move:

"That the Bill further to amend the Motor Vehicles Act, 1939, as reported by the Joint Committee, be taken into consideration."

As the House is aware, the Bill has been brought up with the purpose of removing the defects revealed in practice during the last 15 years or so that the Motor Vehicles Act has been in operation and to facilitate the development of motor transport generally in the country in view of the demands created by large-scale development of industries. The Bill also contains provisions for the implementation of the schemes of State Governments for nationalisation of motor transport services.

The problem of transport is of the utmost importance for the country. I have always laid stress on the co-ordination of various means of transport, and some progress has also been made in this direction. A committee is already functioning on the shipping side in this regard, and this Bill, when enacted, would go far to help in the development of road transport. I would now like to refer, briefly, to the changes proposed to be made in

the Bill by the Joint Committee which examined it at great length.

Broadly speaking, these changes can be listed under the following heads:

(1) Development of inter-State transport;

(2) Incentive to the road transport industry in general and removal of mileage restriction as formerly proposed and increasing the period of validity of permits;

(3) Compensation for operators in case of nationalisation.

I am very glad to say that the Joint Committee has taken a very progressive attitude in considering all these aspects and has made changes in the Bill which are a definite improvement on it.

In the Bill as introduced, we had provided for taking over permissive powers by the Central Government to regulate the inter-State operation of transport vehicles. The provision proposed envisaged the setting up of a number of inter-State authorities for regulating the operation of transport vehicles on inter-State routes and a Central Transport Authority for the purpose of co-ordinating and regulating the activities of the inter-State transport authorities. The Committee considered that instead of two separate authorities proposed in the Bill, there need be only one, namely, the Inter-State Transport Commission appointed by the Central Government for the purpose of developing, co-ordinating and regulating the operation of transport vehicles in respect of areas or routes common to two or more States. The Committee considered that the Commission should have powers to associate with itself representatives of the concerned State Governments as and when necessary. Clause 57 of the Bill has accordingly been redrafted. This is a distinct improvement and will certainly result in a much larger number of vehicles coming on to the road and operating without any impediments. The com-

mittee also decided to remove the mileage restrictions for grant of public carriers' permits. This will give greater freedom of movement to vehicles for inter-State operation.

As regards the incentive to industry, the Committee was generally of the opinion that the period of a permit should be increased substantially. They considered this necessary because the prices of vehicles had gone up and the operators needed security of business if they were expected to invest large amounts of money in providing transport facilities to the general public. After a good deal of discussion, however, it was agreed that in the case of stage carriages the period of permit should continue to be 3 to 5 years, while in the case of public carriers it may be increased to 5 years generally. To give the operators security of business, it was also decided to retain the original proviso to section 58 requiring preference to be given to an application for renewal over new applications for permits. These recommendations have been embodied in clause 52 of the Bill.

In this context, I may mention that the Committee also considered the desirability of helping the co-operative movement and therefore decided to include in the Bill a statutory provision that, other things being equal, the co-operative societies running transport services should be given preference over individual operators. Clauses 41, 48 and 49 of the Bill have accordingly been amended. This preference for co-operative societies will incidentally help the policy of Government to encourage the formation of viable units which, it is considered, can promote operational efficiency and better utilisation of vehicles, leading to general economy.

There was a good deal of discussion in the Committee on the question of payment of compensation to operators displaced as a result of the introduction or expansion of nationalisation of

[Shri Lal Bahadur Shastri]

road transport services. The general feeling among the Members was that the amount of compensation originally provided in the Bill was inadequate. There was a point of view expressed that compensation should be paid for non-renewal of permits and that the amount payable for the cancellation of a permit of the modification of the terms thereof should be fixed with reference to the earnings of the individual operator concerned. It was also suggested that it should be obligatory on a State Transport Undertaking to acquire all the assets of a private operator in whose case permits were cancelled or the terms thereof were modified in implementation of an approved scheme for introduction or expansion of nationalised road transport services.

After careful consideration of all these points, the Committee decided that the amount of compensation originally proposed under clause 68-G should be doubled and that no compensation need be paid for refusal to renew permits as there was ample scope in the country for utilisation of such vehicles elsewhere even by conversion for carriage of goods where there was no fear of nationalisation for some time to come. As regards the acquisition of assets, the Committee was of the view that the State Governments would automatically take over vehicles which were in good condition and other useful assets and that it was not necessary to compel them to take over unserviceable items.

Changes have also been made under the last head, i.e., penalties for offences under the Act. These are not many because the Committee endorsed the view that it was in the public interest to take measures effectively to check the offences which were on the increase.

It will be seen that the Bill, as amended by the Joint Committee, would help in the overall development of road transport. The difficulties of the private operators, either

individuals or companies, have been kept in mind and necessary facilities given and safeguards provided. The Bill, as it stands now, I hope, will be conducive to the healthy development of road transport in the country.

I therefore commend this very important Bill for the consideration of the House. May I take this opportunity to thank the Chairman and hon. Members of the Joint Committee for their very valued co-operation in the deliberations of the Committee.

Mr. Deputy-Speaker: Motion moved:-

"That the Bill further to amend the Motor Vehicles Act, 1939, as reported by the Joint Committee, be taken into consideration."

The total time allotted for this is 8 hours. May I have the sense of the House as to what time we should take for the general discussion and what time should be devoted for the consideration of clauses etc.?

An Hon. Member: Five and three hours.

Mr. Deputy-Speaker: Is it agreed that it shall be five and three hours?

Dr. Rama Rao (Kakinada): Five, 2½ and ½ an hour, Sir.

Sardar Iqbal Singh (Fazilka-Sirsa): There are a number of clauses; so, let us have 4 and 4 hours.

Sardar A. S. Saigal (Bilaspur): Five and three, Sir.

Mr. Deputy-Speaker: There are not many amendments; let us see how the discussion goes.

Dr. Rama Rao: Mr. Deputy-Speaker, Sir, this problem of road transport is very important for very many reasons. First, it is closely associated with our railways in the business of transporting goods as well as passengers, especially when we have very severe handicaps and delays in the transport of goods now being done by the railways. Therefore, we must

see that our road transport is strengthened and improved so that it can take over, at least, some part of the transport business.

Regarding passenger traffic, at the very outset, I should say that the transshipment of passengers is also being done as cargo in many of the transport services. I know there are some bus routes which carry on very well. But the majority of private-owned buses do this business in a very shabby manner and human beings are carried like goods. That is one of the reasons why I should like that the State should come into the picture to a much greater extent. Now, the State-owned transport is about 9 per cent. of the total. There is no reason why it should not be increased immensely as early as possible. There must be a quick and progressive development of road transport by State authorities. If we cannot have 50 per cent. of the total road transport in this Plan period, we must at least have or aim at having 25 per cent. Several State Transport organisations have been doing very well in spite of the red-tape and so many deficiencies, in U. P. and particularly in Hyderabad—the present Andhra Pradesh Road Transport.

An Hon. Member: The best in India.

Dr. Rama Rao: And, they have been making fairly good profits, as I have said, in spite of several administrative difficulties which can very easily be improved. Therefore, first for the convenience and comfort of the passengers and secondly as a source of revenue for the State for its developmental programmes, Government must take up very seriously this nationalisation of road transport. We want plenty of resources to implement successfully our Second Five Year Plan and there is no reason why we should lose this lucrative job and leave it to private enterprise almost entirely.

It is true that there are a large number of individual or small owners. But, at the same time, there are huge concerns which run very well but

which have something like 400 vehicles out of which about 342 are buses. As I have said, it is a good source of revenue and I appeal to Government to tackle it properly.

I do not think the Government have any intention of helping this nationalisation of transport. In fact, this Bill, in various places shows that Government do not like this. Many restrictions are placed in so many ways. As far as inter-State transport routes are concerned, they have provided for a Transport Commission which, in a way, has its own benefit if it is worked in a healthy manner. It can co-ordinate the road transport, especially inter-State transport with the rest so that the transport problem can be tackled in an organised and planned way. But, if it becomes a block to nationalisation by various ways, it becomes a superfluous organisation which is a real danger.

There have been repeated statements and assurances by the Railway and Transport Minister that goods transport will not be nationalised for a certain period. That is not necessary. If and when we are capable of having a State Transport for goods also, there is no reason why the States should not take it up. Why should we tie our hands in advance?

Of course, the first problem is passenger transport. If and when the State is in a position to tackle goods transport also it should be done. In this connection, I would like to request the hon. Minister to take up the problem of the manufacture of automobiles including engines here, especially for buses and trucks. There is a great need and there is no reason why we should import engines and chassis and then build them up here and say that we have got a truck factory or a bus factory. The need is so great that the State must take it up. The demand for buses and trucks is very great. Even if it takes a few years, say, 3, or 5 years, to build up the automobile factory as a State factory, Government must tackle it here and now, and start it.

[Dr. Rama Rao]

To show that bus transport is a very lucrative job, I shall mention just one instance—and it must be the same in other areas also. As you know, the bus routes are being sold out. If you sell a route, say, Vijayawada to Masula, you will get probably Rs. 50,000, that is the permit for the route is sold. You may not be able to transfer the name. It is a *benami* transaction. Still the man who sells gets Rs. 50,000 for one bus. If there is not sufficient profit in the whole thing, people will not go in for it. Actually, there is such a great rush, and giving permits and licences has become a source of distribution of patronage. I do not know to what extent Government is guided by this privilege of distributing patronage and how far this has come in the way of nationalisation of road transport. I hope it has not. In any case, since we aim at a socialist pattern, it is very essential that Government should adjust their pattern of thinking to the socialist line and see that this section of public activity is nationalised, at least gradually. Therefore, I suggest that 25 per cent. of the total transport should be aimed at to be achieved under the Second Five Year Plan.

Regarding compensation, some of our friends want that compensation should be paid for not renewing the permits. It is true that as long as a person runs his bus or truck in a proper way, according to the rules, the permit ought to be renewed, but we cannot go to the other extreme and compel Government to pay compensation for not giving a permit. That shows the way some of our Congress friends think.

Mr. Deputy-Speaker: Just now the hon. Member was arguing that it was a very valuable right and that it would fetch Rs. 50,000.

Dr. Rama Rao: Yes. I am sorry I have not explained it clearly. A person who has a permit to run a bus for a period of 3 or 5 years on a parti-

cular route usually renews it. There are two things here which are altogether different. The other topic is altogether different. If he sells the right to somebody else, he gets Rs. 50,000—merely for that thing. But what I am now referring to....

Mr. Deputy-Speaker: If his permit is not renewed, then he will not be able to sell his right.

Dr. Rama Rao: No, he cannot sell it.

Mr. Deputy-Speaker: Therefore, he will be deprived of that value which he would have got otherwise.

Dr. Rama Rao: That may be the idea of our friends who want compensation to be paid. Anyway I am glad that Government do not accept it and I hope they will not accept it. I am only saying this only to show the way some of our friends are thinking and not that the Government will accept it. The way some of our friends are thinking is quite contrary to the concept of socialist pattern, and that is my point in mentioning this. There are some minor points in the Bill which I need not mention, but there is one thing to which I should like to draw your attention. When a route has been taken over by the Government, they pay compensation. If an alternative route is offered to the permit-holder and if he does not accept it, then also they want to give him compensation. If no alternative route is offered, there is some meaning in giving compensation for the period for which he still holds the permit. But if the State offers an alternative route and if a party does not accept it, even then the Bill provides for compensation to be paid. It is not reasonable, and therefore, we object it. I am referring to page 45, clause 68G, sub-clause (2), which says:

“Notwithstanding anything contained in sub-section (1), no compensation shall be payable on account of the cancellation of any existing permit or any modification of the terms thereof, when

a permit for an alternative route or area in lieu thereof has been offered by the Regional Transport Authority and accepted by the holder of the permit."

While we must do justice to the people who have invested money, we should not go to the other extreme and treat them as favourite children. Therefore, I appeal to the Government to take up nationalisation of this transport, particularly bus transport, and develop the resources of the State, serve the people with comfortable and convenient transport and improve the conditions of the workers.

Now there are many rules and regulations which restrict the hours of work for the drivers and conductors, but in fact, in private transport, all these rules are ignored, and the conductors and drivers are usually in a helpless condition. They have to work extra hours, they have to take less pay and undergo many difficulties. They cannot protest because these are days of unemployment. Sometimes, even Unions cannot take effective steps in such matters, and that is one reason why I say the State should take over, at least gradually, some of this transport and see that the workers get the benefit of the rules that guarantee them fixed hours of work, wages and other things. We want the hearty co-operation and enthusiasm of the workers and we must, therefore, see that the rules we have made are observed—now they are not observed in private transport.

With these suggestions, I support the Bill.

گھائی گورنمنٹ سلنگ مسافر (امرتسر):

جناب ذیلی اسپیکر صاحب -
ٹرانسپورٹ کے ماتریہ منسٹر نے
آج جو بل اس ایوان کے سامنے
پڑھی کیا ہے میں دیر سے اس
بل کا منتظر تھا - سنہ ۱۹۵۰ء
میں جب پہلے بھی یہ سوال

پارلیامنٹ میں آیا تھا اس وقت
بھی کچھ باتیں میں نے ہاؤس
میں کہیں تھیں - آج اتنے انتظار
کے بعد جب یہ بل آرہا ہے تو
میں دیکھتا ہوں کہ جن باتوں کی
طرف اس وقت میں نے دھیان
دلائی تھا ان کو پھر چھوڑ دیا گیا
ہے -

یہ ٹرانسپورٹ کا جو سوال ہے
اس پر ذرا دھیان دینا چاہیے -
میں سمجھتا ہوں کہ جہاں تک
ٹرانسپورٹ کے ریگولیشنز کا سوال ہے
وہ تو ہونا ہی چاہیے - میرا خیال
ہے کہ اس وقت جو آپریٹرز
ٹرانسپورٹ میں کام کرتے ہیں ان کی
بھی مہجاریتی اس بات کے حقی
میں ہے کہ اس کا ریگولیشن ہو
جائے تو انہیں کوئی اعتراض نہیں
ہے - مگر سوال ہے اس کے معاوضہ
کا یا ان کے متعلق کچھ سہولتیں
پیدا کرنے کی جو اس کام کو تیزی
مدت سے کر رہے ہیں - اس وقت
بھی پلاننگ کمیشن کی رپورٹ کے
مطابق جو ۲۷۵۷۵ بسوں ویہیکلس
کام کر رہی ہیں ان میں سے ۲۶۰۰۰
ایسے ہیں جو بالکل چھوٹے درجہ
کے لوگ ہیں جنہوں نے کہ کچھ
زمین بیچ کر کچھ گھلے بیچ کر یا
کچھ قرضہ لیکر ایک ایک یا دو دو
بسیں بلائی ہوئی ہیں اور ان پر
وے کام کرتے ہیں -

[گھائی گورنمنٹ کے ساتھ مسافر]
گورنمنٹ کا یہ ملنا تو کہی
بھی نہیں ہو سکتا کہ مقل کلاس
کے ان لوگوں کو جو اس کام سے عرصے
سے درستی کہاتے رہے ہیں ان کو بالکل
ختم کر دیا جائے اور آئندہ کسی کام
کے لائق وہ نہ رہیں۔ اس لئے اس
بل میں کچھ پروویژن ایسے ہونے
چاہئیں جن سے ان کو سہولیت ہو
جو کچھ یہاں معاوضہ کی شکل میں
دکھا گیا ہے وہ بالکل ناکافی ہے۔
اس بل کے متعلق جو بات میں آج
اس ہاؤس میں کہنا چاہتا ہوں
وہی ہے جو سلیکٹ کمیٹی نے
بھی اپنی ۲۳ تاریخ کی پروویژننگس
میں مانا ہے اور اس کو دفن کیا ہے۔
۲۳ اکتوبر کی تاریخ کی جو
پروویژننگس ہیں ان میں لکھا ہے :

“As regards point 7, the committee felt that so far as refusal to renewal was concerned, the operators who were compelled to go out of business should be given some compensation. The committee also felt that compensation should be paid to the operators for taking over their assets.”

یہ فیصلہ سلیکٹ کمیٹی نے ۲۳ تاریخ
کی میٹنگ میں کیا۔ معلوم نہیں
کن باتوں سے متاثر ہو کر کمیٹی نے
اپنی ۲۹ تاریخ کی میٹنگ میں
اپنے اس فیصلے کو ریویو کیا اور
لکھا :

“No compensation need be paid to operators on account of the refusal of renewal of permits. (2) It need not be compulsory for the Government to take over the

assets of the operators who were compelled to go out of business in view of the increased rates of compensation now being proposed in the Bill.”

یعنی ۲۹ تاریخ کی میٹنگ میں
اپنے اس فیصلے کو بدلتے ہوئے انہوں
نے جو ریویو دیا ہے وہ یہ کہ چونکہ
معاوضہ کے ریٹس انکریز کر دئے گئے
ہیں اس لئے اب ان کے اسٹیسی
وفہرہ لیلے کی ضرورت نہیں ہے۔ اب
اس بات پر فہم کرنا ہے کہ کیا وہ
انکریز ہوئے ہیں اور ان سے لوگوں کا
کیا کچھ بن سکتا ہے۔ سلیکٹ
کمیٹی نے اس میں ۱۰۰ روپیہ
مہلے کے بجائے ۲۰۰ روپیہ مہلے
دکھا ہے۔ اب اندازہ لگایا جائے کہ جو
پرمتس تین سال کے لئے ملتے ہیں
ان میں اگر ایک مہلے کے اندر
کسی آپریٹر کا پرمت کھنسل ہو
جائے تو ۲۰۰ روپیہ ماہوار کے حساب
سے زیادہ سے زیادہ ۷۰۰۰ روپیہ ملوگا
ہاں کمیٹی نے اپنی طرف سے
ایک رعایت کی ہے کہ اگر کسی کی
پرمت اصل معاہدے سے ایک مہلے
پہلے کھنسل ہو جائے تو اسے ۲۰۰ روپیہ
کی بجائے ۳۰۰ روپیہ دیلے چاہئیں
یعنی اس کو کم از کم ۳۰۰ روپیہ
ملوگا اور زیادہ سے زیادہ ۷۰۰۰ روپیہ
ملوگا۔ اب دیکھنا یہ ہے کہ اگر اس
کے اسٹیسی وفہرہ نہ لئے جائیں تو
پرمتس کی معاہدے ختم ہونے کے بعد
آپریٹر کی کیا حالت ہو جاتی ہے۔

اس کے پاس کہا رہ جاتا ہے - 1930 -
 34 کی بات ہے کہ بس کی قیمت
 صرف 3000 روپیہ کے قریب ہوتی
 تھی - 2600 روپیہ قیمت ہوتی تھی
 اور 3 یا 3000 روپیہ اور کاسٹ آئی
 تھی - 3000 روپیہ میں ایک بس
 مل جاتی تھی - آج کل ایک بس
 کی قیمت 30 ہزار اور 20 ہزار
 تک چلی گئی ہے - اگر ہر سال کے
 ڈپریسیشن کا 25 پرسنٹ کا بھی
 اندازہ لگایا جائے تو جو بس 33 یا
 20 ہزار کی خریدی جاتی ہے اس
 کی قیمت بھی تین سال بعد 12-10
 یا 14 ہزار کے قریب رہ جاتی ہے -
 پھر یہ بھی خیال کر لیا جائے کہ
 تین سال بعد کیا وہ بس بالکل
 ختم ہو جاتی ہے - وہ کام کے یوگیہ
 نہیں رہتی - اگر وہ کام کے یوگیہ
 رہتی ہے اور ڈپریسیشن کا یہ
 حساب لگا کر اس کی قیمت 10 یا
 14 ہزار روپیہ رہ جاتی ہے تو اس
 کو کم سے کم 3000 روپیہ کمپنیشن
 اور زیادہ سے زیادہ 7000 روپیہ دینے
 سے کسی صورت میں بھی اس کا کام
 نہیں چل سکتا - میں نے اس کے
 متعلق کچھ امپلمنٹس بھی دئے
 ہیں مگر میں ان پر زیادہ زور
 نہیں دیتا - صرف درخواست کرتا
 ہوں کہ مانڈہ ٹرانسپورٹ منسٹر
 صاحب کچھ ایسا مناسب انتظام اس
 بل میں کر دیں جس سے ان کی

تکلیف دور ہو جائے اور اس کام کے
 کرنے والے صاحب تباہ نہ ہو جائیں -
 میں اس معاملہ میں کچھ تھوری
 دلچسپی اس لئے لیتا ہوں - اس
 میں انٹریسٹڈ ہوں کہ میرے صوبے
 کے جو مڈل کلاس کے لوگ ہیں ان
 میں سے زیادہ تر کا کام ٹرانسپورٹ کا
 ہے - صرف پنجاب میں ہی نہیں
 بلکہ دور دور جگہوں میں بھی وہ
 ٹرانسپورٹ کا کام کرتے ہیں -
 ٹرانسپورٹ کا کام زرا سخت ہے - یہ
 بھی ہے کہ ٹرانسپورٹر کی جو روزانہ
 کٹائی ہوتی ہے - اس کے ہاتھ میں
 کچھ روپیہ آتا ہے - نوٹ آتے ہیں تو
 بعض دفعہ وہ بھی یہ محسوس کرتے
 لگتا ہے کہ میرے پاس کافی دھن اور
 دولت ہے - دوسروں کی نظر میں بھی
 وہ کھٹکتے لگتا ہے کہ یہ بڑا روپیہ
 کھاتا ہے - روزانہ اس کے پاس دولت
 آتی ہے - مگر گاڑی کی جو حالت
 روزانہ ہوتی ہے - جو کھلچتی رہتی
 ہے جو ڈپریسیشن ہوتا ہے اس کا
 اندازہ نہ کبھی ٹرانسپورٹر نے خود
 لگایا ہے اور نہ کبھی دیکھنے والوں نے
 لگایا کہ آخر اس کے پاس وہ کیا جاتا
 ہے اس سخت کام کو کرنے کے لئے
 پنجابی دور دور گئے ہوئے ہیں -
 کلکتہ میں - بمبئی میں - ادھر
 مدھیہ پردیش میں اور دوسری کئی
 جگہوں میں بھی وہ یہ کام کر رہے
 ہیں - پنجابی لوگ جو کہ سخت
 کام کرنے کے عادی ہیں اپنی عادت

[گیانی گورنمنٹ سنگھ مسافر]

کے مطابق اس سخت کام کو کرنے کی
زمعداری ایک طرح سے ایچ اوپر لئے
ہوئے ہیں۔ اگر فور سے دیکھا جائے تو
پنجاب کے لوگوں کی، جو بہت
زیادہ تعداد میں یہ بڑھیس کرتے
ہیں، ہر طرف سے تباہی کا
سامان پیدا ہو سکتا ہے۔

وہیے گورنمنٹ نے بھی جہاں
جہاں نیشنلائزیشن کیا ہے۔ اس وقت
تک وہاں صرف ۱۰۰۰۰ بسز کو
کام پر لکا سکی ہے۔ اگلی پلہن کے
مطابق وہ ارادہ رکھتی ہے کہ وہ ۵۰۰۰۰
کے قریب اور بسز چلائے گی۔ اس
طرح سے سمجھئے کہ سنہ ۱۹۶۱ تک
کل ۱۵۰۰۰ بسز ہی گورنمنٹ چلا
سکتی ہے۔ جب کہ پروڈیٹ بسز
۲۰۰۰۰ سے بھی زیادہ اس وقت کام
کر رہی ہیں۔ آج دیہ میں کچھ
ٹیویہلنٹ کا کام ہو رہا ہے۔ سڑکیں
ن رہی ہیں۔ کچی اور پکی۔
جیسے جیسے ہر طرف یہ چمڑ بڑھ رہی
ہے اسی طرح سے روتہ، رانسہوت کا کام
بڑھ رہا ہے۔ دوسری بات یہ بھی ہے کہ
پچھلے چند سالوں سے۔ خاص طور سے
پچھلے دس تین سالوں سے ہمارے دیہ
کے کئی صوبوں میں فلڈس آئے۔ ان
سے ریلوے لائنوں کو نقصان ہوتا ہے
اور ہم نے دیکھا کہ فلڈس کی ہی
وجہ سے ابھی ابھی ایک دودناک
حادثہ ہوا۔ ان وجوہات سے بھی روتہ

ٹرانسپورٹ کا کام بہت زیادہ بڑھ گیا
ہے۔ روتس زیادہ توت جائیں تو وہ
جلد درست ہو سکتی ہیں۔ مگر
ریلوے لائن توت جائے تو اتلی جلدی
تھیک نہیں ہو سکتی۔ ہمارے
پنجاب کے اندر جالندھر اور امرتسر کے
درمیان پچھلے سال فلڈ کی وجہ سے
ریلوے لائن تو گئی تھی۔ انہیں
دنوں امرتسر میں کانگریس کا سیشن
بھی تھا۔ ہم بڑی فکر میں تھے کہ
لائن جلد تھیک ہو جائے۔ لیکن ہم
آج بھی دیکھتے ہیں کہ اتنا عرصہ ہو
گیا ہے لیکن ہم پوری طور پر ابھی
تک اس ریلوے لائن کو تھیک نہیں
کر پائے ہیں۔ اس طرح سے جتنی
کام کی زیادتی ہوتی ہے اس کا بوجھ
روتس پر ہی پوتا ہے۔ دن بدن
ملک کے ٹیویہلنٹ اور تعمیر کی
وجہ سے سڑکیں وغیرہ زیادہ بن رہی
ہیں۔ ایسی حالت میں بسز
وغیرہ کے ٹرانسپورٹ کی زیادہ ضرورت
ہوگی۔ زیادہ سڑکوں پر زیادہ بسز
کا چلنا ضروری ہوگا۔ اس لئے میں
سمجھتا ہوں کہ دو باتوں کا فیصلہ
ہونا ضروری ہے۔ ایک تو کمیٹیسمن
اور دوسرے ایسٹس کے متعلق۔ اگر آپ
اس کا روت چھن لیتے ہیں یا اس
کا پروت کھلسل کر دیتے ہیں چاہے
آپ اسے کسی بھی کارن سے کریں
چاہے نیشنلائزیشن کی وجہ سے کریں
یا کسی اور وجہ سے کریں تو اسکا

کوئی مناسب انتظام ہونا چاہئے۔ اسکے بعد اسکے پاس کوئی ذریعہ نہیں رہ جاتا ہے کہ وہ گاڑی کو لیکر کہاں جائے۔ اگر اس کا پرمٹ آپ کیسلس کر دیتے ہیں تو وہ بغیر پرمٹ کے گاڑی کو چلا نہیں سکتا ہے اور آپ بھی بتائیے کہ وہ گاڑی کو لیکر کہاں جائے۔ اس لئے یہ بڑا ضروری ہے کہ اس گاڑی کی ذمہ داری بھی گورنمنٹ ہی لے اور یہ سمجھ لینا چاہئے کہ تین سال کے بعد گاڑی بھنگا نہیں ہو جاتی ہے۔ ویسے تو میں سمجھتا ہوں فورس کا جو ٹرانسپورٹ ہے اس کا پرمٹ تو پانچ سال کے لئے رکھا گیا ہے لیکن ان کی معاہدہ تین سال ہے۔ تین سال کے پچھانے پانچ سال یا اس سے بھی زیادہ کہوں نہ کر دی جائے۔ یہ بھی مہری ایک سمجھشن ہے جس کے بارے میں میں چاہتا ہوں کہ آپ سوچ وچار کر لیں۔

کمپینشن کے متعلق مہری مالک سہشت رائے یہ ہے کہ جن کا پرمٹ کیسلس ہو ان کو دو سال کا ملاف تو کم سے کم ملنا ہی چاہئے۔ ملاف کے متعلق بھی کئی بار اندازہ لگانا مشکل ہو جاتا ہے۔ اس لئے یہ ضروری ہے کہ ایک ٹریبیونل سرکار مقرر کرے جس میں قرائنوں کا بھی ایک پرنٹلڈی ہو اور گورنمنٹ کا بھی کوئی آدمی ہو اور جس کا چیورمن کوئی سولڈر آدمی ہو۔ اگر

اس طرح کے ٹریبیونل کو نم کیا گیا تو اس سے تمام جو چھکڑے ہیں وہ جلد ختم ہو سکتے ہیں۔ اگر آپ گاڑی کو خریدنے کا فیصلہ کریں تو بھی چھکڑا اٹھ کھڑا ہو سکتا ہے۔ آپریٹر کہہ سکتے ہیں کہ قیمت کم لگائی جا رہی ہے اور سرکار کہہ سکتی ہے کہ زیادہ لگائی جا رہی ہے۔ اس واسطے یہ ضروری ہے کہ ایک ٹریبیونل ایسے چھکڑوں کا فیصلہ کرے۔

تو میں نے دو باتوں پر خاص طور سے زور دیا ہے اور میں چاہتا ہوں کہ ایک تو جو کمپینشن کی کلز ہے اس کو روائز کیا جائے اور ان کے جو ایسٹس وغیرہ ہیں ان کو بھی گورنمنٹ اپنے ہاتھ میں لے لے اور ان کی مناسب قیمت ادا کر دے۔ اس سے وہ لوگ جو سخت کام کرنے والے ہیں اور جن میں کام کرنے کی ہمت ہے یہ محسوس کریں گے کہ ان کے ساتھ کچھ حد تک انصاف ہوا ہے۔ ویسے تو میں سمجھتا ہوں کہ اس فیلڈ میں یہ اتویٹ سہکتر کو بھی سمجھوری رکھنا پڑ گیا کیونکہ میرا خیال ہے جتنی گاڑیاں اس وقت چل رہی ہیں اتنی ہی گاڑیاں گورنمنٹ ۲۰ سال تک نہیں لا سکتی اور اس واسطے اس کا بلے رکھنا ہی ٹھیک ہے۔ یہ جو ڈاسٹریکٹرز کا خیال ہے یہ تو ٹھیک ہے اور اس کی طرف ہماری توجہ ہے اور ہم اس کی طرف بوجہ

[گھنائی گورمکھ سٹکھ مسافر]

بھی رہے ہیں۔ لیکن راشٹریکون کا مطلب یہ نہیں ہونا چاہئے کہ جو لوگ اس کام میں پہلے سے لگے ہوئے ہیں ان کو بالکل ہی ختم کر دیا جائے۔ وہ بھی ہماری سوسائٹی کا ایک مفید اور اچھا کام کرنے والا سیکشن ہے۔ اس لئے ہمیں اسے بھی اس قابل رکھنا ہے کہ وہ اپنا اور اچھے ہال بچوں کا پالنہ پوشن کر سکے۔ جب میں یہ باتیں کہتا ہوں تو میں چاہتا ہوں کہ کسی قسم کی بھی کوئی غلط فہمی نہیں ہونی چاہئے۔ میرا جو مقصد ہے اسے میں نے پہلے ہی صاف اور سہمت کر دیا ہے۔ جیسے کہ میں نے پہلے کہا اس کام کے کرنے والے کوئی بڑے بڑے سرمایادار نہیں ہیں بلکہ زیادہ تر وہ لوگ ہیں جن کے پاس ایک ایک یا دو دو بسوں ہیں اور جو اپنا گزارہ بھی مشکل سے کر پا رہے ہیں۔ میں یہ نہیں کہتا کہ بڑے بڑے لوگ اس کام میں بالکل ہی نہیں ہیں لیکن ان کی جو تعداد ہے وہ بہت ہی تھوڑی ہے۔

انت میں میں اتنا ہی کہا چاہتا ہوں کہ آنریبل منسٹر صاحب جو کچھ میں نے کہا ہے اس کی طرف دھیان نہیں دے اور اس بل میں ضرور کوئی

ایسی پرارین رکھیں گے جس کا ذکر میں نے کیا ہے۔

(English translation of the above speech)

Gaini G. S. Musafir (Amritsar): Mr. Deputy Speaker, I have for a long time been waiting for the Bill which has been introduced today by the Minister of Transport. In 1950 when this question was raised in this House, I had put forward some suggestions and today I find that the matters to which I had drawn the attention of the Government have been left out.

We should give due consideration to this question of Transport. So far as the question of nationalisation of transport is concerned, that should be done. I think that a majority of the transport operators have no objection to its nationalisation. But the question is of compensation and also of making available certain amenities to those who have been running this business since long. According to the report of the Planning Commission out of a total number of 47575 vehicles, 46000 vehicles are owned by middle class people who either sold their lands or ornaments to buy them. The intention of Government can never be that middle class persons who are eking out their living out of this business should be so disabled as to become unable to do anything in future. Therefore, there should be some provisions in this Bill which may give certain facilities to these people. Whatever has been provided here as compensation is insufficient. What I wish to point out regarding this is the same as has already been said by the Select Committee in their proceedings dated the 24th October. In the proceedings the Committee has remarked:—

“As regards point 7, the Committee felt that so far as refusal to renewal was concerned the operators who were compelled to go out of business should be given some compensation. The

Committee also felt that compensation should be paid to the operators for taking over their assets."

The decision was made by the Committee at their sitting held on 24th October. It is not known for what reasons the Committee reopened this matter in its meeting held on the 29th and said:—

"No compensation need be paid to operators on account of the refusal of renewal of permits. (2) It need not be compulsory for the Government to take over the assets of the operators who were compelled to go out of business in view of the increased rates of compensation now being proposed in the Bill."

The reason advanced by the Committee for modifying their decision arrived at the sitting held on the 24th October is that as the rates of compensation have been increased, there is no need for taking over the assets. Now the question to be considered is whether the rates have been increased and whether they can prove useful to the operators. The Select Committee have increased it from Rs. 100/- per month to Rs. 200/- per month. Now if somebody gets a permit for three years and his permit is cancelled within one month, then the operator concerned would get at the most Rs. 7000/- at the rate of Rs. 200/- a month. The Committee have, however, recommended a concession in cases where the permit is cancelled one month before the date of its expiry. In such a case the operator will get Rs. 400/- instead of Rs. 200/-. It means that an operator would get a maximum amount of Rs. 7000/- and a minimum amount of Rs. 400/-. Now what we have to consider is that in case the assets are not taken over, what remains with the operator after the expiry of a permit? In 1935-36 the price of a bus was only about Rs. 3000/-, Rs. 2600/- was the real cost and Rs. 3 to 4 hundred were other charges. That means for about Rs. 3000/- one could purchase a bus. But these days the price of a bus ranges between thirty-five and forty

thousand rupees. If we estimate the yearly depreciation at the rate of 25% a bus purchased for Rs. thirty-five thousand, it will be worth about Rs. 4,000/- after three years. It should also be considered whether that bus becomes useless after three years. If that bus is in a running condition and in case after deducting the depreciation charges, its value remains about Rs. 14 to 15 thousand, a minimum compensation of Rs. 400/- and a maximum compensation of Rs. 7000/- cannot be termed as sufficient for the operator.

I have also given notice of certain amendments about this but I will not press them—I only wish to request the Minister of Transport to kindly make some provisions in the Bill so that this difficulty may be removed and the people engaged in this business may not be ruined. I am interested in this measure on account of the fact that a majority of the middle class people of my province are engaged in Transport. They not only work in the Punjab but also at other far off places. Transport is an arduous business—Sometimes when persons in that business get their day's earnings they begin to feel that they have become rich. Others also feel the same way. But the daily depreciation cost of the vehicle is neither assessed by the owner nor by others and nobody bothers to calculate as to what actual profit an operator gets. This arduous job is being done by Punjabis in Calcutta, Bombay and Madhya Pradesh etc. Punjabis have in a way taken the responsibility of doing this business on them, accustomed as they are to do hard jobs. If we pause to consider it, we can know that Punjabis who in large numbers are doing this business, can be ruined.

Wherever the Government has nationalised Transport, it has only succeeded in running 10,000 buses there. During the Second Five Year Plan Government intend running 5,000 additional buses. This means that by 1971 Government can only run 15,000 buses, whereas more than 40,000 private buses are plying at this time.

[Giani G. S. Musafir]

Today development work is proceeding in the country. 'Pucca' and 'Kucha' roads are being constructed. As the roads are increasing so is the transport. There is another aspect also. During the last few years, particularly during the last two or three years, devastating floods occurred in many States. Railway lines were damaged by floods. Only recently a very serious accident has occurred due to floods. Due to this also the work of road transport has increased. Seriously damaged roads can be repaired without much difficulty but damaged railway lines cannot be repaired in a short time. Last year the railway line between Jullundur and Amritsar was breached due to floods. Congress session at that time was also near—we were very much worried and were anxious that the line may be repaired. But even today after such a long period we see that the railway line has not been fully repaired. Thus the burden of additional traffic is to be borne by roads. Daily we see that more and more roads are being constructed—therefore more and more buses are needed. That is why I consider that decision regarding two issues, namely, compensation and assets is necessary. If you cancel the route permit, whether due to nationalisation or due to any other reason a proper provision for the operator should be made. After that the operator has no means. If you cancel his permit, he cannot ply his bus. So under these circumstances what an operator can do? It is therefore, of utmost importance that responsibility regarding the vehicle should also be taken over by the Government as a vehicle does not become useless after three years. I understand that permits for goods traffic have been allowed for five years but the limit in this case has been fixed as three years. I suggest that in this case too the limit may be raised from three to five years.

Regarding compensation, I am of the definite opinion, that persons whose permits are cancelled should

be given a sum equal to at least two years profits as compensation. Sometimes it becomes difficult to assess the profits. So it is necessary that Government should appoint a Tribunal in which there should be one representative of the operator and one of the Government. Its Chairman should be an independent person. If such a Tribunal is appointed all such disputes can be settled. In case you decide to purchase the vehicles a dispute can arise. Operators can say that a very low price is being paid for the bus while Government can say otherwise. So it becomes necessary that such disputes may be decided by a Tribunal.

I have stressed on two points, firstly clauses regarding compensation may be revised and the assets etc. may also be taken over by the Government after payment of proper prices. If this is done people engaged in this trade will feel that some justice has been done to them. I feel that in this field also Government will have to tolerate private sector, because I think Government cannot ply so many vehicles even in twenty years time. It is due to this reason that I think that the retention of private sector is proper.

Nationalisation is right and we are going towards that. But nationalisation does not mean that people already engaged in that business should be ruined. Such people are useful members of our society, therefore, we should create such conditions under which they may be able to earn their livelihood. I wish that I should not be misunderstood. I have already clarified my object. I have already said that persons engaged in this business are not big landlords or capitalists but are persons of middle class. By this I do not mean that there are no big persons altogether in that business but their number is small.

In the end, I wish to say that hon. Minister of Transport should give due consideration to my suggestions and should incorporate certain provisions

in the Bill in the light of my observations.

Dr. Jaisooriya (Medak): Mr. Deputy-Speaker, Sir, I must apologise that, since I came only this morning, I have not gone through this Bill in detail. But I must welcome this Bill because it is amending a rather antiquated Act and it is intended to bring some uniformity into the matter of controlling the development of vehicular traffic and road transport. So far as this is concerned, I welcome this Bill.

Now, as my hon. friend Giani G. S. Musafir who has vast experience on this question of road transport has said—I beg to state that I also have some experience for the last 18 years—the point that has to be kept in mind is that the requirements of the country, as far as road transport is concerned, are exceedingly great. The capacity for developing or supplying the amount necessary is very small. As compared to our great needs the capacity is small.

What has happened is this. At least in certain States there was competition between the so-called State road transport and the private transport. The result was, where previously the private transport had a fairly high standard of development that was smothered in favour of Government.

I think the earliest to begin was, in one sense, the Hyderabad State, from which I come. It will be good, I think, to analyse very carefully the success and failures that followed this policy of monopoly. It is all very well for my hon. friend, Dr. Rama Rao, to talk about nationalisation, but he must also have the capacity and the intelligence how to nationalise.

The fact is, in other countries the amount of vehicles required are manufactured in their own countries. That is the case in Britain, United States, Germany, France, Russia and other countries. In India we have not yet began manufacturing automobiles or trucks. We have Indian vehicles, motor-cars and trucks with parts imported almost exclusively from outside. We are assembling them here

and masquerading as Indian industry. Whether it be Birlas, Premier Automobiles, Ashok Motors or that motorcycle concern, Royal Enfield, they are doing nothing but assembling and welding a few things and cutting a few gears. I say, it takes time. If you want a total automobile industry, you have got to put up with it several ancillary industries ranging from, sometimes, as many as 3000 to 4000. Even that is possible if you have got a definite policy.

I am pointing out that the needs of the country for development of road transport are exceedingly great, and our capacity is small. If you talk in terms of purely State monopoly in transport you must also have the facility. In other words, the Government will have to invest enormous sums. And, when Government buys things it buys at a higher price than private people.

I am talking from personal experience and nobody could challenge me on these figures. Leyland Freight Chassis were offered at my door for Rs. 28,000 but Government had bought it for Rs. 48,000 or 50,000. What I want to say is that there is nobody to check Government buying. There are no share-holders and nobody can ask questions. There is lack of uniformity in the policy of the State transport authorities when taking over or purchasing private concerns, which have become bankrupt because of the monopolistic policy. Take for instance this G.N.I.T. which has become the Delhi State Transport. Because the Maharaja of Gwalior was influential he could get a good price. In this connection, I would like to have an analysis of the figures of the fleet they took over. More than 68 per cent. were off the road.

Secondly, I would suggest that Government when they take over the private transport must at least apply the U.K. Transport Act (Section 47). I have no objection to this. I can tell you quite frankly that you have not got the men; for when the Madras State Transport, the Bombay State Transport and the Northern India

[Dr. Jaisooriya]

State Transport were developed, they took as organisers men who were third class juniors in Hyderabad, but subsequently they became first class men. That shows what so-called "experts" your Government has got. You need not accept my advice, but you can take some lessons from it instead of imagining yourselves to be extraordinarily intelligent clever and infallible.

Mr. Deputy-Speaker: I have never done that.

Dr. Jaisooriya: I used it in the impersonal sense. I am very sorry.

Thirdly, I have been always suggesting that you should convert private transport into co-operatives. As my hon. friend, Shri G. S. Musafir pointed out very clearly most of these are small men. There are three people sometimes owing one bus; they work on it as cleaners, drivers; they have sold their wives' jewels and suddenly the route is taken over. Shri Alagesan will remember that I am always for converting these people into co-operatives. Encourage it. It is indeed a very welcome sign to find the following on page 24 of the Bill:

"Provided that other conditions being equal, an application for a stage carriage permit from a co-operative society registered or deemed to have been registered under any enactment in force for the time being shall, as far as may be, be given preference over applications from individual owners."

I should like to make it a law or an emphatic principle. I would like Government to say this. We will give no license to individuals. We will not give license even to 3 or 4 people. Get together as a private company, convert yourself into a co-operative. The Government should say that unless they become co-operatives, they will give no help to them, as they have done in Pakistan. If the Central Government lays it down as a rule, at least there will be uniformity. You

can control the management by taking 10 per cent. of the shares and you can direct everything. This is what I have been saying for the last 3 or 4 years, but no State Transport authority would agree to this; because most of these States are autocratic. With the passing of this Bill, I hope things will improve. Again on page 31, I find the following:

"Provided that other conditions being equal, an application for a public carrier's permit from a co-operative society registered or deemed to have been registered under any enactment in force for the time being shall, as far as may be, be given preference over applications from individual owners."

I hope that this clause will be put into effect. I find the same thing emphasized in page 39. I have read the Bill very cursorily, but I know the problem very well and I do not require to read it also. There is the State Transport authority. This is going to be replaced by a Regional Transport authority and a Commission. I am glad of that, because there are discrepancies between the efficiency and the laws of one State and the other and though I have not read the Bill thoroughly, I think it would bring in a certain amount of uniformity. I shall be very pleased to see this brought about and I would bless the hon. Minister who has brought this Bill, but what is actually happening is that you are not making any progress, at the rate which is desirable, because of financial difficulties. If you encourage in the States these co-operative societies, these men who are interested in transport would come into it with a large amount of money and they will purchase or rent the vehicles, which the Government cannot do.

I wish once again to say that I am against the so-called corporations where financiers come in as silent partners, or as share-holders, without running it themselves. This is what I am objecting to, because there

is a danger that if you start corporations, financiers would come in to control them. So, I think the co-operative is a better thing than having a corporation with such finance. Money will be forthcoming if you encourage the co-operatives. With that we can co-ordinate the activity.

What has happened is this. The State Transport authority would only offer the *kutchra* roads to the poor fellows, which will bring no profit. They are prepared to develop that road and also the traffic if they are kept on for a certain length of time. I can say from experience that we have built up and develop certain areas. But what happens afterwards is this. After we have developed it, the Government steps in and takes it over. That is not right. India is a big, under-developed country and it will take at least 15 years to improve it. Let us remember that it is no use our country increasing its railway mileage and not road transport, and when hon. Members get up and ask when the railway in their areas is going to be doubled I think that they are talking nonsense. There is no need to increase the railway mileage under certain circumstances. So road transport is going to be our biggest item of development; it is going to be the biggest head-ache. The question will be whether we are in a position to develop automobile production on an adequate scale.

In China, they have already taken up and they are going to produce 400,000 automobiles annually by the end of five years. They have already begun the work. I do not know when we are going to begin with our automobile production. It is a matter to be discussed with the Minister of Heavy Industries and Commerce and Consumer Industries. But these are the points. The aspects to which I referred are inter-connected. You cannot have mere road development but you must have more vehicles. As it has been found out, the off take for automobiles in India terrible low. It is

hardly 17,000 per annum. At that rate, what development can you make in this country? There has to be a basic policy.

May I tell you one thing, Mr. Deputy-Speaker? Manufacturers from some countries approached me and said, "We can give you a six-wheel truck manufactured in India with all the parts found in India except a few alloys, for less than Rs. 5,000". The manufacturers have come to me and said, "We can build the Volks wagons in India and deliver them at your door for Rs. 4,000 each". But nobody is prepared to listen, because protection has been given to a favoured few and those few cannot develop this industry. It makes me sick—this so-called protection policy which we have got here.

Shri Sinhasan Singh (Gorakhpur Distt.-South): You said Rs. 8,000. But the Government is purchasing for about Rs. 40,000.

Dr. Jaisoorya: What the Governments do, does not interest me. I am giving the facts. A man came here all the way from another place but he could not get an audience with the Commerce and Industry Ministry. These are the things that happen. These are the points which we have to think of. If this Bill can solve all the problems, I shall be glad. I am very much in favour of it. It is a great step that has been taken. But I cannot comment on this Bill in detail because I say frankly that I have not studied it. But the fact remains, namely, unless you pay attention to those points that I have mentioned and to which I have drawn your attention, nothing can be done, and this enactment will remain only on paper.

पंडित ठाकुर दास भार्गव (गुड़गांव) :
जो बिल (विधेयक) आज हमारे सामने
आया है वह किसी हद तक उन सब दिक्कतों
का जवाब देता है जो आज हमारे सामने
मौजूद हैं ।

[पंडित ठाकुर दास भार्गव]

हमारे देश में बहुत पक्की सड़क नहीं हैं, कच्ची सड़कें भी बहुत थोड़ी हैं, और रोड ट्रांसपोर्ट (सड़क यातायात) ने जरूर बहुत तरक्की करनी है। आज के दिन यह सही है कि जब तक हम अपने देश में रोड ट्रांसपोर्ट के इंस्ट्रुमेंट (साधन) जैसे ट्रक्स, बसेज और मोटर कारें काफी तादाद में नहीं बनाते जोकि हमारी जरूरतों के लिये जरूरी है, उस वक्त तक यह प्राबलम (समस्या) हल नहीं हो सकता। आज भी जितनी ट्रक्स और बसेज इस देश के अन्दर चलती हैं उन का एक बहुत छोटा सा हिस्सा गवर्नमेंट चलाती है। आज पहले से एक ट्रक की कीमत आठ गुनी है। पहले एक बस चार हजार रुपये में आती थी, अब उस की कीमत ३२ या ३३ हजार रुपये है। लेकिन एक चीज साफ है कि जिन इलाकों के लिये हमारी पहली पंचवर्षीय योजना और दूसरी पंचवर्षीय योजना बनाई गई है उन में से ज्यादातर इलाके ऐसे हैं कि जहां रेल नहीं पहुंचती।

जबकि श्री बेंथल साहब का जमाना था उस वक्त जब मैं सन् १९४५-४६ में हाउस में आया तो मैं ने यहां पर यह देखा कि गवर्नमेंट तो अपनी तरफ खींचती थी क्योंकि गवर्नमेंट समझती थी कि रेलें हमारी हैं, और लोग समझते थे कि जितना रोड ट्रांसपोर्ट है, जितनी बसेज हैं वह प्राइवेट हैं और उन का गवर्नमेंट से मुकाबला है। हम समझते थे कि गवर्नमेंट उन के ऊपर अपना अस्तित्व रखना चाहती है और गवर्नमेंट रेलवे को ही तरक्की देना चाहती है।

The Deputy Minister of Railways and Transport (Shri Alagesan): I can understand the language partly. But I do not understand the figures—*bathees, thenthees*, etc. So, I shall be glad if he speaks in English.

Mr. Deputy-Speaker: The figures might be given in English.

Dr. Jaisoorya: The Minister should understand what the hon. Member says.

Pandit Thakur Das Bhargava: Today, I will certainly speak in English as the Minister desires. But I would request him at the same time—and I would rather insist—that he should also try to understand Hindi. Till such time as the hon. Minister does not understand Hindi, I shall speak—at least today—in English.

Mr. Deputy-Speaker: The Minister says he can understand the language but not the figures.

Shri Alagesan: I said I can understand the language partly and I cannot understand the figures at all.

Pandit Thakur Das Bhargava: I want to see that he understands me fully and so I will speak in English, though I cannot speak English as fluently as he does.

Shri Alagesan: The hon. Member speaks English more fluently than I do.

Mr. Deputy-Speaker: Let that dispute remain for settlement at some future time outside the House.

Pandit Thakur Das Bhargava: There was a time when the British Government, while it was here, thought that the railway was theirs and as a reaction to it, we insisted that all the buses and trucks which were privately run should belong to our country and that we should be benefited, whether the railways are benefited, or not. In those days, during 1945 and 1946, there was a great clash in the country and also in this House and everybody looked at the problem through a different standpoint. Today, the whole situation has changed. We make no difference. We want the railways to prosper. We want the railways to be very successful, but, at the same time, the circumstances of our country require that so far as road transport is concerned, it should be fully developed. I cannot

think of any time in the country when the railways will alone be able to cater to the needs of the country as a whole or that the railways will meet the full needs of the country. I think that our salvation lies, in so far as this aspect is concerned, in developing road transport and developing this new system of approach.

I find that even so far as the *pucca* roads are concerned, there are very few roads and we have to see that *kucha* roads also are developed. I have come to know—I do not know how far it is correct—that the roads in America are not all *pucca* roads and the buses and coaches that are manufactured there can also be used on the *kucha* roads. We found that the Ford buses, etc., were quite suited to the *kucha* roads also. Therefore, according to me, we will get the optimum results that we desire in this country only when there is sufficient arrangement for constructing these buses and trucks here in this country.

We find that so far as this aspect is concerned, though the Government is doing its very best, the success that it is getting is not so much as is desired. Even in the motor transport industry we do not get the desired results. Whereas these very cars, trucks, etc., are sold in the country of their origin at a very cheap rate, here, the prices are almost prohibitive. Recently, when this House discussed this matter, we were told that the prices cannot be reduced unless there is great demand, that the manufacturers complained that there is not enough demand and that they do not have enough profits. I do not know how far it is correct, but, at the same time, I am really intrigued to find that we are not progressing in this direction in the way we would like to.

I say that this is not an ancillary matter. This goes to the root of the matter. I would, therefore, beg of the Government to devote much more attention to this subject than they are doing now. We want that these things

are built in our own country and that the entire profits remain here, and at the same time, we want to see that the whole process progresses rapidly.

Coming to the transport system as it exists today, I know that so far as nationalisation is concerned, there are very few buses or trucks plying on behalf of the Government. So far as the report of the Planning Commission is concerned, their policy is that the pace of nationalisation should be slow. There are very few persons in this country who think that the entire industry should not be nationalised. We are all in favour of it. Even those who own private cars and buses—I know it for certain—are all in favour of nationalisation. But we are quite desirous and insistent to bring all the pressure that we are capable of, on the Government, to see that in this process of nationalisation the individual is not sacrificed. After all, in the socialist pattern of society where it is quite necessary that the corporate body and the Government should take charge of these industries, it is but essential that the individual also must prosper and must be allowed to live. In our fundamental rights, we have got a provision that every person should be enabled to have recourse to every kind of profession or industry. So far as individual are concerned, I am sorry to say that if the laws are being framed in such a way that individual initiative and enterprise are totally discouraged.

In this connection, I would like to draw your attention to the past history of this case. When I came into the House and later on in 1946, there was a clash of interest. At the same time, there were some Bills relating to motor transport and some Select Committee had submitted reports on those Bills. I happened to be a member of one of the Select Committees. Then the question of private buses came in. We all know the history of what happened in Bombay and elsewhere to the private owners. We also know the law in England. At that time, the Select Committee made a

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recommendation which I would read with your permission:

"There may also be cases in which certain routes at present operated by private parties may be handed over to a corporation by refusal to renew their permits. We feel that even in such cases, fair compensation is due to the displaced operators....."

The note further said:

"We note that such a provision exists in the U.K. Transport Act, 1947. We recommend that the Government should take necessary steps to examine this question with a view to see that such cases are suitably dealt with and no unfair use is made of the Motor Vehicles Act, 1939."

It is a very easy way of doing things, so far as the proposed State Transport Authority is concerned. If an entire area or route is taken into consideration and if you say that only the State Transport Authority will run buses, many operators will go out. The permits already given may be cancelled. May I humbly ask, whom are you sacrificing? You are sacrificing those persons who built up and developed these routes. They are the persons who came to the aid of the country in developing these routes. You want to take away their buses and drive them to desperation.

My humble submission is this. The proper mode in which this can be done is, you absorb all these operators and take their buses. Just as Dr. Jaisoorya suggested, ask them to incorporate themselves into co-operative societies and make them a part of your system. This is the only way in which national interests can be served. As remarked by friend, Giani G. S. Musafir, it is quite true that there is a special section in the Punjab, which has specialised in this job. They are hardy people and they have special experience in this matter. It is not just that we do not consider their claims and drive them to desperation. If a person purchases a bus or truck

for Rs. 25,000 or Rs. 35,000 and if you give him permit for three years only, he will not be able to recover even that price. What will happen to his bus? If you do not take it, it will be mere junk; he cannot sell it in the market.

Therefore, the first thing that I would like to impress upon the hon. Minister is this. If you refuse a permit to a man on a particular route in your State Transport Authority area, then the least that you should do is to give him a permit on some other route. You can make it a rule to refuse permits on certain routes only in cases in which you can accommodate the private operator by giving him permit for, say, five years on some other route. This will be some solution of the problem. I know it is not just not to allow him to ply his trade on a route on which he has been plying for long and on which he has got, not a pre-emptive right, but a right in the nature of Easement. Your rules may say that the permit is only for five years. But the human rule is that everybody should be allowed to continue in his profession in which he has specialised. Therefore, every person who has been operating on a route has got, if not a legal right, at least a moral right, to be allowed to continue operating on that route. If you do not allow it, the only thing you can do is not to use your powers under the Compensation Act, and deprive him of his property etc., but to give him permit to operate on another route. If you make it a rule that any person whose permit is not renewed will be given an alternative route, you will have brought relief at least to the tune of 50 per cent to every person.

I am just submitting for your consideration that there are two problems before you. The first is the question whether you can give some sort of compensation. The second is, you acquire the bus or give him compensation for that bus. To my mind, the trouble is not so much that you do not give him compensation. The trouble is that you do not acquire his

bus. Either you should acquire his bus at a suitable value or you should give him an alternative route. This is but pure justice. In 1950, when the Bill was there before the House, there was an amendment moved by Shri Deshbandhu Gupta. He, myself and some other Members of the House got together and he brought this amendment before the House. I will read out a few portion of it:

“39A. If—

(a) the renewal of any permit is refused to a permit-holder under the Indian Motor Vehicles Act, 1939, or

(b) any limitation or condition is imposed other than those specified in the application for the renewal of the permit, or

(c) the Road Transport Corporation decide to acquire any undertaking of any permit-holder in part only, in accordance with the provisions of this Act . . .”
etc.

This was the amendment and the principle of the amendment was accepted by Shri Santhanam, who was the Minister-in-charge. He said:

“I have already explained that in pursuance of the recommendations of the Select Committee, we have undertaken the examination of the Motor Vehicles Act. The point mentioned by Mr. Deshbandhu Gupta is certainly one of the most important points which we are examining in that connection. In fact, the question goes much farther. It is not a question of mere cancellation of permits. As a matter of fact, there have been very few cancellations of permits as such. The real problems are non-renewal, or keeping the people in a state of uncertainty by issuing temporary permits. I do agree that when persons have worked a bus for a long time and have cultivated a particular clientele, or when they have invested a lot of amount, some kind of justice has to be meted out. In what way it could

be done in our country, according to the circumstances, is a matter that we are examining. When our examination is over, that would be brought forward as an amending Bill before this House. That will be the proper time when all these amendments can be considered. Now, Sir—I can only say this theoretically—if any such amendment is accepted, besides prejudicing the prospects of this Corporation, it can very easily be avoided. For instance, a permit may not be issued in favour of a Corporation at all. Or, a permit may be cancelled, and the departmental enterprise can run the route for six months and afterwards, the Corporation may take it over, in which case, this provision can easily be avoided. It is only if all such provisions should apply in all cases mandatorily that the operators will get any kind of justice. It is no use trying to get that through the backdoor in a purely permissive legislation. That is the point that I have been trying to emphasise on my hon. friends. They admit this; but they want me to commit myself many times to the assurance.”

After this was said, I also intervened and spoke in the following words:

“After the assurance that we have elicited from the hon. Minister in charge of this Bill, I should think the matter should be allowed to rest. As a matter of fact, it is not a question of compensation as much as the mischief of non-acquisition. As soon as a bus is refused permit, or a permit is not renewed, the difficulty of the operator is that he is left with his bus if it is not acquired. I can understand, under the provisions of the Motor Vehicles Act, there may be cases in which permits are refused on grounds which are not in any way favourable to or which do not relate to any interest in the Corporation. The

[Pandit Thakur Das Bhargava] broad question remains whether in all cases in which a permit is refused, the operator is to be compensated or not."

"He may be compensated or he may not be compensated. After all, it can be argued that a permit was given for a specific period of time, and that time having expired, it is no longer inherent in the operator to demand that he should be given a certain compensation. Ordinarily we see that a permit is renewed if there is no default with the operator and in ninety nine cases out of hundred, when the permit will be refused, it will be done in favour of the Corporation. Therefore, my humble submission is, when the new legislation comes, as the hon. Minister has promised, that would be good time when all these principles could be gone into and we could evolve some sort of a formula by which justice could be done to the operators."

I requested my hon. friend to withdraw the amendment on the basis of the assurance given by the hon. Minister. I have studied the proceedings of the present Joint Committee. On a certain occasion, a decision was taken that compensation will be given in the case of non-renewal also. I do not know what subsequently prevailed with the Joint Committee. They have now made it a rule that so far as non-renewal is concerned, no compensation will be given. The only reason given is this. When permits are cancelled or when the conditions are modified, the Joint Committee say that they have enhanced the rate of compensation. Because these rates have been enhanced, they are not giving compensation in the case of refusal of renewal. This is robbing Peter to pay Paul. I do not understand the logic. In the case of refusal of renewal, the difficulties are such that the man is without any remedy. Even if it is cancelled or there is a modification, for some time, the man is

allowed to ply his bus or truck. What happens to the man to whom renewal is refused? He is in a worse position. I should think that he is the man who should be given compensation. I understand the low rate of compensation if the truck or bus is not acquired. That is Rs. 400 in the minimum. A person may be given a permit today. After six months, may be, it is cancelled. He cannot recover even part of the cost. Even if the whole thing goes on for all three years, it is tantamount to Rs. 7000. You have to make a choice between Rs. 7000 and 400. The only course open to him is to go somewhere else and try his luck. This is not the way in which persons who are having a truck, ordinary people who own one bus,—sometimes, one bus is not owned even by one man—should be driven to such desperation.

What we should do is like this. In cases where you cancel or modify the terms or when you do not renew it, it must be the bounden duty of the Government to see that some alternative route is given so that he may be able to recover the price of his bus as well as earn his living. Government is not in a position to do it. After all, the country is so vast. The transport routes to be opened are so many that Government can certainly accommodate all these people. Even then, I should say that they will be doing pioneer work in this country. There are thousands of routes which are not yet opened. If these people are given these routes, we will gain both ways. First of all, we do not deprive these gentlemen of their right to compensation and user of their property. On the other hand, we will see that the country will be opened up. The people will bless the Government. I know in my backward district, people desire that buses may be run. The people will also bless the Government that after such a long time at least, buses have come, because they do the work in hours, a work which was done by the bullock carts in days. In both ways, we will be benefited. When all these routes are opened, the country will progress.

My humble submission is this. I want two things. First of all, in case of refusal of renewal, proper compensation should be given, because, after all, you are taking away what was his business before that time. After all, when you give a permit for five years or three years or two years, it is your own sweet will. Everybody is in your clutches and you can do whatever you like. If a person is given a three year permit, he cannot recover the price of the bus. He cannot do anything if you do not give him a permit. Nothing but justice requires that you should make your rules in such a way that nobody is deprived of his just dues. It is deprivation of the just dues of a man if you do not acquire the property and do not give him a route. If you do not give a route or acquire his property, what happens to the bus? It is all national property though it is individually owned. We cannot allow this national property to be wasted. I can understand your giving preference to the State Transport Authority. At the same time, I do not understand how you can be justified in not looking to the interests of these poor people, you can say, middle class people, and depriving them of their property. It is deprivation of property if you do not allow him to use it in the way he likes to use it. All these land routes belong to the people of this country. We have defined our formula in the Constitution. We have said that we want individual dignity and unity of the nation. You have to develop individual things and corporate things. You will have corporate things. I love corporate effort. It is all right that you make efforts to see that the people have co-operative property. But, at the same time, I do not think that you can have a rule like this unless you violate the basic principles of the Constitution. It may be that now the law allows you to have a monopoly of this kind. I do not object to that. At the same time, you must realise that we have stated it as a fundamental right that every Indian citizen was entitled to have any profession whatsoever. You are depriving all these people of the 502 LSD.—

profession that they have been doing for long. There is no reason why they should be deprived of this you do not also look after their essential interests. I do not make any difference whether they come from Punjab or some other part of the country. I am anxious for the citizens of this country. If they happen to come from Punjab, I must show at least equal anxiety. It is not a matter of Punjab or any other part of the country. It is not only in Punjab that private enterprise is going on. I submit on behalf of all persons who ply their buses and use them for earning their livelihood. You have to look after their interests. When you have the State Corporation or State Transport Authority, these persons should be allowed to have their own individual profession and should not be made only the conductors. Let them enjoy the profits and the dividends that they earn from the investment. In respect of both these matters, notice of amendments has been given. They will come up in the course of the discussions. I would request the hon. Minister kindly to consider them sympathetically. Compensation is one thing. What I want to emphasise is, the consequences of non-acquisition are much more serious than the consequences of not giving compensation. I would beg of him either to compensate them or to make it a rule that in all such cases, alternative route should be given for 5 years.

In the case of trucks also, the difficulty will be the same. You give routes to these people for 5 years. In case you cannot do it, acquire their buses and give them good compensation. There is a proposal that for finding out what the compensation should be, there should be a tribunal. You may do anything that you like. I know we have changed the rule regarding compensation. Yet, the Prime Minister and the Member in Charge stated that they did not want to victimise the people in giving compensation, and that they will be quite fair. I think our Government which is wedded to a socialistic pattern of society

[Pandit Thakur Das Bhargava]

will not deprive the people of their property and belongings. Give fair compensation. In case that is not done, give them alternative routes for five years, even if it be in other provinces or routes, etc. I would, therefore, plead with all the emphasis at my command that he will kindly consider the suggestions sympathetically and do the right thing by these private owners.

श्री राजा राम शास्त्री (जिला कान-
पुर—मध्य) : उपाध्यक्ष महोदय, मैं इस विधेयक का जोकि सदन में प्रस्तुत किया गया है, स्वागत करता हूँ। सिलैक्ट कमेटी (प्रवर समिति) ने इस बिल में जो जो सुधार किये हैं उन का आम तौर से इस सदन में स्वागत किया गया है। मैं तो सब से पहले माननीय उपमंत्री का ध्यान एक बात की तरफ दिलाना चाहता हूँ और वह यह है कि यह तो आप मानेंगे कि इस व्यवसाय की अगर उन्नति करनी है, इस को आगे ले जाना है तो इस में कर्मचारियों का सहयोग प्राप्त करना बहुत ही आवश्यक है। मैं यह चाहता था कि जिस समय यह विधेयक इस सदन के सामने पेश किया जाये उस में बहुत से कर्मचारियों की जो उम्मीदें हैं, उन को भी पूरा करने का प्रयत्न किया जाये। उन को यह आशा थी कि इस कानून को इस ढंग से बदला जायेगा जिस से उन की जो मुमीबतें हैं उन में कुछ कमी होगी और उन के सम्बन्ध में भी कोई चर्चा इस बिल में होगी। पिछली बार जब इस विधेयक पर इस सदन में वाद-चिवाद हुआ था उस वक्त जहाँ तक मुझे याद पड़ता है माननीय मंत्री जी की ओर से यह आश्वासन दिया गया था कि हम बहुत जल्दी इस बात की कोशिश करेंगे कि कर्मचारियों की दशा में भी सुधार हो। मैं नहीं जानता कि वे कौन से कारण हैं जिन को ध्यान में रखते हुए उन्होंने ने कर्मचारियों की दशा के सुधार के बारे में कोई दफायें (धारयें) इस बिल में नहीं जोड़ी हैं। मैं उम्मीद

करूंगा कि जब माननीय मंत्री महोदय इस बहस का जवाब दें उस वक्त कम से कम इस बात का आश्वासन दें कि कर्मचारियों की दशा सुधारने के सम्बन्ध में वह कोई बिल कब तक लाने वाले हैं।

13.42 hrs.

[Pandit Thakur Das Bhargava in the Chair]

दूसरी बात मैं यह कहना चाहता हूँ कि जहाँ तक काम के घंटों का ताल्लुक है आप ने उस में किसी तरह की भी कोई कमी नहीं की है। मैं महसूस करता हूँ कि गवर्नमेंट शायद यह विश्वास किये हुए है कि मोटर ड्राइवरों इत्यादि के लिये जो नौ घंटे काम करने की बात है वह पर्याप्त है। मैं समझता हूँ कि आप का ऐसा समझ कर बैठे रहना उन के प्रति एक बहुत बड़ा अन्याय है। आप भ्रंदाजा लगा सकते हैं कि जब एक मोटर ड्राइवर लगातार नौ घंटे तक मशीन पर बैठ कर काम करता है तो उस को कितनी परेशानी होती होगी। आप यह भी समझने की भूल मत कीजिये कि वह केवल नौ घंटे बैठ कर ही काम करता होगा। जहाँ तक मुझे पता चला है और जहाँ तक मैं ने पूछ-ताछ की है, मैं कह सकता हूँ कि इस व्यवसाय के अन्दर मालिकान उन से कई घंटे ज्यादा और भी काम लेते हैं। इस का नतीजा वही निकलता है जो अक्सर निकला करता है। लगातार कितने ही घंटे उन से काम लिया जाता है, उन को अवकाश नहीं दिया जाता है और उन को मजबूर किया जाता है कि वे और काम करते जायें। न कोई ओवर टाइम (अधिक समय काम करने का मत्ता) की व्यवस्था होती है और न काम के घंटों पर ही कोई नियंत्रण होता है। आप मालिकों के ऊपर कर्मचारियों को छोड़ देते हैं और वे जैसा चाहें उन से काम लेते हैं और जितने घंटे चाहें काम लेते हैं। तो इन सब बातों की तरफ ध्यान देना आप का फर्ज

है लेकिन बड़े खेद के साथ मुझे यह कहना पड़ता है कि आप ने इस ओर कोई ध्यान नहीं दिया है ।

गवर्नमेंट की ओर से अक्सर यह कहा जाता है कि वह व्यवसायों का जो प्रबन्ध है उस को ठीक तरह से चलाना चाहती है और चाहती है कि कर्मचारियों का हर तरीके से उस में सहयोग प्राप्त किया जाये । आप ने इंटर स्टेट ट्रांसपोर्ट आथोरिटी (अन्तर्राज्यिक परिवहन प्राधिकार) बनाई है जो इस बात की देखभाल करेगी कि विभिन्न राज्यों के बीच किस तरीके से इस व्यवसाय का संचालन हो । मैं पूछना चाहता हूँ कि क्या यह मुनासिब नहीं था कि इस व्यवसाय के अन्दर जो काम करने वाले लोग हैं उन का भी कोई प्रतिनिधित्व इस में हो । हम केवल एक बात पर जोर देना चाहते हैं और वह यह है कि जिन सिद्धान्तों का इस सदन के अन्दर प्रतिपादन किया जाता है जिन सिद्धान्तों का जिक्र आप अपनी पुस्तक-पुस्तिकाओं में करते हैं, जिन सिद्धान्तों का आप दुनिया भर में ऐलान करते हैं और जब आप यह कहते हैं कि प्रबन्ध के अन्दर कर्मचारियों को भी हिस्सा दिया जाये, तो जब वह चीज सामने आती है उस में आप इस को स्थान नहीं देते हैं और इसे व्यवहार में परिणत नहीं करते हैं । मैं नहीं समझ पाया हूँ कि क्यों गवर्नमेंट ऐसे मामलों में चुप रहती है । तो मैं यह कहना चाहता हूँ कि जो आप इंटर-स्टेट ट्रांसपोर्ट आथोरिटी बनायें, उस में केवल अफसरों के ही प्रतिनिधि न हों, बल्कि इस व्यवसाय में जो काम करने वाले हैं उन को भी इस के अन्दर प्रतिनिधित्व मिलना चाहिये ।

जो जर्मनि बगरह होते हैं उस की तरफ भी मैं गवर्नमेंट का ध्यान आकर्षित करना चाहता हूँ । गवर्नमेंट ने सञ्चयों तो बढ़ा दी हैं, जुमाने तो बढ़ा दिये हैं लेकिन जब मैं कल माननीय रेल मंत्री जी का भाषण सुन रहा था उस में उन्होंने वे इस बात

पर बल दिया था कि सञ्चयों देने से ही डिसिप्लिन (अनुशासन) पैदा नहीं होता । अगर हम डिसिप्लिन लाना चाहते हैं तो उस के लिये हम को अपनी मनोवृत्ति को बदलना होगा, हम को अपने कर्मचारियों के प्रति अपने व्यवहार को बदलना होगा—

पंडित क० ब० शर्मा (जिला मेरठ-दक्षिण) : मिठाइयां खिलानी चाहिये ।

श्री राजा राम शास्त्री : उन की गर्दनों को काट दीजिये और डिसिप्लिन आ जायेगा । आप सञ्चयों तो बढ़ा देते हैं लेकिन बकिंग कंडिशन (काम की परिस्थितियों) के बारे में कोई बात नहीं करना चाहते हैं । तो सञ्चयों के बारे में मैं एक बात कहना चाहता हूँ जिस को आप देखें और इस के अन्दर लायें । वह यह है कि अगर कमी ड्राइवर से गलती होती है तो इस का जरूर पता लगाने की कोशिश की जानी चाहिये कि क्या वह गलती ड्राइवर से हुई है या मालिक ने कोई ऐसी चीज नहीं की जिस की वजह से गलती हुई है । मान लीजिये कि रिन्यूअल (नवीकरण) जिस की कंडिशन (शर्त) परमिट के साथ होती है कराना चाहिये । उसे अगर वह नहीं कराता है और उस की वजह से पकड़ा जाता है तो मेरी समझ में नहीं आता कि ड्राइवर क्यों सजा पाये । जो काम मालिक को करना चाहिये था और उसे उस ने नहीं किया है तो इस की सजा उसे मिलनी चाहिये न कि ड्राइवर को । उस बेचारे का क्या फसुर है ।

इस में कोई शक नहीं है कि इस व्यवसाय में जो काम करने वाले हैं वे बहुत बड़े धनी आदमी नहीं हैं, वे साधारण श्रेणी के लोग हैं जिन्होंने ने अपना पेट काट कर और पैसा बचा कर इस व्यवसाय में लगाया है । आज हमारे देश में राष्ट्रीयकरण की मांग जोरों पर है । हम भी राष्ट्रीयकरण चाहते हैं । लेकिन साथ ही साथ हम यह भी चाहते हैं

[श्री राजा राम शास्त्री]

कि राष्ट्रीयकरण ऐसे ढंग से किया जाये जिस से कि अधिकाधिक वर्गों का सहयोग हमें प्राप्त हो ताकि देश के उद्धार के काम में हम सब का सहयोग प्राप्त कर सकें। अगर हम ने राष्ट्रीयकरण इस ढंग से किया जिस से कि उस व्यवहाय में काम करने वाले लोगों की यह धारणा बन जाये कि उन का सर्वस्व लुट रहा है तो मानी हुई बात है कि इस से कोई फायदा नहीं होगा। कम्युनिस्ट (साम्यवादी) देशों में भी राष्ट्रीयकरण होता है और दूसरे देशों में भी। लेकिन इस में एक अन्तर है। कम्युनिस्ट देशों में तो जो कुछ उन्हें करना होता है उसे वह जबर्दस्ती कर लेते हैं और किसी के भी हितों की परवा नहीं करते। लेकिन हमें इस तरह से नहीं करना है। आप को यह देखना है कि जिस व्यवसाय का आप राष्ट्रीयकरण करना चाहते हैं उस में काम करने वाले लोग यह महसूस न करें कि उन से उन का सर्वस्व छीना जा रहा है। यह मानी हुई बात है कि उन का सहयोग भी हमें मिलना चाहिये। तो जितना भी वाद-विवाद इस सदन के अन्दर हुआ है उस में इसी बात पर ज्यादा जोर दिया गया है कि इस व्यवसाय में काम करने वाले छोटी श्रेणी के जो लोग हैं वे यह महसूस न करें कि आप की नीति के कारण उन का सर्वनाश हो जायेगा। उन का सर्वनाश नहीं होना चाहिये। मैं गवर्नमेंट की नीति को समझ नहीं पाया हूँ। आप केवल रोड ट्रांसपोर्ट (सड़क परिवहन) को ही नेशनलाइज (राष्ट्रीकृत) नहीं कर रहे हैं। आप ने एयर (वायु यातायात) को भी नेशनलाइज किया है, इन्श्योरेंस (बीमा) को भी नेशनलाइज किया है, इम्पीरियल बैंक को भी नेशनलाइज किया है। लेकिन इन के नेशनलाइजेशन में और रोड ट्रांसपोर्ट के नेशनलाइजेशन में जो आप ने एक अन्तर किया है वह मेरी समझ में नहीं आया है। आप ने एक सी नीति क्यों

नहीं बरती है, इस का मुझे पता नहीं। हाँ एक बात तो जरूर है कि एक तरफ तो आप लखपतियों से डील (के सम्बन्ध में कार्यवाही) कर रहे थे और दूसरी तरफ आप साधारण श्रेणी के लोगों के साथ डील कर रहे हैं। उन के इंटिरेस्ट्स (हितों) को तो आप ने अच्छी तरह से सेफगार्ड (सुरक्षित) किया है लेकिन इन के इंटिरेस्ट्स को अच्छी तरह सेफगार्ड नहीं कर रहे हैं। जब बसों के नेशनलाइजेशन का सवाल आता है जिन में कि तीन तीन और चार चार आदमी एक एक बस धीन (स्वामित्व) करते हैं तो आप दूसरी नीति का अनुसरण करें, क्या यह सही बात है। अगर आप ने रोड नेशनलाइजेशन किया और उन के जो एसेट्स (आस्तियाँ) हैं उन को नहीं लिया तो इस का क्या नतीजा होगा, इसे आप जानते ही हैं। हाँ, एक बात जरूर है और वह यह कि दूसरी जगह जब आप नेशनलाइज करते हैं वहाँ पर आप का मुकाबिला लखपतियों और करोड़पतियों से होता है और उन के एसेट्स को भी ले लिया जाता है लेकिन जब छोटे छोटे लोगों, छोटे कर्मचारियों, बस अप्रेंटरों (चालकों) की बसेस लेने का सवाल आता है तो उस वक्त जो जायब मांग भी की जाती है उस को भी आप नहीं मानते हैं। सब बात तो यह है कि अगर आप रिन्यूअल (नवीकरण) नहीं करते हैं, दूसरा रूट (मार्ग) आप उस को नहीं देते हैं और उस की बस को आप लेना चाहते हैं तो जो माफिट वल्यू (बाजार मूल्य) हो, ज्यादा मत दीजिये, माफिट वल्यू जो कुछ हो उस के हिसाब से उस को उस की कीमत दे दीजिये। अब सवाल यह रह जाता है कि माफिट वल्यू कौन ठिसाइड (निश्चित) करे। इस के लिये आप कोई ट्रिब्यूनल (न्यायाधिकरण) बिठा लीजिये या कोई अदालत बिठा लीजिये और जो भी फैसला हो उस को मान लीजिये। आखिर जब दो व्यक्तियों में झगड़ा होता है, किसी चीज के बारे में

मतभेद होता है तो उस को तय करने का सीधा कायदा यह है कि एक ट्रिब्यूनल बिठा दिया जाये और जो भी फैसला वह कर दे उस को दोनों ही मान लें। इस केस में जो भी फैसला हो उस को गवर्नमेंट भी माने और जो अप्रोपेटर हैं वे भी मानें। ऐसी कोई भी बात नहीं मांगी जा रही है, जोकि अनहोनी हो, जिस को मानना कठिन हो और जो गवर्नमेंट पूरी न कर सके। मैं गवर्नमेंट का ध्यान इस बात की तरफ दिलाना चाहता हूँ कि सिलेक्ट कमेटी की मीटिंग्स में एक तरह का ट्रेन्ड (रुझान) चल रहा था। बाज़र दफ़ा ऐसे काम हो जाते हैं, जिन के सम्बन्ध में बड़ा भाश्चर्य होता है। शुरू से एक ट्रेन्ड चला आ रहा था, लेकिन आखिर में उस नीति को बदल दिया गया। ऐसा क्यों किया गया? गवर्नमेंट को इस सम्बन्ध में कोई बजूहात, कोई आर्ग्युमेंट्स (तर्क) पेश करनी चाहियें कि जो ट्रेन्ड पहले चला आ रहा था, गवर्नमेंट ने उस को क्यों बदला।

इस के बाद एक और बात की तरफ मैं गवर्नमेंट का ध्यान दिलाना चाहता हूँ और अगर वह उस को कर सके, तो शायद ज्यादा अच्छा होगा। जिस वक़्त आप किसी इंडस्ट्री (उद्योग) का राष्ट्रीयकरण करते हैं, उस में जो प्राइवेट ओनर्स (निजी मालिक) हैं, अगर किसी तरीके से आप उन को अपने ही सिस्टम (प्रणाली) में एंसिमिलेट (मिला) कर सकें, तो मेरा अपना ख्याल यह है कि काम ज्यादा सुचारु रूप से हो सकता है। कुछ दिन पहले मैं इस बात का ध्यान कर रहा था कि चीन में पूंजीवाद को किस तरीके से समाजवाद की ओर ले जाया गया। चीन में स्टेट इंडस्ट्रीज़ (राज्य उद्योग) और प्राइवेट इंडस्ट्रीज़ (निजी उद्योग) के अतिरिक्त स्टेट प्राइवेट जायंट एन्टरप्राइज़ (राज्य-निजी संयुक्त उपक्रम) प्रारम्भ किये गये, जिस से प्राइवेट ओनर्स को भी अपने बीच में ले लिया गया। वहाँ गवर्नमेंट ने

पूँजीपतियों से यह समझौता कर लिया कि उन्होंने जितना कैपिटल (पूंजी) लगाया हुआ है, उस पर उन को व्याज दिया जायेगा और मुनाफे में से भी उन को कुछ हिस्सा मिलेगा। इस का नतीजा यह हुआ कि उन लोगों के दिलों में भी वह ख्याल पैदा हुआ कि अगर एन्टरप्राइज़ ठीक तरीके से चलता रहे और कामयाब रहे, तो उन का रुपया मारा नहीं जायेगा और उन की इनकम (आय) एश्योर्ड (सुनिश्चित) रहेगी। इस प्रकार गवर्नमेंट को उन लोगों का पूरा सहयोग, सहानुभूति और सहायता प्राप्त हो गई।

शंघाई में मैं एक बड़े मिल-मालिक से मिला। वह एक बड़ा भारी मिल-मालिक था। मैं यह सोचता था कि अपना राज्य तो उन्होंने बहुत समय से देखा है, अब कम्युनिस्टों के राज्य में उन का दिमाग कैसे काम करता है। मैं ने उस मिल-मालिक से पूछा कि कम्युनिस्टों के राज्य में आप क्या महसूस करते हैं। उस ने कहा कि पहले हमारा आपस में बड़ा लड़ाई भगड़ा होता था और बड़ी परेशानी थी, मजदूरों में डिसिप्लिन रखना पड़ता था, उन को सजा देनी पड़ती थी, हमारे सामने कई प्रकार की समस्याएँ थीं—रा मँटीरियल (कच्चा माल) कहां से लें, अपना माल कहां बेचें, इत्यादि। लेकिन अब—उस ने कहा—गवर्नमेंट के साथ हमारा सहयोग होने का नतीजा यह है कि हमारी तमाम पूंजी बरकरार रही है, हमारा मुनाफा बाँध दिया गया है, जो सामान हम पैदा करते हैं, उस को गवर्नमेंट खरीद लेती है, रा मँटीरियल गवर्नमेंट देती है, डिसिप्लिन कायम करना मजदूर यूनियनों का काम है, अब हम अपने आप को पहले से ज्यादा प्रोटेक्टिड (सुरक्षित) फील (अनुभव) करते हैं और गवर्नमेंट को पूरा सहयोग देते हैं।

मैं गवर्नमेंट से कहना चाहता हूँ कि अगर उसे इस देश में वास्तविक अर्थों में राष्ट्रीयकरण करना है और कोई केओस

[श्री राजा राम शास्त्री]

(अव्यवस्था) पैदा नहीं करने हैं, तो उस को सब सम्बन्धित लोगों में यह भावना पैदा करनी होगी कि उन के हित सब प्रकार से सुरक्षित रहेंगे और उन को भी इस में फायदा होगा। इसी अवस्था में आप उन का अधिक से अधिक सहयोग लेने में सफल हो सकेंगे। इस बात का प्रयत्न करना चाहिये कि बसों के मालिकों और काम करने वालों दोनों को इस बात का विश्वास दिलाया जाय कि राष्ट्रीयकरण से उन को किसी प्रकार की हानि नहीं होगी और उन दोनों के हित सुरक्षित रहेंगे। कर्मचारियों के काम की दशा की तरफ आप को विशेष रूप से ध्यान देना चाहिये जिस वक्त आप लायसेन्स (अनुज्ञप्ति) दें, उस वक्त इस बात की कुछ न कुछ व्यवस्था जरूर करें कि कर्मचारियों के लिये उचित प्रकार की सर्विस कंडीशन्स (सेवा की शर्तें) रखी जायेंगी। अगर कोई फ्रैक्टरी खोलना चाहे, तो आज वह जमाना नहीं है कि रुपया लगा दिया और फ्रैक्टरी खोल दी और कर्मचारियों के साथ चाहे जैसा व्यवहार किया। आज पेमेंट (भुगतान), कम्पेन्सेशन (प्रतिकर), प्राविडेंट फंड (भविष्य निधि), स्टेट इंशोरेंस (राज्य बीमा) इत्यादि कितनी ही बातों की व्यवस्था है और कई प्रकार के मजदूरों के कानून बने हुए हैं, जिन से मजदूर प्रोटेक्टेड होते हैं। इसलिये इस बात की बड़ी आवश्यकता है कि इस व्यवसाय में लाइसेन्स देते वक्त बकिन्ग कन्डीशन्स भी निश्चित कर दी जानी चाहियें। जब तक इस प्रकार का कोई बिल न लाया जा सके, तब तक, माननीय मंत्री से मेरी यह दरखास्त है, पेमेंट आफ वेजेज (मजदूरी भुगतान) और दूसरे कानून जो मजदूरों के सम्बन्ध में बने हुए हैं, उन के अनुसार ही कर्मचारियों के साथ इस व्यवसाय में भी व्यवहार किया जाय और वे कानून उन पर भी लागू किये जायें। अगर आप जनता, मालिकान और कर्मचारियों के हित को ध्यान में रखते हुए इस कानून को लागू

करेंगे तो देश का भी कल्याण होगा और आप का काम भी आसान होगा।

इन शब्दों के साथ मैं इस विधेयक का स्वागत करता हूँ, क्योंकि जिस रूप में यह सामने आया है, उस को भी मैं एक कदम आगे समझता हूँ।

Shri V. B. Gandhi (Bombay City—North): We welcome this Bill and we are glad that it has at last come before us, and it has come from the Joint Committee in a greatly improved form.

I shall just try to say a few words on the question of compensation. In other words, I shall deal with clause 62 which contains the sections that provide for compensation. I would begin by saying that this House should adopt a bias towards being not only fair to the operators but also being just and even a little generous. I hope the old issues or the old cries of helping capitalists and of exploiting the poor man, cries which were raised at the time we nationalised the airlines, will not be raised on this occasion, for we all know that a vast majority of the private operators are small men or small operators or men with small means. The Planning Commission estimates that about 95 per cent. of these private operators are small investors, and therefore, we ought to look at this question of compensation with this thing in mind.

The Joint Committee has done well in liberalising and increasing the rate of compensation, but this increased rate is going to be paid only in cases where the permit is cancelled or where the permit is modified or restricted, but the Joint Committee has not thought fit to agree to pay any compensation in cases where the permit is not renewed.

Under section 68F (2) (a), we empower the Regional Transport Authority to refuse to entertain an application for the renewal of a permit.

Then again, in section 68G (3), we say that

'no compensation shall be payable on account of the refusal to renew a permit under clause (a) of sub-section (2) of section 68F'.

Now, with this power, it is very clear that if we do not want to pay compensation to an operator on a line which Government proposes to acquire or has the intention of acquiring, Government will start, by refusing the renewal of the permit. I am informed that resort has been had to this practice in a number of cases by the States. I think it is rather not only not fair, but I would even say, it is rather mean.

We can understand that an operator who accepts a permit for a certain limited term ought not to expect compensation after the term is over; in other words, we can understand that he is not entitled to claim compensation after the term is over. Still, we should also accept, and we can also understand that it is only fair that the operator is entitled to expect that under normal circumstances, and if there is no fault on his part, the permit will be renewed in his favour. Now, if we agree to this position that even though he is not entitled to claim compensation, he certainly is entitled to expect that under normal circumstances, the permit would be renewed, then, of course, we can see the justification for having to come to another decision, a decision different from what the Joint Committee has come to. I should think that at least where the renewal of a permit is refused and immediately after a short interval the State comes in and takes over the route, it is clear that the motive for refusing the renewal on the part of the State was to deprive the man of his trade, the continuation of his operation and of any compensation to him. I think that is not fair. Could we not do something? Could we not, for instance, say that if a permit is refused renewal, and if, within, say one month, or three months of such

renewal, the State takes over the route, that original operator should be considered eligible for payment of compensation.

14 hrs.

Dr. Rama Rao: May I ask the hon. Member whether it is his intention to penalise the State for having given permit for four or five years?

Pandit K. C. Sharma: Penalise the tax-payer.

Shri V. B. Gandhi: If he will permit me to finish he will understand my approach.

Sardar A. S. Saigal: He is not understanding yet.

Shri V. B. Gandhi: The objective behind this Bill is not just to see how cheaply nationalisation of road transport can be brought about, but the objective also is to see how cheaply and adequately transport can be provided to the community jointly by the State-operated corporations and by private operators. That is the larger problem before us, because we know that today the State is not in a position to undertake the enormous burden of providing the entire transport needs of the community, and the private operator has still a place and a very significant place in the scheme. We are informed that as compared to about 10,000 buses at present being operated by nationalised agencies, something like 36,000 buses are still being owned and operated by private operators. If for such a very large part of the transport service we have to depend upon the private operator, it is only wisdom that we arrange things in such a way that the necessary investment will come forward and the necessary number of entrepreneurs will also come forward.

Then there is another aspect. After all when we are having all these big development schemes and nationalisation schemes in which public funds are being employed in increasing volume, we do want to encourage the

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small investor, the small saver. From actual statistics it is known that these small operators draw upon the resources of small savers, small investors; that saves the State from having to produce funds for the service which these small investors are willing to take over, provided fair conditions are made possible.

Just a word about acquisition. Acquisition of the property and assets of the operators has not been provided in the Bill. I think it is a good thing. There is nothing inherently wrong in providing for payment of compensation for acquiring the property and assets of operators whose permit has been cancelled. Such a provision already exists in the United Kingdom Transport Act of 1948. But under the circumstances existing in this country, there would be certain difficulties. Of course, I personally would not mind if some fool-proof and just method of valuation and some impartial machinery for such valuation could be created. I would not mind retaining a provision for acquisition of property and assets. But that does not seem to be quite such an easy thing in the circumstances we have in this country.

Here the House may be reminded of the Public Accounts Committee's Twentieth Report in which a very graphic description, or graphic account is given of the way the property and assets of the Gwalior and Northern India Transport Company were acquired only just a few years ago. The whole process was wasteful and a number of undesirable features were connected with the procedure of valuation of the property and assets. It may be of interest to the House to know that out of some 210 vehicles that were acquired after paying compensation, 62 of those vehicles were off the road, were unfit, for service in less than one year. In fact, 43 per cent. of the vehicles were out of commission within one year and another 15 per cent. were out of commission in the next year, that is 60 per cent.

of the vehicles for which compensation was paid according to the methods of valuation to the former proprietors were unfit for service. These things can happen. Usually, in the case of provisions for acquisition, there is always a clause saying that all assets will be acquired. That is a great inconvenience in many cases, because under such a provision one has to acquire even scrap, even though you may acquire it at scrap value. For all these reasons, I am not prepared to press the point of including a provision for acquisition in these cases. However, something can still be done to keep the private operator interested, since, as I said, for a very large and significant portion of our transport needs, we have to depend on him and we can do that in various ways.

We can, for instance, increase the term of his permit. We can afford other facilities and, in short, see that the conditions of remuneration for the private operator and the small investor are improved. In other words, we can liberalise all these circumstances connected with his trade and keep him interested. And it is very clear that for some time yet we shall need the private operator; we cannot do without him.

Finally, I would just like to say one word about one recommendation of the Joint Committee. That is with regard to clause 41. The Report says:

"The Committee are of the opinion that while considering applications for stage carriage permits, the Regional Transport Authority should, other conditions being equal, give preference, as far as may be, to registered co-operative societies over individual operators. A suitable proviso has accordingly been inserted".

Now, nobody can take any exception to a proposal of this kind. We all want to help registered co-operative societies. I am not certainly against it; nobody can be. But I want to

place my own difficulty before the hon. Minister. I hope he will clear it in his reply.

Now when we talk of co-operative societies in any service, we refer to those who provide the service and those who consume the service. Usually, a large part of the consumers have to be people who are themselves interested in the side that provides the service. Here I am afraid what we may call by the name 'registered co-operative society' will, in the final analysis, turn out to be just another limited company, because I do not see how consumers are going to be the people who would also be interested in the side that provides the service. This is just a personal difficulty.

With these few remarks, I wholeheartedly support the Bill.

Pandit K. C. Sharma: I am grateful to you, Sir, for the opportunity given to me to participate in this debate. This is a very important Bill and I congratulate the hon. Minister on bringing it forward at an early date.

It is a fact that ours is a backward country. One very important—and very unfortunate—fact that keeps it within the category of backward countries is the lack of transport. Also there is the fact of lack of goods to be carried. But even if goods are there, still transport is lacking. This is bad, and for some time to come every source, private or public, has to be encouraged to provide enough transport to carry goods and to meet the necessary demand for growing transport facilities

Much has been said—and particularly my attention has been drawn to the remarks of my hon. friend to my right—about the workers and the operators of the vehicles. I stand for increasing facilities of transport and I greatly feel the need of adding to those facilities. But I do submit with all the emphasis at my command that, facilities or no facilities, under no circumstances should passenger transport facilities be left in private hands.

It is one thing to avail of the facilities; it is another thing to operate with some kind of minimum dignity to the Indian women or the Indian citizen. It is impossible to expect that dignity and that decency from this class of private operators who carry passengers.

My hon. friend is very fond of the worker. But let us know what that worker is, what is his capacity and how he behaves. Every minute he commits acts of crime against women, against children—against passengers. He kicks them, he assaults them and he abuses them. Who is responsible for this? My hon. friend stands up and talks as if he has no responsibility towards human decency; he simply goes for vote-catching and for cheap popularity. It is an impossible condition. I have gone through all these public vehicles which carry passengers. I do not say that their behaviour is anything but dignified. Daily they commit crimes against women; they abuse them, they kick them, they assault them. Who is responsible for this?

Dr. Rama Rao: What are the Government doing?

Pandit K. C. Sharma: It is you who encourage them.

Dr. Rama Rao: On a point of order.

Pandit K. C. Sharma: I am not giving way.

Mr. Chairman: The point of order has to be heard.

Dr. Rama Rao: The hon. Member said that workers assaulted them and kicked them. I interrupted and asked what the Government were doing. Then he said that I encouraged them.

Mr. Chairman: Order, order. The hon. Member did not mean Dr. Rama Rao personally. He only said that those who advocated a certain plea and spoke in favour of those people were responsible, not Dr. Rama Rao personally. Dr. Rama Rao cannot be found everywhere—in Meerut, in

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Punjab and elsewhere. So he cannot be expected to encourage all those people.

Dr. Rama Rao: I am sorry the position is made worse.

Mr. Chairman: He did not mean Dr. Rama Rao personally.

Pandit K. C. Sharma: My hon. friend is unnecessarily super-sensitive.

So with these observations I do submit that so far as passenger transport is concerned, it should be a State monopoly. I understand that it would be difficult for the State to provide the necessary facilities easily and in the near future. I understand the difficulty that the average citizen has to encounter. But that difficulty is much less than the indignity one has to suffer. So on no account should passenger transport be left in private hands. Otherwise, it will be simply going too far. There is no sense in expecting that necessary decency and that human behaviour from them. That is the demand of the time, that is the demand of the ordinary citizen.

Therefore, you may do anything in respect of the transport of goods. You may give enough scope so far as goods traffic is concerned. You encourage them. I do not mind even if the State gives subsidies to them. I think under no circumstances will railways be able to carry all the goods that would be required of them in the Five Year Plan period. So transport of goods by road is necessary and should be encouraged. But so far as passenger transport is concerned, it should be a State monopoly. Why? Because the State employee undergoes certain training. He realises his responsibilities. He can be taken to task. He has to undergo certain training for courtesy for meeting his obligations. He has a sense of responsibility as a public servant. The private man is neither a permanent hand, nor a person with any responsibility in this regard whatsoever. So far as this

taking over of the assets from the individual who is refused the licence is concerned, it is a national asset and it should be taken on proper payment—whatever its price is in the open market.

I do not understand all this talk about compensation. Hon. Members have equated it with the right of shareholders in Banks and Insurance companies and others. Those are business enterprises and the man has to do something to build up the business. But what business do these private owners of vehicles build? I do not understand that. The roads are public property; they are built out of public money; they are repaired with public money and looked after with public money by public servants. The private owner has simply the right to ply his vehicle over the road. Whatever he has invested is the investment on buying the motor vehicle. The right to ply the vehicle over the road is the right given to him by Government. Therefore, I do not think he is entitled to any compensation. Public money can be paid in return for something acquired. If you get nothing in return, why should he be paid compensation? The right to ply a vehicle over the road is the right of the State. If the State refuses to give him that right, then, no question of compensation arises.

Supposing the State takes over during the course of the permit. What does the private owner lose? His vehicles will not be able to ply over the road. Then, take over the vehicle and pay whatever it is worth in the market. The right to ply the vehicle belongs to the Government and not to any individual. What is the thing that inherently belongs to him that he hands over to Government for which he should be paid compensation? The very word 'compensation' means paying something for relieving the hardship caused or likely to be caused by the transfer of certain rights which the citizen possesses. In

this case the citizen possesses nothing and gives nothing to the State. Therefore, my humble submission is that, on the principle of paying something in return for something taken, no question of compensation arises. Of course, it is equity, fairness and justice that he should be protected for being deprived of the anticipation he had that he would be permitted to run the vehicle for the whole period for which the licence was issued. If the permission is withdrawn, the vehicle can be bought by the State at a price which it can fetch in the open market. That is all.

With regard to the criticism that some of them were bought and they were found useless after 6 months or 1 year, I say, it is a question of individual bargaining. Somewhere the mistake might have been committed. With experience and a better sense of responsibility, our people would be able to do better bargaining and pay the price after due consideration so that State money would not be wasted.

With regard to the conductors and others I want to submit that they should receive training so that they should know not only their jobs well but also know the elementary ways of dealing with citizens. They should know the ordinary decencies of life. It is no use saying that a man has worked for 12 hours. I cannot understand how that can be so. Generally, so far as passenger vehicles are concerned, a man will go at the most twice. They go for a single run a day and that is not much work. Even if they are over-worked, it is no justification for being rude or uncivil or intolerably bad towards people. They must know how to work and behave properly; and, for that, they must undergo a certain course of training. It is not merely standing in the vehicle and working as conductor. It is no good. They must be really doing service to the people. Therefore, the work should be done by well-trained people in a good way. That only will be real service done to the people. Our people should know how to do things and they must rise to the

occasion and do things in the right spirit. Service not acceptable is an imposition on the people. It is true that we need road services; but, that need is something and to suffer indignity is something else. No decent person is going to suffer indignity or indecent behaviour for the sake of this facility. Why should people be treated like cattle? There must be some respect shown to the citizens. The people who run the services should be trained to give better service and to have good behaviour.

Shri Viswanatha Reddy (Chittoor):

Mr. Chairman, the question of regulating road motor transport has been agitating the mind of the Government since a very long time—in fact, since 1950, when the Motor Vehicles Taxation Committee's Report was made public. The name of that Committee belied, to some extent, the functions of that Committee. That Committee reported not only with regard to the question of taxation of motor vehicles but also considered all aspects of motor transport in this country and, particularly, the development of this form of transport.

Ever since that Report came out, the Government of India made several attempts to call several conferences of the State Governments and tried to impress on them the necessity of accepting certain of the important recommendations of the Committee. But, strangely enough, the State Governments were very much reluctant to accept certain proposals made by the Centre and this measure before us now is only a compromise measure and it does not fully reflect the intentions that the Government of India originally had. However, to the extent to which it has been agreed upon by the State Government, it is a definite improvement and it contributes to the development of motor-road transport in this country.

I need not dilate at any length over the importance of this industry. Several Members have already made their observations on that point. I

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will content myself by observing that at no future date can we expect that our railway system will be able to meet the transport needs of our country to the extent and in the same scale as we would desire. Therefore, the necessity of developing the motor transport is very obvious and I need not lay stress at great length on it. However, I would like to make one observation and that is that the development of the transport industry is intimately connected with the development of the motor industry as distinct from the transport industry. The necessity of developing a motor industry is also quite obvious both in times of peace as well as in times of emergencies. We must have a very healthy nucleus, a very strong nucleus, of the automobile industry because that is the basis of all our efforts both in war and in peace.

With regard to the provisions of the Bill, I would like to confine my remarks to one or two items that I thought I should submit to this House. One important thing that the Joint Committee has done in this measure is the creation of an Inter-State Transport Commission. With regard to inter-State rules both for passenger as well as goods vehicles, there has been considerable difficulty. It was very difficult to make State Governments agree to a uniform policy with regard to plying of vehicles between two States. The only exception as far as I know is the friendly agreement reached between Madras and Andhra. With regard to the other States, I am afraid there has never been an agreement and there has been considerable difficulty. I am very happy to note that this Inter-State Commission has been set up by the Central Government. It is a body which is not so much influenced by the State Governments because the views of the States in these matters are likely to be conflicting, and therefore, the Centre has taken over the power to regulate inter-State traffic.

One thing I notice is that this Commission is not charged with the task of fixing the quantum of taxation for the inter-State routes. It is only charged with the duty of fixing the permits or regulating traffic in other ways, but with regard to taxation, nothing has been said by the Joint Committee. That is a very important aspect, and I think several disputes between State Governments can be traced to this question of taxation. As it exists today, the vehicles plying on inter-State routes are taxed twice or thrice, as the case may be, by the States—if the route goes through three States, it is taxed thrice; if it goes through two States, it is taxed twice, and so on. That is a very great burden and it has put fetters on the free flow of traffic between one State and another by road. I think it is better that, if not in this Act, at least by regulations and rules, it should be provided that the Inter-State Commission will be charged with the duty of fixing the taxation also on the vehicles plying on these routes.

There are certain other aspects of this measure which are not quite to my liking. One thing is the question of fitness certificates to be granted for two years at a stretch under this measure. Fitness certificate is a very essential thing for both goods and transport vehicles. This certificate will be extended for two years at a stretch, and in that case it would be very risky for the passengers and for any people travelling in these vehicles. I should think that this certificate should extend only for six months as at present, and at the end of every six months, a thorough check-up of the vehicle should be made by a competent officer or authority. It has been said: in view of the provisions in this Bill after all when a new vehicle is put on the road, is it necessary that its fitness certificate should be examined at the end of six months? At the end of six months, the vehicle is almost new and therefore, it would not be necessary to go through this examination. But

whatever it is, we can agree that if it is a new vehicle, the examination may not be so thorough. It should be left to the competent authority, and the motor vehicle inspectors are technically qualified people and should be allowed to judge at the end of six months the fitness of the vehicle to ply on the roads.

Another provision is that the Chairman of the Regional Transport Authority should be a person with judicial experience. Certainly it is a very welcome measure. However, it should be left to the State Government to decide on the point, because very often it is very difficult for State Governments to place the services of a judicial officer to look after this work, and in the pressure of his work what actually would happen is that a judicial officer will not be able to look after this work properly and he would authorise the Regional Transport Officers to look after his work because he is empowered under this Act to authorise some other person to look after his work. That means that the judicial officer will not be able to spare his time, will be merely a figure head and will be attending only to very important functions while the routine work will be entrusted to bureaucratic authorities. I do not think it is quite feasible to put in this Act that a person, who is a judicial officer, should be the Chairman. It should be left to the good sense of the State Government to decide on this point, and I do not think we should make any specific provision in respect of that.

It has been said by several hon. Members very strongly that all other things remaining the same, the co-operatives should be given preference in the matter of granting routes, both for transport vehicles and stage carriages. This has been tried in Andhra and Madras with very bad results. They tried to give preference to co-operatives to a very great extent in the matter of granting routes and the result was that overnight all sorts of spurious co-operatives sprung up

and the services that they gave to the public were bad. I have really no objection to giving preference to *bona fide* co-operatives, but, the Government should take very great care to see that these co-operatives are not spurious ones, just set up overnight for a different purpose of earning a few routes, but really genuine workers' co-operatives. How that is possible in connection with this Act is a matter which I cannot properly understand. I hope it is possible to make some such regulations in the rules.

There is another legal question, although I do not pretend to be a lawyer or a person well versed in law. I remember to have seen certain judgments of courts in which it has been held that there should not be any discrimination in this matter as between a co-operative and an individual. Even if we provide in this Bill to give preference to co-operatives, how far can that be applied in view of this judgment is a matter for others to determine and decide. I cannot give any opinion on that point. However, I would like to urge strongly that only genuine co-operatives should be given preference and not spurious ones.

Much has been said about taking over the assets and paying compensation and so on. Nationalisation, taking over of all the assets, etc. are all inter-connected matters and they should be dealt with as such. I could appreciate the argument advanced by Pandit K. C. Sharma who said that permit was a right, vested in the operator by some action of the Government. But, it is a right which is actually owned by the State and therefore the payment of compensation could not be justified. That ought to be the correct attitude. Apart from the correctness or otherwise of the attitude, I do not see how the operators themselves will benefit by the compensation for the unexpired portion of the permit. In my opinion, it should be the pre-emptive right of a State to nationalise any industry whenever it likes. The right to ply vehicles has

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been conferred by the Government and it should be the right of the Government to nationalise it without any compensation. But, in this connection, I would like to urge that the taking over by the State of all the assets of the persons who are operating the routes should be made compulsory. The operator is not going to be so much benefited by the payment of compensation of a few rupees for the unexpired portion of the permit as by the payment for the assets. I can give an instance to this House.

A few years ago, the transport undertakings in Madras were taken over by the Government with the result that the big and small operators who were in possession of efficient fleets were left with huge stocks of spare parts and a number of vehicles of all sorts—things useful for the operation of transport system. But, the Government would not buy anything from them. So, they had to go to the open market and sell the things. The Government went and placed orders for brand new buses costing Rs. 40,000 or Rs. 50,000 each. All the old vehicles of the private operators which were operating efficiently on the roads till the previous day were taken off the roads. Who benefited? Large number of vehicles have been immobilised and so much of foreign exchange had been lost. Therefore, I suggest that there should be a rule by which the assets of the operators should be taken over by the Government or the municipality or any other organisation, formed by the Government to take over plying vehicles in certain routes.

The Joint Committee conceded generously that the period of validity of a permit should be five years for goods and passenger vehicles. I do not like to go into the rationale of the argument advanced on behalf of the Committee. I would like to suggest that it should be for an unlimited period coupled with the right of the Government to take over or cancel the permits for specific purposes, such as

nationalisation, etc. I see no reason why at the end of five years again this process of renewal should go on and some compensation should be given for the unexpired portion. It is all confusion of thought. I would earnestly urge that the validity of the permit should be for an unlimited period with the proviso that there is no question of paying compensation for the route. Government should have the right to nationalise and take over the routes whenever it wants.

I would make one observation with regard to the bogy of competition between the rail and road. The railways have admitted that in the near or distant future, they are not likely to meet all the transport demands of the country. If that is so, the argument advanced by them is inconsistent. Certain arguments advanced by the spokesman of the railways say that wherever there is a rail road parallel to the motorable road, permits for transport vehicles should not be given. I do not think that it is consistent; I do not think that the railways will ever catch up with the demand for the transport and the people will have to depend upon the road transport. This argument has no validity. I would like to make this observation because this has been put forward very often by eminent people who ought to understand things much better.

With these observations, I welcome this measure and offer my whole-hearted support to this measure subject to the observations that I have made.

सरदार इकबाल सिंह : साहबे सदर, इस बिल में बहुत से ऐसे प्राविज्ञान (उप-बन्ध) हैं, जोकि रोड ट्रांसपोर्ट (सड़क परिवहन) को इस देश में ज्यादा अच्छा, ज्यादा बेहतर और ज्यादा कारामद बनाने वाले हैं और मैं उन का स्वागत करता हूँ। लेकिन जहाँ इस बिल में अच्छी बातें भी हैं, वहाँ इस में कुछ लैकुनी (गुटियाँ) भी रह गयी

हैं—कुछ ऐसी बातें भी रह गई हैं, जिन पर, मैं समझता हूँ, गवर्नमेंट को अब भी ज्यादा ध्यान दे कर और सिम्प्यैटिकली (सहानुभूति पूर्वक) विचार करना चाहिये।

आज से चन्द साल पहले एक आर्ग्युमेंट (तर्क) यह एडवान्स (दिया) की जाती थी कि रेल और रोड में बड़ा काम्पिटीशन (प्रतिस्पर्धा) है, लेकिन आज जबकि रेल की कैपेसिटी (क्षमता) इतना माल उठाने की नहीं रही, तो इस आर्ग्युमेंट की कोई बुक्कत (महत्व) नहीं है। अगर हम इस देश के नक्शे को देखें, तो हम को मालूम होगा कि हमारे यहां ३४,००० मील रेलवे है और १,०७,००० मील के करीब सड़कें हैं—जिन्हें पक्की सड़कें कहते हैं। और इस के साथ साथ वह सड़कें हैं जोकि मोटरेबिल (मोटर चलाने योग्य) हैं, कुछ कच्ची सड़कें हैं जहां मोटरें चल सकती हैं। इसलिये मैं कहता हूँ कि अगर कोई चीज इस देश के इंटेरेस्ट्स (हितों) को सर्व (सेवा) कर सकती है तो वह मोटर ट्रांसपोर्ट है। लेकिन मेरा गवर्नमेंट से एक गिला है कि उस ने रोड ट्रांसपोर्ट के साथ ऐसा सलूक नहीं किया है जोकि उसे करना चाहिये। रेलवे के वह अफसर जोकि यह कहते थे कि हम इतना काम कर सकेंगे, आज जब वे हर तरफ से मजबूर हो गये हैं तो उन को यह मानना पड़ रहा है कि रेलवे की इतनी कैपेसिटी नहीं है कि सारे ट्रांसपोर्ट को संभाल सके, और आगे जितनी उस की कैपेसिटी बढ़ेगी उस से ज्यादा देश में इंडस्ट्रियलाइजेशन (औद्योगीकरण) की वजह से काम बढ़ जायेगा। इसलिये मैं यह कहना चाहता हूँ कि रोड ट्रांसपोर्ट इस देश के ज्यादा हिस्सों को सर्व कर सकता है। आप काश्मीर का मामला ले लीजिये। शायद आप अगले बीस साल में भी वहां तक रेल न ले जा सकें। इसी तरह से और पहाड़ी मुकामों का मामला ले लीजिये। वहां पर भी आप जल्द रेल नहीं ले जा सकते। देश में ऐसे बहुत इलाके हैं जहां

रेल नहीं जा सकती। इसलिये रोड ट्रांसपोर्ट को इस तरह रेग्युलेट (विनिमित) करना कि वह रेलवे के नीचे चले, मेरे खयाल में यहां के रहने वालों के साथ न्याय नहीं होगा। इसलिये मैं सब से पहले यह कहना चाहता हूँ कि इस देश में रेल-रोड काम्पिटीशन (रेल-सड़क प्रतिस्पर्धा) की बात पुरानी पड़ चुकी है। अब तो सवाल यह है कि हम रोड ट्रांसपोर्ट इतना डेवलप (विकसित) करें ताकि हम अपनी जरूरतें पूरी कर सकें। इस नुकतेनजर से अगर आप इस बिल को देखें तो आप को मालूम होगा कि इस बिल की वजह से इस देश में रोड ट्रांसपोर्ट इतना इफैक्टिव पार्ट (महत्वपूर्ण भूमिका) नहीं प्ले (अदा) कर सकेगा जितना कि उस को करना चाहिये, और इसलिये मैं कुछ बातें इस के बारे में कहना चाहता हूँ ताकि इस में ऐसा सुधार किया जाये ताकि यह रोड ट्रांसपोर्ट अपना पूरा हिस्सा अदा कर सके। अगर रोड ट्रांसपोर्ट अपना पूरा पार्ट अदा नहीं करता तो इस से कंज्यूमर (उपभोक्ता) और प्रोड्यूसर (उत्पादक) दोनों पर असर पड़ता है। हिमालय में आलू होते हैं और वहां बहुत सस्ते बिकते हैं क्योंकि इस देश में रोड ट्रांसपोर्ट इतना डेवलप नहीं हुआ है कि उन आलूओं को ऐसी जगह में ला सकें जहां उन की खपत है। इस तरह से आप देखेंगे कि जो रोड ट्रांसपोर्ट को देश की सेवा करनी चाहिये वह अभी नहीं कर पा रहा है।

इस बिल के सिलसिले में मुझे एक खास बात कहनी है जोकि सिलेक्ट कमेटी (प्रवर समिति) में भी कही गई थी लेकिन उस पर वहां और नहीं हुआ। यह बात परमिट्स के सिलसिले में है। आप ने तीन साल पब्लिक कैरियर (जनता वाहन) के लिये और पांच साल ट्रक के लिये किये हैं। मैं समझता हूँ कि यह अर्धा बहुत कम है। मैं आनरेबुल मिनिस्टर साहब से बहुत मुअद्दबाना यह अर्धा करना चाहता हूँ कि

[सरदार इकबाल सिंह]

चाहे वह प्राइवेट ट्रांसपोर्ट (निजी परिवहन) को लें या गवर्नमेंट के ट्रांसपोर्ट को लें, कोई भी तीन साल में अपनी कीमत पूरी नहीं कर पाता। और अगर यही हालत रहेगी तो इंडिविजुअल ट्रांसपोर्ट (व्यक्तिगत परिवहन) वाले नई लारियां सड़क पर नहीं डाल सकेंगे। आजकल एक लेलेड चैसिस की कीमत ३५ हजार है और कुल मिला कर एक लारी में ४० हजार लग जाते हैं। अगर कोई भ्रादमी इस रुपये को तीन साल में पूरा नहीं कर सकता तो कोई प्राइवेट ट्रांसपोर्ट को नहीं चलायेगा। यही सब से बड़ी चीज है जो कि रोड ट्रांसपोर्ट को डेवेलप होने से रोकती है। जब तक आप ऐसा इन्तजाम नहीं करेंगे कि लोगों को अपने पैसे का रोजनेबिल रिटर्न (समुचित लाभ) मिल सके तब तक वह कैसे इस काम को आगे बढ़ा सकेंगे। इसलिये जो आप ने तीन साल का भर्सा रखा है वह बहुत कम है। मैं कहता हूँ कि कम से कम गवर्नमेंट की ट्रांसपोर्ट की दस हजार लारियां चलती हैं। आप देखें कि क्या कोई लारी तीन साल में अपनी कीमत भ्रदा कर सकती है। अगर ऐसा नहीं है तो कोई वजह नहीं है कि आप तीन साल का भर्सा रखें। हाँ, अगर आप को इन के साथ कोई खास सलूक करना हो तो मुस्तलिफ बात है। लेकिन अगर ऐसा नहीं है तो तीन साल का भर्सा रखना न्याय नहीं है। इसलिये मैं चाहता हूँ कि आप इस भर्से को बढ़ा कर कम से कम पांच साल कर दें। यही बात मैं प्राइवेट कैरियर (निजी वाहन) के लिये कहता हूँ। वहाँ पांच साल के बजाये सात साल किये जायें तो जस्टीफाइड (ठीक) होगा ताकि इस भर्से में उस की कीमत तो निकल सके। हिन्दुस्तान का मोटर वैहिकिल्स (मोटर गाड़ियों) का प्लीट (दस्ता) तभी अच्छा होगा जब नई लारियां चलेंगी। अगर आपरेटर (चालक) को फायदा होगा तो वह वर्कर्स (कर्मचारियों) को भी ज्यादा पैसा दे सकता है और लोगों को भी ज्यादा

एमेनिटीज (सुविधायें) दे सकता है। अगर वह देखेगा कि उसे यह चालीस हजार की रकम तीन साल में ही पूरी करनी है तो जो बुराइयाँ मौजूद हैं व और भी ज्यादा हो सकती हैं। इसलिये यह वक्त बढ़ाना वर्कर्स और लोगों के इंटरेस्ट में है। मैं कहना चाहता हूँ कि अगर आप ट्रांसपोर्ट (परिवाहकों) से लोगों को एमेनिटीज दिलवाना चाहते हैं तो कोई जस्टीफिकेशन (प्रौचित्य) नहीं है कि आप तीन साल के लिये परमिट दें। जब तक कि नई लारियां नहीं होंगी, चाहे कोई कम्पनी हो या चाहे इंडिविजुअल आपरेटर हो, वह अच्छी सरविस नहीं दे सकता। अगर नई लारियां होंगी तो पब्लिक (जनता) को बहुत सहूलियत मिलेगी। इसलिये मैं यह कहना चाहता हूँ कि तीन साल का भर्सा बहुत कम है।

मुझे जो और बातें कहनी हैं वह मैं जब क्लॉजिंग (खंडों) पर डिस्कशन (चर्चा) होगा उस वक्त कहूँगा, लेकिन जो मेरा इस बिल के साथ फंडामेंटल तफरका (आधारभूत विरोध) है वह कम्प्लेन्शेन (प्रतिकर) के बारे में है। अगर आप इस देश में दो किस्म की बातें करेंगे तो वह न्याय नहीं होगा। आप न स्टेट बैंक आफ इंडिया का नेशनलाइजेशन (राष्ट्रीयकरण) किया। वह बड़ा इस्टीम्युशन (संस्था) था जिस का दो सौ करोड़ रुपये के करीब बकिंग कैपीटल (चालू पूँजी) था। जब उस बैंक को नेशनलाइज्ड किया गया उस वक्त तक जो जो उस के शेअर होल्डर्स (भ्रंशधारी) थे वे अपने सौ रुपये के शेअर (भ्रंश) का २८ गुना रुपया ले चुके थे, लेकिन फिर भी नेशनलाइजेशन करते वक्त उन को एक शेअर का १४०० रुपया और दिया गया। वह बड़े भ्रादमियों की बात थी, वह बड़े भ्रादमियों का बैंक था। लेकिन जब एक इंडिविजुअल आपरेटर के परमिट को कंसिल (रद्द) करने का सवाल आप के सामने आता है, चाहे

आप उस रूट (मार्ग) पर अपनी लारी चलायें या किसी और को परमिट दें, तो उस को आप कम्पेन्सेशन नहीं देना चाहते। हम ने अपने यहां सोशललिस्ट पैटर्न (समाजवादी ढांचे) की सोसाइटी (समाज) बनाने की बात रखी है। इसलिये हम को छोटों के मामले में भी वही पालिसी (नीति) बरतनी चाहिये जो कि बड़ों के लिये बरतते हैं।

दूसरी में एक और बात कहना चाहता हूँ। आप ने अभी कोलार गोल्डफील्ड्स (स्वर्ण की खानों) को नेशनलाइज किया। स्टेट गवर्नमेंट (राज्य सरकार) ५८ लाख रुपया देना चाहती थी, पर गवर्नमेंट आफ इंडिया (भारत सरकार) ने इस को एक करोड़ ३८ लाख किया और आगे चल कर उस को १,६४,००,००० कर दिया। यह एक फारिन (विदेशी) कम्पनी है। इस कम्पनी को आप लिबरल कम्पेन्सेशन (उदार प्रतिकर) देते हैं लेकिन इन प्राइवेट आपरेटर्स के मामले में आप कम्पेन्सेशन का रेट (दर) बदल देते हैं। मैं यह मानने के लिये तैयार हूँ कि जो बड़ी बड़ी कम्पनियाँ हैं उन को आप कम कम्पेन्सेशन दें, उस का मुझे कोई गिला नहीं होगा। लेकिन जो इंडीवीजुअल आपरेटर है और जिस ने एक लारी लाने में अपने बाप दादा की कमाई लगा दी है उस को आप को पूरा कम्पेन्सेशन देना चाहिये। लेकिन आप उस की रूट चेंज (बदल) कर के उस को इधर से उधर कर देते हैं और वह कहीं का नहीं रहता।

आप ने जी० एन० आई० टी० की बड़ी कम्पनी को और एक कम्पनी को बंगलौर में नेशनलाइज किया। जहाँ पर आप ने लोकल (स्थानीय) बसें चलाई हैं वहाँ पर आप ने बड़ा लिबरल कम्पेन्सेशन लोगों को दिया है। मैं गवर्नमेंट से पूछना चाहता हूँ कि जब बड़ों की ट्रेड (व्यापार) गवर्नमेंट द्वारा लेने की बात आती है तब तो आप लिबरली उन को कम्पेन्सेशन देते हैं तब

एक बेचारा इंडिविजुअल ट्रान्सपोर्टर जिस की एक लारी है या तीन चार आदमी मिल कर जो तीन, चार लारी चलाते हैं, उस काम में हिस्सेदार होते हैं और वे कोई बड़े आदमी नहीं होते हैं उन को क्यों नहीं रीजनेबुल कम्पेन्सेशन (समुचित प्रतिकर) देते। मैं आप की इस बात को मानने के लिये तैयार हूँ कि आप जो मुआविजा दें वह स्लाईडिंग स्केल पर होना चाहिये अर्थात् जहाँ यूनिट (एकक) बड़ी हो वहाँ पर मुआविजा कम हो जाय और जहाँ एक इंडिविजुअल छोटा सा ट्रान्सपोर्टर है उस को बड़े के मुकाबले में अधिक मुआविजा दिया जाय। मुझे आप के इस स्लाईडिंग स्केल आफ कम्पेन्सेशन पर कोई शिकायत नहीं होगी अगर आप एक इंडिविजुअल ट्रान्सपोर्टर को रीजनेबुल कम्पेन्सेशन दें।

15 hrs.

हमारे शास्त्री जी ने बतलाया कि उन्होंने १०० के बजाय २०० रुपये कर दिये हैं लेकिन इस ट्रान्सपोर्ट की मिकैनिज्म (ढांचा) कुछ ऐसी है जिस को कि बहुत कम आदमी समझते हैं और कुछ आदमियों के दिल में इस तरह का इम्प्रेशन (विचार) हो सकता है कि बड़ा लिबरल कम्पेन्सेशन दिया गया है। अब मैं आप को बतलाऊँ कि अगर इस देश में दस हजार ट्रान्सपोर्ट की लारियाँ चलीं, हजारों परमिट्स कैंसिल हुए, तो परमिट कैंसिल कर के गवर्नमेंट ने लारियाँ नहीं चलाई बल्कि गवर्नमेंट ने परमिट की मियाद खत्म होने से पहले, उस के दो, चार या पांच महीने पहले अपनी लारी चला दी और ऐसी हालत में अगर उन का रेट आफ कम्पेन्सेशन बढ़ा भी दिया जाता है तो उस से उन ट्रान्सपोर्टर्स का कोई लाभ नहीं हो सकता। वह कभी परमिट कैंसिल ही नहीं करते और जब उस को रिन्यू (नवीन) करने का वक्त आता है तो उस को कैंसिल कर के गवर्नमेंट अपनी लारी चला देती है और उन को कोरा जबाब

[सरदार इकबाल सिंह]

दे दिया जाता है और वह इधर उधर भटकते फिरते हैं। इसलिये मैं समझता हूँ कि यह २०० रुपये की बात करना फंडामेंटली रॉग कन्सेप्शन (आधारभूत रूप से गलत प्रतिकर) है और इस तरह की बातें करने की बजाय आप उन को यह २०० रुपया बेशक न दें।

मैं चाहता हूँ कि अगर एक ट्रान्सपोर्टर यह फ्रील (अनुभव) करे कि कम्पेन्सेशन देने के सिलसिले में उस के साथ नाइंसाफी हुई है और अन्याय हुआ है तो वह अपनी फ्रियरिटाड उस ट्रिब्यूनल (न्यायाधिकरण) के पास कर सके जिस से कि उस को रीजनेबुल कम्पेन्सेशन मिल सके, अगर उस के साथ कोई अन्याय न हुआ हो और उस की ट्रेड हार्डहिट (अधिक हानि) न हुई हो तो अलबत्ता उसे कम्पेन्सेशन की जरूरत नहीं है। ऐसे आदमी को जिस की कि ट्रेड हार्ड हिट हुई हो और जिस की कि अलटरनेटिव रूट (वैकल्पिक मार्ग) न मिला हो उस को कम्पेन्सेशन मिलना चाहिये और रीजनेबुल कम्पेन्सेशन मिलना चाहिये लेकिन अगर उस के ट्रेड में कोई फ्रक नही आया है और उसे अलटरनेटिव रूट मिल गया है तो उस को कम्पेन्सेशन देने की जरूरत नहीं है। मेरी शिकायत है कि हम इस मामले को दूसरे ढंग से सोचते हैं और वह सही, एप्रोच (तरीका) नहीं है। मेरा कहना यह है कि जहाँ आप बड़ों को करोड़ों रुपये कम्पेन्सेशन के दे सकते हैं तो फिर छोटों को देने में क्यों नहीं वही लिबरल एप्रोच अखित्यार करते। मैं समझता हूँ कि इस देश में करीब ५० हजार के मोटर ट्रान्सपोर्ट है जिन में कि मैं समझता हूँ कि ३० हजार प्राइवेट लोगों की हैं और १० हजार गवर्नमेंट की हैं और जिस का कि कुल कैपिटल (पूंजी) ३० करोड़ के करीब जा कर बैठता है और शायद हम १० करोड़ या ५ करोड़ की मालियत को भी नेशनलाइज नहीं कर सकेंगे। यह

एक मामूली सी रकम है और इस में दो किस्म का डिफरेंशियल ट्रीटमेंट (विभेदात्मक व्यवहार) नहीं करना चाहिये। ऐसे छोटे आदमियों की जिन्होंने कि ऐसे मुश्किल हालात में अपनी लारीज चलाई है कि जहाँ गवर्नमेंट भी नहीं चला सकती है उन को रीजनेबुल कम्पेन्सेशन गवर्नमेंट को नेशनलाइज करते वक्त जरूर देना चाहिये। मैं मोटर ट्रान्सपोर्ट के नेशनलाइजेशन के खिलाफ नहीं हूँ, नेशनलाइज आप जरूर करें लेकिन जहाँ पर रीजनेबुल कम्पेन्सेशन मिलना चाहिये वहाँ पर दें।

इस के लिये यह भी दलील दी जाती है कि परमिट का उन का राइट (हक) नहीं है गवर्नमेंट उस को देती है और गवर्नमेंट उस को वापिस भी जब चाहे ले सकती है तो इस के लिये मेरा कहना यह है कि सन् ३६ के बाद से ट्रेड को गवर्नमेंट ने रैगुलेट करने के लिये यह परमिट और लाइसेंस का काम चलाया है। ट्रेड को रैगुलेट करने के लिये परमिट दिये जाते हैं और जब यह हकीकत है तो मैं समझता हूँ कि यह गवर्नमेंट का मोरेल ओब्लिगेशन (नैतिक उत्तरदायित्व) हो जाता है कि ऐसे लोग जो आप के उन बन्धनों और नियमों के अन्दर अपने कारोबार को अभी तक चलाते रहे हैं उन की ट्रेड को जब गवर्नमेंट अपने हाथ में लेने जा रही है या उन को लाइसेंस और परमिट रिफ्यूज (इन्कार) कर रही है तो उन को मुनासिब मुआविजा जरूर देना चाहिये। कोलार गोल्ड फ्रील्ड्स से सोना निकालने के लिये गवर्नमेंट की तरफ से एन्टीमेंट (क्रार) हुआ और १०, २० साल में करोड़ों रुपये का सोना वहाँ से निकाला गया लेकिन जब उस काम को गवर्नमेंट ने टेक ओवर किया (अधिकार में लिया) तो आप ने उस को मुआविजा दिया। इस के अलावा आप को यह भी नहीं भूलना चाहिये कि कितनी मुश्किल और मेहनत

कर के उन्होंने ने रोड ट्रैफिक को डेवलप किया है और इन प्राइवेट बस आपरेटर्स ने हिन्दुस्तान में ऐसे हज़ारों रूट हैं जोकि अनडेवलपड रूट्स (अविकसित मार्ग) थे और जहाँ कि गवर्नमेंट ट्रान्सपोर्ट नहीं चलाई जा सकती थी, उन्होंने ने उन रूट्स को डेवलप किया है, ऐसे लोगों के साथ जोकि इस ट्रेड के पाइनिअर्स (जन्मदाता) हैं और जिन्होंने इतनी मेहनत की है और जोकि इतने वर्षों से इस काम पर अपनी रोजी कमाते आये हैं उन को जब आप जवाब दे रहे हैं और उन के काम को अपने हाथ में ले रहे हैं तो उन को रीज़नेबुल कम्पेंसेशन जरूर देना चाहिये। अब अगर कोई कंडक्टर बुरा है तो आप उस को जरूर सजा दें और उस के लिये आप नियम बगैरह बना सकते हैं।

इंटरस्टेट बोर्ड (अन्तर्राज्य बोर्ड) की बाबत मुझे कहना है कि वह हमारी बहुत सी मुसीबतों को हल करेगा लेकिन मैं चाहता हूँ कि आप कुछ हिम्मत से काम लें और कुछ पाबन्दियाँ लगा कर गुड्स (माल) रोड ट्रान्सपोर्ट को सही लाइंस (तरीके) पर आर्गनाइज (संगठित) कर दें। गुड्स रोड ट्रान्सपोर्ट को सही ढंग पर डेवलप करने के लिये सरकार को गुड्स बुकिंग एजेंसीज को सही तौर पर चलाना है क्योंकि ऐसा हुए बगैर रोड ट्रान्सपोर्ट डेवलप नहीं कर सकता। आज हालत यह है कि बुकिंग एजेंसी वाला एक मेज और कुर्सी डाल कर बैठ जाता है और घड़ाघड़ माल बुक करना शुरू कर देता है और दूसरी तरफ वह ट्रक वाला जिस ने कि हज़ारों रुपये इनवैस्ट (विनियोजित) किये हैं और जोकि सैकड़ों रात जाग कर और मेहनत कर के अपनी रोजी कमाता है और अगर दो रुपये किसी सामान की दुलाई के मिलते हैं तो एक रुपया तो बुकिंग एजेंसी वाले का ही जाता है और ट्रक वाले को एक रुपया वह दे देता है, अब अगर सामान कम हो जाय तो वह ट्रक वाले के जिम्मे डालता

है। यह ठीक है कि गुड्स बुकिंग एजेंसीज के रूल्स में हम ने इस के लिये प्रावाइड (उपबन्ध) कर दिया है लेकिन मैं समझता हूँ कि सिर्फ रूल्स में प्रावाइड करने से यह मसला हल नहीं होगा और यह तब तक हल नहीं होगा जब तक कि आप उसे कानून में नहीं ले आयेंगे।

दूसरे इस ट्रेड में आप जानते हैं कि हज़ारों बुराइयाँ आई हैं। जब तक आप इस को रेगुलेट नहीं करेंगे, तब तक काम ठीक नहीं हो सकता। हज़ारों गुड्स बुकिंग एजेंसियाँ हैं। किसी न किसी का सामान बुक किया, उस न ट्रक में उसे रखवा दिया और अपना काम खत्म कर दिया : लेकिन बुकिंग एजेंसियाँ खुद माल खा जाती हैं, चोरी कर लेती हैं लेकिन उन आदमियों का पता नहीं चलता है। तब जब तक आप कानून के जरिये इन एजेंसियों के काम को रेगुलेट नहीं करेंगे उस वक्त तक इस काम की बुराइयाँ दूर नहीं हो सकतीं। अगर अभी आप इन बुकिंग एजेंसियों के लिये कोई कानून नहीं लाते हैं, तो आगे चल कर कभी न कभी लाना हो पड़ेगा। आहिस्ता आहिस्ता अकल आ ही जाती है, लेकिन तब काफी देर हो जाती है। हम ने सालहा साल से कहा कि अगर सरकार गुड्स ट्रांसपोर्ट को डेवलप नहीं करती तो रेलवे सारा सामान नहीं उठा सकती है। लेकिन पहले तो फिगर्स (आंकड़े) दे कर साबित किया गया कि रेलवे के पास बड़ी कैपैसिटी है, लेकिन आज मानना पड़ा उन की वह बात ठीक नहीं थी। यही बात मैं आज कह रहा हूँ जो गुड्स बुकिंग एजेंसियाँ हैं उन के बारे में। उन के सिलसिले में जो बुराइयाँ हैं उन को आप जानते हैं। हज़ारों आदमी जो इस ट्रेड से कोई ताल्लुक नहीं रखते, जो इस ट्रेड में कुछ भी इन्वेस्ट नहीं करते हैं, वह लोगों का रुपया इस ढंग से खराब करते हैं कि पब्लिक को उस से बड़ी तकलीफ होती है। जब तक आप गुड्स बुकिंग एजेंसियों

[सरदार इकबाल सिंह]

के मामले को ठीक नहीं करेंगे उस वक्त तक जनता की तकलीफ दूर नहीं हो सकती है। इसलिये उन के लिये आप कानून प्रोवाइड करें ताकि जो बुरे हों उन को आप सजा दे सकें और उन के आपरेशन (कार्यकरण) को रेगुलेट कर सकें। मैं कहना चाहता हूँ कि क्लाज ६१ के पहले एक क्लाज बना कर आप कम से कम गुड्स बुकिंग एजेंसियों को ठीक करने की कोशिश करें।

15-12 hrs.

[MR. DEPUTY SPEAKER in the Chair]

अब मैं कुछ इश्योरेन्स (बीमा) के बारे में भी कहना चाहता हूँ। आप जानते हैं कि इस ट्रेड में जो आदमी आते हैं वह अपनी ट्रक या लारी को इश्योर कराते हैं। लेकिन जब एक्सिडेंट (दुर्घटना) हो जाता है तो इश्योरेन्स वाले कहते हैं कि हम ने तुम्हारी गाड़ी का इश्योरेन्स जरूर किया था लेकिन चूँकि इस में यह टेकनिकल डिफेक्ट (प्रविधिक त्रुटि) था इसलिये हम पैसा नहीं दे सकते। मैं इस को मानता हूँ कि आप को टेकनिकैलिटी को देखना है लेकिन साथ ही एक बात यह भी है कि वह, सैटिस्फाइड (सन्तुष्ट) हों इश्योरेन्स के वक्त कि जो ट्रक है वह ठीक है, लारी ठीक है, अगर उस वक्त कोई डिफेक्ट मालूम हो तो वह गाड़ी को इश्योर न करें। लेकिन जब वह इश्योर कर लेते हैं तो क्लेम (दावे) की डिमांड (मांग) होने पर उन का मारल आक्सिगंशन होना चाहिये कि वह क्लेम का पेमेन्ट (भुगतान) करें। एक्सिडेंट होने पर जो नुकसान होता है वह तो जनता को होता है। साथ ही आप जानते हैं कि जो इश्योरेन्स कम्पनियां होती हैं वह बड़े अच्छे वकील रखती हैं। वह किसी भी टेकनिकल प्वाइंट पर कह देते हैं कि आप का क्लेम वैलेड (जायज) नहीं है क्योंकि

इस में गलतियां हैं। इस के सलसिले में एक ही बात मैं कहना चाहता हूँ कि जब कोई आदमी गाड़ी को इश्योर करा लेता है तो उस सलसिले में वह कम्पनी की लाइबिलिटी (उत्तरदायित्व) तसलीम कर लेता है। जब एक दफा कोई लारी या ट्रक इश्योर हो जाती है तो उस के बाद इश्योरेंस कम्पनी को एक्सिडेंट का जिम्मेवार होना चाहिये। आप यह भी जानते हैं कि हजारों ट्रक ऐसी होती हैं जो एक आदमी के नाम पर होती हैं, लेकिन दूसरा आदमी उस का मालिक होता है। इश्योरेंस कम्पनी वाले कहते हैं कि ट्रक तो किसी और आदमी के नाम पर है। ऐसा नहीं होना चाहिये क्योंकि ट्रक तो वही है जिसे इश्योर किया गया है।

इसलिये मैं आशा करता हूँ कि गवर्नमेंट और ज्यादा लिबरल हाटेंड (उदारतापूर्वक) कानून बनायेगी और कम से कम सात साल की परमिट की मियाद रखेगी। कम्पेन्सेशन के मामले में एक ही बात कहना चाहूंगा कि जहां पर बड़ी यूनिट्स हों वहां भले ही कम कम्पेन्सेशन दें, लेकिन जो इंडिविजुअल ट्रांसपोर्ट आपरेटर्स हैं उन को जितना फेअर (उचित) कम्पेन्सेशन हो उतना मिलना चाहिये।

Shri T. B. Vittal Rao (Khammam):
In the Joint Committee we have tried our best to improve the original Bill and very salient and salutary amendments have been made in the Bill by the Joint Committee. The crux of the whole problem is how road transport could and should be developed in order to move the goods offered, in view of the fact that railways cannot move all the goods. In the past there was a sort of competition between rail and road transport, and of course, that is not there now. Now the problem is how best we can co-ordinate road and rail transport in such a fashion that we will be able to move all the goods offered.

Much depends upon how this amending Bill, when passed, is going to be implemented. Today, for instance, though it is not agreed by the road transport operators, they have always moved high-rated traffic, leaving low-rated traffic to the railways, with the result that the railways had to haul goods at a lesser cost. We have tried to co-ordinate this. The operators also agreed that in some places where the road runs parallel to railway line, there should be some sort of restriction on the type of goods to be carried. Of course, that is not incorporated in the Bill, but I hope the authorities while issuing permits will take note of this and see that some sort of restriction is placed.

One very good feature in this Bill is regarding the authority. We have laid down that the authority shall be a judicial officer or shall be qualified to be one. Of course, I hope that while appointing the authority, the Government will see that first persons who have been judges are exhausted and then only go in for persons who are qualified to be appointed as judges. This is a matter which the Government should take note of.

The Joint Committee have doubled the compensation provided in the original Bill. Originally it was only Rs. 100 per vehicle for cancellation or modification of the permit. Now this has been doubled. Even the original compensation laid down in this Bill was not computed on a scientific basis. We were told, it was done in some way. It was done at a time when the prices of motor vehicles were not so high as obtaining today. That is why we have doubled it. Actually having given a blank cheque to the private operators that there will not be further nationalisation of the goods transport, you are preventing the State Governments from going ahead with nationalisation. You have succumbed to the pressure of the private operators that there will be no further nationalisation. The nationalisation of road transport has been taken since 1932.

Even after 25 years, only 9 per cent. of road transport is nationalised and the remaining 91 per cent. is in the hands of private operators. During this period of 25 years, though nationalisation has been going on in several States, there has been a relatively increasing development in the private enterprise also. In India, there is a vast scope for the development of road transport. There need not be any fear in any quarter that nationalisation will do harm. Statistics prove that we have not reached the saturation point as regards road transport. At this time, to double the compensation put in the original Bill without giving any scientific or rational basis, is not comprehensible.

We in this House, on several occasions, have been pointing out that road transport cannot be developed unless and until you also pay some attention to the workers who are engaged in it. You have brought this Bill. But, labour legislation for the statutory protection of the employees in road transport has not yet been brought. In the Second Plan it has been agreed that a Bill will be brought forward. Last time, when I brought my Bill, the Labour Minister assured me that he is bringing forward the Bill. Eight months have elapsed. That has not seen the light of day. In the Tripartite Standing Labour Committee, it was agreed unanimously both by the representatives of the Government and the employers that such a Bill is long overdue and it should be brought. Of course, the Transport Minister will say that it is left to the Labour Minister. I would only request him to advise him to bring forward that Bill as quickly as possible.

One other condition should be there. Any private operator who does not observe the labour legislations properly should have his permit cancelled without any compensation. To sum up, compensation should be reduced, not Rs. 200 as reported, but at least to Rs. 100. When an alternative route is offered to a private operator, whether he accepts or not, he should not be paid

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any compensation. There should not be any condition. If you put in a condition, it will not help. When an alternative route is given, his consent need not be obtained. Otherwise, what will happen is, he will invariably say, I do not want the alternative route, pay me compensation. Because, he can get a good amount by way of compensation and later on, he can again apply for a permit elsewhere. All these things should be borne in mind.

Shri Heda (Nizamabad): Mr. Deputy-Speaker, I welcome this Bill, particularly as it has emerged from the Joint Committee. It is evident that the Joint Committee has done a nice job and the Bill, as it is, gives proof that the Joint Committee had thoroughly debated and discussed the various aspects of the problem and it had a nice grasp of the problem.

Every progressive country is developing four modes of transport, railways, roadways, waterways and airways. In this country, we have yet to develop the waterways, the cheapest mode of transport. Airways are only a matter of luxury or dire urgency. This is not within the reach of the common man. So far as railways are concerned, we have done particularly well in the goods section, much better than any other country in the world. Our wagons are doing much better work than anywhere else. But, so far as the roadways are concerned, I still find that the old spirit is working there, namely that the interests of road transport should be subservient to rail transport. At one time, it may have been admissible when an alien Government or foreign interests had a hold on the railways and road transport was in Indian hands. Now, in the changed context, it should not be so. I would go a step further and say that the Government should try to inculcate a healthy spirit of competition between railways and roadways even though both may be in the

nationalised sector and in their own hands. Therefore, the bifurcation of the Ministry of Railways and Transport or the severance at least of the present interdependence would enable the roadways to get better justice than they get at present.

Road Transport has two aspects, carrying passengers and carrying goods. So far as carrying passengers is concerned, I am very clear in my mind that it should be nationalised as much as possible. I am not in favour of buses being plied by private people. In fact, it was a big surprise to me when my hon. friend Dr Jaisoorya on my right said that when private buses were taken over by the former Hyderabad Government, service conditions deteriorated.

Dr. Jaisoorya: I did not say so.

Shri Heda: I was then in Hyderabad. I can very well say that in Hyderabad as well as everywhere people feel happier and free and fearless when these buses are nationalised and they are run by the Government, rather than by private people.

Shri U. M. Trivedi (Chittor): Question.

Shri Heda: I am not going into the details of the harassment or other tactics used by private persons. Recently, before the Hyderabad State was trifurcated, I visited once more the Ajanta caves. I had a chance to see the working of private buses between Ajanta and Bhokardan. I found that at least 50 per cent of people more than the capacity of the buses were dumped into the buses both ways, where easily one more trip by that very bus, which was waiting for hours and hours to get more passengers, would have been possible. I do not say that in every private bus, this is the service condition. But, in most cases, it is so. Therefore, so far as this service is concerned, there should be no motive of profit or anything else. All these buses should be nationalised.

I am aware of one aspect of this problem, namely, that private bus owners, particularly those who own one or two buses, are quite adventurous. They open new routes. Opening of new routes is a very healthy sign. That ultimately helps the Government and the nation. This should be encouraged. As stated by so many of my friends, the initial permit for new routes may be for five years and in certain cases even for longer periods. I am very clear that it should be made clear to them—and I think it is quite clear to them—that the route may be nationalised at the expiry of that period.

So far as the goods section is concerned, I think we should create conditions so that the carrying of goods by road may be encouraged, because it has got its own advantages. I would only give one example. The part I come from is known for growing good quality custard apples. We grow custard apples in such abundance that it is a staple food for the poorer sections, and to a certain extent it even goes to waste because it is produced in such wild abundance. But in the last few years there has been a very interesting development. Bombay was found to be a very nice market, and particularly Mahbubnagar District is making good money by sending these custard apples in lorry loads from Mahbubnagar through Hyderabad to Bombay. About 600 miles they cover within 24 to 30 hours, and thereby they have shown that in certain aspects the roadways have got certain advantages over the railways. Not that it can be quick, but it can touch both the ends, the place where the goods are to be picked up and the market where the goods should reach. Thereby it also saves a lot of time.

So far as shorter distances and small quantities are concerned—distances of about 100 miles or less, and a few tons of goods to be taken from one place to another—I think the roadways have a definite advantage over the railways. But one

difficulty that the roadways are feeling in this respect is that the condition of the roads is not good and they are not maintained properly. There is no machinery—once I had put a supplementary question in this regard—by which the Government can find out the pressure on any particular route. I had given the name of a particular route, the route in my constituency from Shakkarnagar to Nizamabad, which is about 16 miles in length, on which the pressure is very great. Most of the vehicles that pass on this road are heavy ones like lorries and at least one vehicle passes every minute. In spite of that, the road is always not in a good condition. It is not cemented. If cemented, it would prove more economical. Every year it is repaired and repaired very well, but it remains in good condition only for a fortnight or one month at the most, because the pressure is so much. Then it deteriorates again, and again repairs have to be undertaken. And that is why the people in the particular place will welcome visits of Union Ministers because they feel that if they visit, the roads may be repaired, there may be a second chance of repair in the same year.

Shri U. M. Trivedi: When the Prime Minister visits.

Shri Heda: Therefore, the Government should devote itself to opening new routes and repairing and maintaining the old routes in a proper way.

I would give another example. Take the case of National Highway No. 7 which is supposed to connect Cape Comerin and Delhi, the capital of the country. I do not think it was repaired during the last ten years or so in the section from Penganga to Pandharkawada which is a short distance of about 18 miles, though it is part of such an important national highway. Therefore, the Government should devote more attention to the maintenance of the roads which will give very good encouragement to road transport. With

[Shri Hedaj]

the result that road transport develops in proper proportions.

Before I refer to another point, I would again refer to the aspect of nationalisation. It was said that when buses are nationalised, the price paid for the buses is much higher, the poor people who were having one or two buses suffer etc. May be, there are certain aspects which are inherent in a big nationalised corporation or department which we may not be able to avoid, but as public consciousness grows and as the vigilance of this Parliament grows, I am sure that these things would improve, and we will find that the nationalised corporations work much better. The example of our airways in this regard is a good one. After nationalisation, particularly in the international sphere, we could expand our activities adequately, and I think in international air travel India has made a name and has got a very good place.

Much has been said about forming co-operative societies. There are two types of co-operative societies which produce contradictory results. A co-operative society which is imposed from the top creates a different type of situation and gives different results. If a co-operative society is started by somebody interested in politics or some busy body, the result is that his sole aim is to get as much aid or grant or loan from the Government, and we find that in the course of a few years the whole money goes away and the society makes no proper progress. But the other co-operative societies which are formed through the initiative of persons who are already in the trade, who are already working, undoubtedly improves the conditions. Therefore, when a permit is to be given for a new route for plying the buses, I think we should insist or we should give preference only to those co-operative societies which are formed by the operatives who have been already in the field

for the last few years, and not to those formed by new persons who suddenly come forward and say that they have formed a co-operative society, or as the Bill has given an indication that they may form a co-operative society and ask for preference and permit. What generally happens is that it is a co-operative society in name only. Somebody becomes manager or secretary of the society. He gets the licence or permit in the name of the society, and then a sort of sub-letting takes place and the old hands have to ply. The result is that a new middleman is created and unnecessary profit goes to a wrong type of person.

Finally I come to the aspect of compensation. I feel that the provisions of the Bill are very liberal so far as payment of compensation is concerned. I quite agree with some of my friends, whether they are on my right or left, that compensation doubled by the Joint Committee is not justified, particularly in the cases where the licence is cancelled for some fault of the operator or the operating company itself. If one is guilty, of course one should be punished, and therefore if the licence is cancelled for some fault of the licence-holder, I do not think that he deserves any sympathy or any consideration under this Act.

The second point in this regard is that as I have observed that when a question comes of paying compensation to big companies or those shareholders of corporations or companies or limited concerns which have got a huge share capital or who are politically very conscious, who can bring pressure and create a hubbub, they are very adequately paid. Take the case of the nationalisation of the airways or the Imperial Bank. We find that compensation was paid more than adequately. The other day I had a chance to speak on the Hyderabad State Bank Bill and there again I found that compensation to the shareholders was being paid more than adequately. So far as compensation

for the actual buses or the spare parts that Government are to take over is concerned, that should be considered liberally. But what we find is that the provisions for compensation in respect of the period, for which the permit could not be used by the licence-holder, are more liberal, while the provisions in the former case are not so liberal. Actually, the reverse should be the case.

Another point that I would like to submit is that there is no provision for paying any compensation to a person who owns a bus, when his licence is not renewed. I think in most cases, as it has happened in the past, and as it might also happen in future, the question of paying compensation may not arise, and as my hon. friend Shri Viswanatha Reddy has remarked, many buses which were till yesterday plying on the roads may go off the roads and become silent and dead in course of time, while the new corporations that would be formed after nationalisation of bus transport may come forward and purchase brand new buses from the foreign market, as a result of which we may lose not only a good amount of money but foreign exchange too. Therefore, it is very necessary, irrespective of whether a person's licence is renewed or not, and whether it has lapsed automatically or not, that if he offers his bus, he should be paid fair and adequate compensation; and if he offers his bus or his stock of spare parts, they should be taken over.

With these remarks, I welcome the Bill.

Shri U. M. Trivedi: The idea behind this amending Bill is not very acceptable to me, although the provisions, once they are accepted, may be.

I am not fully satisfied with the nationalisation as it has proceeded in the various States. The nationalisation of road transport has not

brought about any happy results, so far as the travelling public is concerned.

It is true, as Shri Heda has remarked, that a bus owned by the State will not take up extra passengers but would just take up the load that is marked on the bus. So, if we look at it from that angle, the only good that has resulted from nationalisation is the not taking into consideration the human factor. The number of buses provided is very small; and if these buses are the only means of communication on the roads where they are plying, it proves a great nuisance if they are nationalised. If the bus is owned by a private person, discretion is exercised by the conductor or the driver, and a passenger in difficulty is picked up even at the risk of some prosecution and is taken to the destination.

Sometimes, the buses are passing through jungles, and people are standing on the roadside waiting for the bus for a number of hours. If the buses are private-owned, the passengers are picked up, but if they are State-owned, they are not, and there is no one to whom the passengers can complain. This is quite unlike what obtains in the railways. We know that on the railways, there is overcrowding, but with all that overcrowding, still, passengers do travel; with all the discomfort that they suffer, they still do travel and they do want to travel. But nothing of that kind can happen on the State road transport. I have myself had many times very sad experiences of the much-boasted State transport of Bombay. If three or four passengers belonging to the same family are standing on the roadside, the order may go forth from the conductor that only one may be taken in. But how are the other three members of the family to remain outside? And it is not the case of a city transport, where we can say that the person may travel by another bus and reach his destination; it is a transport which runs for miles from one destination to another, from one State to another,

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from one railway station to another, and so on, and the passengers cannot travel by any other transport.

The next thing that strikes me is this. On the one hand, there is complaint from the Communist Party which desires that there should be nationalisation (so that they can have any number of followers who can come into their hands) that only 9 per cent. of the total buses has been nationalised....

Dr. Rama Rao: Total vehicles, including goods and passenger vehicles.

Shri U. M. Trivedi: and 91 per cent. is yet to be nationalised. But on the other hand, what is the benefit that has resulted from the nationalisation of the 9 per cent? I would say that of the 9 per cent. that has been nationalised, let us find out what percentage has yielded any benefit whatsoever to the State in rupees, annas and pies. I should say that none of them has yielded any profit whatsoever.

We know, for instance, of the Delhi Transport Service, and in what bad a condition it is. Standing at the wayside in Delhi, we always curse this system. We wait at the roadside for fifteen, twenty and thirty minutes, as marked on the time-chart, thinking that the bus will come; and even after 3 minutes, no bus appears, and slowly, 32 minutes drag on to 64 minutes when the passenger hopes that another bus may come. Further, there are no private buses by which one can go. But if you go to a city like Calcutta, where there are private buses, you will never have to stand for more than two minutes, and you will get the bus you want.

Again, in regard to courtesy, I find that the private bus owners are more courteous, and the conductors on those buses are more courteous than those on the Delhi Transport Service. I can say the same thing of the Bombay Transport Service also.

So far as the passengers are concerned, nationalisation has not proved helpful. And so far as the State is concerned, it is a drain which eats away the taxpayers' money. So, looked at from both these angles, nationalisation of road transport is not called for.

I now come to the question of compensation. I, for one, do not really believe in creating a jagirdari for those who are holding bus permits for five years, ten years and so on. But I also do not believe in expropriating another man's property without compensation. I see no provision whatsoever in this whole Bill to take away all the assets and liabilities of an owner of a bus which is being taken over. Why should this man be deprived of the use of his vehicle which he wants to use only on a particular route and on a permit being granted that that route will be operated by him for his benefit and for his profit?

I would therefore suggest that instead of trying to give him compensation in terms of Rs. 200 per month for the number of months during which he is deprived of the use of that vehicle on that particular route, he should be paid the depreciated value of the vehicles, of the use of which he will be deprived. That should be one consideration which must be paid to him. Over and above that, provision must be made that if he is the individual owner and also the driver of the bus or the conductor, all the employees of such buses must be taken over by the State transport which is going to run the service. I say this because we have seen—and we cannot forget—that nepotism still prevails to a very great extent in our government departments. And in the State transport, nepotism will certainly prevail. If being a State trading corporation, there would be nothing incumbent on that body to nave its recruits from or through the Labour Exchange. I do not believe in these

Labour Exchanges also. I have found them to be equally nepotistic. Jobbery and graft do exist there.

So my submission is that if those who are already employed as conductors and drivers on those buses which are plying on the particular routes are served with notice and their permits are cancelled, all those conductors and drivers and all other mechanical hands and all such labour as might have been employed to run that particular service must also be absorbed by the State transport. This must always be made a condition precedent to nationalisation.

Nobody should be allowed to get rich at the cost of the State. I do not know if each bus will cost Rs. 50,000, as one hon. Member put down, or only Rs. 15,000. I have seen buses being made from trucks which have been purchased for Rs. 4,000; with an additional expenditure of Rs. 3,000 or Rs. 4,000, they have been turned into very nice buses and put on the road. And once they are put on the road, they are worth about Rs. 9,000 or Rs. 10,000. If you allow them to run for only one year, when the permit is for five years, if you say, 'All right; you get out; we want to pay you compensation; your compensation under this provision will amount to about Rs. 9,600, the bus to be our own in the bargain', that also is a problem which must be considered. That sort of monopolistic attitude must not be allowed to be created either in favour of the Government or even as against the Government. It would have been better, in my opinion, if it was not insisted that the moment the State transport wanted to start running buses, all other permits that were there for a particular route or for a particular area would have to be cancelled. I would make this suggestion: let these buses owned by the State also run in competition with the other private-owned buses. This competition is to be seen somewhere in Madhya Bharat. The Madhya Bharat Roadways has got its own State-owned buses. At many places on account of

permits having been granted by the previous States which ultimately merged into the State which existed for about 8 years and which we called Madhya Bharat, those buses continued to ply. What was the result? Every private bus was fully occupied while the Government bus used to run with one or two passengers.

So you will have to take into consideration the human factor also and not decide according to your own whims and pleasures, that passengers must travel in State-owned buses. Passengers do not like that. Passengers like only such buses as carry them not only comfortably but cheaply. If the State-owned buses are going to charge passengers one anna per mile and the private owner charges only half an anna per mile, people would certainly like to travel, even with a little trouble, on the private buses. We know—and it is a common experience of ours—that notwithstanding the fact that the local trains take a longer time to reach one place from another, our poor people, the third class passengers, flock to those trains rather than to the fast-moving trains. This is because he has to pay a few annas more to travel in the fast-moving trains whereas he can easily afford to travel by the slow-moving trains by paying less. With all the discomforts attendant upon such a travel, because he is not a rich man—our ordinary Indian citizen is not a rich man; he cannot afford to pay more—he prefers it.

It seems the idea of the Government is to extort the last drop of blood from the poor people. That idea must be dropped. Let there now be this idea in Government: enough of this taxation; it has gone too high, unbearable, intolerable; the shackles are growing; let us cry a halt and do something to ameliorate the general condition of the masses. This can be done at least by lessening the burden of taxation which is falling on the heads of poor people. It seems every effort is being made to increase this taxation by one method or other.

[Shri U. M. Trivedi]

The other day we had the Terminal Tax on Railway Passengers Bill. There also the idea was merely to extort more money. Already many municipalities are, legally or illegally, charging terminal taxes on railway passengers who are travelling on buses standing in the railway area. A tax of one or two annas is levied and even if the passenger comes back on that very route, again he has to pay. This kind of taxation is still prevalent. Nobody cares to look into it to see whether it is legal or illegal taxation. No one makes up his mind to find out whether legally or constitutionally it is permissible or not.

On top of it, as soon as a State transport monopoly is introduced, the result always has been that no other passenger buses owned by private owners or bodies corporate are allowed to run and the fare rates of the State transport always go up. The net result is that the passengers have to pay through their nose with all the comfort or discomfort attendant on travel in the State buses. Again, as I have said before, sufficient numbers of State buses are never provided. Passengers are left on the road; they are left at evening time and at night time, away from their houses, away from their villages, sometimes four miles away from their villages, in thick jungles from where they cannot go back, and so start crying. At least on railway platforms, there are thousands of passengers who are helpful. The Guard is there and the Station Master is there. The Guard has not got absolute control; nor has the driver absolute control. Also any number of citizens are also travelling. As against this, in the case of the State bus, the great conductor, who has a licence under this law, is the final arbiter of the destiny of the passengers who travel in that bus. He simply kicks; he knows no other methods. When such a conductor kicks, who is going to complain and who is going to hear the complaint? And what does it cost to complain and what does it cost to make that

complaint heard? All these problems must always appeal to us before we fall into this trap of nationalisation, which, I say, must not be rapidly introduced in our country.

16 hrs.

There is one thing more to which Shri Heda has drawn attention and to which I also want to draw attention. Our Constitution provides equal opportunity for all. In view of that I see no reason why, simply because there is a co-operative society, the co-operative society must be given preference over an ordinary person, a citizen of India. After all, the co-operative society will also consist of citizens of India. As Shri Heda has indicated a co-operative society can be formed with shady persons. Why should such a society be given preference?

Once I had occasion to go to Hissar. There I found that a Deputy Superintendent of Police had formed a co-operative society and got hold of all the farm land in the name of the co-operative society, consisting of himself, his wife, his two children, his son-in-law and some two or three other persons, perhaps, his own *chaprasis*. He was running the whole show. Similar things might happen and there is absolutely no reason why such a co-operative society should have the preference.

Then, there is one thing which has been dropped and I suggest that it should be reconsidered by Government. We have laid down a principle in this Bill that if a permit holder loses the chance of running his vehicle to the full length of the period he may be given compensation. If that principle is admitted, I see no reason why a permit-holder who is already there should not have a preference in getting the permit renewed. I cannot understand why, in one

case, the compensation scheme is put forward for those who are likely to lose their permits and, in the other case, the permit-holders are not to be considered for the renewal. They must automatically be granted extension.

One more thing that I would like to point out is this. The registration marks are given in the Schedule. It is on page 71 of the Committee's Report. I find that Andhra Pradesh, Bombay, Madhya Pradesh, Punjab and West Bengal have got two sets of initials. In Punjab, the obvious reason is that the new Punjab which has been formed is formed out of Punjab and PEPSU and so the initials should be PN and PU. In Madhya Pradesh, MP and CP are still being continued; and CP is of the old Central Provinces. Let me make one suggestion. At least this CP, the old vestige of ours should go away and let it be substituted by MB because Madhya Bharat was a very big State containing a number of vehicles which has now gone into M.P. Therefore, instead of keeping this CP, drop it out and make it MB so that there may be some justification at least as there is about keeping PU and PN, as well as BM and BY.

Dr. J. N. Parekh (Zalawad): I welcome this amending Bill as it aims at bringing uniformity in some aspects of the Motor Vehicle policy in all the States. The part which the transport system has to play in our Second Five Year Plan is a very important one and the judicious handling of our transport system is very essential particularly when our Second Five Year Plan has an industrial bias. The development of the transport system is the barometer of progress in any country. The modern tendency is not to increase the railway mileage but to increase the other wings of the transport system.

The original idea of the Bill was to minimise the competition between

the railways and roadways. But that trend has now shifted. And, as we see, the truck transport has achieved its present lofty position in the economic life of the country because of its very fast, flexible, economic door to door type of service in every nook and corner. Modern agriculture, industry, business and consumers have to depend upon motor trucks to meet their daily transport requirements in our expanding economy of the present day life.

During the first Plan period, our production rose up to about 35 per cent. keeping the 50-51 figures as the base. In the Second Five Year Plan, it is likely to go to 110 per cent. and in the third, it may go even still higher. It is very evident that our railways cannot carry all this load and traffic as has been admitted by the railways themselves. Therefore, our road transport system will have to bear the brunt and burden of the extra load. But what we see is that the total investment on road transport vehicles as well as the roads is very poor and the allotment also is not a very happy one because the lion's share is taken away by the Railways and there is a lopsided development of our transport system.

Road transport and trucking and trailer system is greatly developed in U.S.A. and Germany and there is a great potentiality for development in our own country. For this, it is essential to have better roads. And, I suggest the establishment of National and State Road Boards to develop our roads so that they can better be developed at a very fast rate. I also suggest that all the port towns should be linked by concrete roads so that they may be useful for the carrying of our commercial traffic and they may as well be used in times of emergency. Similarly, I suggest that all the road bridges should be surveyed and planned because our growing and expanding need of extra load of traffic will require our re-assessing that problem also.

[Dr. J. N. Parekh]

I welcome the establishment of a Transport commission envisaged in the present Bill. Among other things, I feel that the Transport Commission should also look into the details of capital investment, operational efficiency, administrative cost and quantum of taxation etc. In my amendment I have also suggested that the Transport Commission should have power to take such measures as it thinks proper to implement the schemes prepared by it. It should also look to the security and safety measures and the fare and freight rate structure and also the system of accounting, staff amenity and other problems. This is very essential and the Commission should be vested with all these powers because it will go a long way in bettering the working of our transport system.

Our present road transport is a good example of mixed enterprise. In some areas the State enterprise is functioning and in others private enterprise is functioning. There are small people in the private enterprise engaged in this trade, and it is necessary that they have a co-ordinated mode of working. If they may be given great impetus by forming co-operative societies or by forming private limited companies or public limited companies as well as the State also joining with the private enterprise in the road transport system in certain areas, I think it is good. Sir, in Jammu and Kashmir, the State road transport is functioning on the road and on the same road permit is given for the private enterprise to run its services also. This is very essential; it gives scope for healthy competition and good working and, therefore, both systems are working very well, both State transport as well as private operators are making profit, and it is an experiment, in my opinion, worth trying.

Regarding the question of cancellation of the permit, when a permit is refused, I feel that a compensation adequate, fair and just, should be

given. If a route is taken away and an alternative route is offered, well and good. But if a route is taken away, then the assets also must be taken away, and it is just fair and equitable as other speakers have said. Therefore, I will not elaborate on that point. When we took away airways, we also took away their assets. It is right, fair and reasonable, to prevent national waste, that the assets of the existing operators must be taken away in case they are not offered any alternative route.

Regarding the period of permits, I feel three to five years in the case of passenger transport is too small a period, as has been pointed out by many previous speakers also, because the cost of present day trucks is very high, and looking to the venture and risk that an operator has to undertake—the present day trucks Mercedes and Leylands cost very much—it is but natural that the period should be five to seven years or a minimum of five years for passenger transport. For goods transport also, I suggest that the period of five years is too small and it should be made ten years to give stability and incentive to the private enterprise to go wholeheartedly into this trade because it is the need of the hour, it is very essential. If we just create a condition for private enterprise to take risks and give them proper incentives, they will go into it wholeheartedly. If there are stable conditions, for private enterprise particularly when the State has not got sufficient machinery to work entire nationalised road transport—the goods transport it will go a long way to its rapid development. The Planning Commission also has suggested that the goods transport should not be nationalised. That being our policy, the period of five years is too small, and to get stability, I feel that the period should be at least extended to ten years.

In the end, I feel that looking to the potentialities of developing the road transport system in the country,

there is a long way yet to go, and I am sure with judicious and co-ordinated handling, the road transport system is bound to flourish.

Shri Ramachandra Reddi (Nellore): I would like to add a few observations to the discussion on this Bill.

I must appreciate the attitude of the Government in having given more opportunities for better transport and having made certain amendments which are really reasonable and helpful. I am inclined to say a few words about the question of nationalisation and co-operation, which has been talked about very much on the floor of the House today.

However good nationalisation might be, it is a policy that has to be taken up with caution, and any policy of hastening slowly will be more conducive to a proper development of the transport industry. I was told that a nationalised industry is costlier than a private industry, and in this respect I am informed that a particular transport company in Madras—the T.V.S. and Sons, which is satisfactorily discharging its work—has calculated its transport cost per mile at 10 annas 8 pies, whereas the Madras Government Transport costs about 12 annas and odd per mile. This is an indication that nationalised transport is bound to cost much more than private transport, and naturally it should be understood that any costlier experiment by the Government should be undertaken with great caution.

I have also to mention that there is a definite loss in nationalised industries that we have taken up so far in this country. Apart from the nationalised transport of Air Corporations, we have not found that all road transport that has been nationalised in this country has been successful. As far as I know, in Madras it is successful to the extent that they are able to run the buses, but whether the service is paying to the Government properly or not is yet to be examined. The figures that I have been able to secure from the published figures of

the Madras Transport do not show that there is much of encouraging results thereof. In fact, a nationalised transport does not pay income-tax, whereas a private transport pays to the Government by way of an income-tax. Even the vehicle tax, I think, has only to be made through book adjustment with regard to nationalised transport. I am not definitely against nationalised transport, but I only suggest that there must be greater caution. We have to wait until greater discipline is felt in the services. Greater attention must be paid by the parties, political or otherwise, in seeing that discipline is maintained and protected, and Government should also be assisted in the proper carrying out of the services.

Nationalised transport might be a very attractive proposition in principle, but so far, experience has not shown very good results. We have heard that even Ministers have been suspected of either favouritism or even corruption in certain places—while transacting the purchase of some of the nationalised transport, namely, buses. Further, if Government is going to take up nationalised transport....

Shri Veeraswamy (Mayuram—Reserved—Sch. Castes): Now they have become more honest.

Shri Ramachandra Reddi: I have not heard the hon. Member.

Shri Raghavachari (Penukonda): He says that they have now become more honest.

Shri Ramachandra Reddi: I wish they become honest more and more. The spirit of monopoly that will be engendered in the public sector will naturally thwart the success of any of the private enterprises. I will mention the circumstances under which the Tramway Company in Madras had to be liquidated and I hope my hon. friend, the Deputy Minister, knows it very well. All of a sudden the transport service had been stopped and later on about 600 families had been

[Shri Ramachandra Reddi]

thrown out of work. After some litigation and negotiation, even the transport workers—about 600 families—offered to run it on a sound basis. Even the Corporation of Madras applied to the Government for necessary permission to run the tramways themselves. But the Madras Government has not done either of them. That only inculcates a spirit of monopoly. I am sure that the other Governments which are thinking of monopolising or nationalising could think in the same way and that will be to the detriment of the public interests. When the income-tax is not paid by the nationalised transport undertaking, naturally the Government would lose money. The Government would not be benefited by book adjustments with regard to vehicle taxes. In these circumstances, I would urge that until every person who works in a nationalised industry becomes national-minded, unless discipline is completely recovered and unless so many other factors that make a nationalised industry successful are achieved, it will not be reasonable on the part of any Government to hazard on things like this.

I heard hon. Minister saying this morning that as far as possible, opportunities will be given to co-operative enterprises to take over the transport. I am afraid that even in that sector, things have not been very happy. I have seen how the co-operative institutions have failed in their work in several places. Probably they have got into debts which they will never be able to pay back to the co-operative banks. We have seen some manufacturing concerns started on a co-operative basis. Most of them had to be liquidated. Having taken these matters into consideration, the Madras and the Andhra Governments have constituted two separate committees to go into the entire matter and to report on the extent to which co-operation has been successful and also the extent to which the weeding out process should be undertaken and the extent to which support should be given

to the proper working. If a proprietor is there, within a few days he can form a co-operative society and get it registered. What was run by one man can be converted and named a co-operative institution. There will be a committee only in name. The whole process will be the same with the result that the co-operation that is expected by the Government would not be able to come forward. According to the Co-operative Societies Act, only dividends not exceeding 6½ per cent. can be paid and that is not an attractive proposition to any enterprising company. So, some camouflage will be laid and what has been run by a private individual would be run in the name of a co-operative society. That is not a happy state of affairs.

I have very little to add to the discussion except to point out to the hon. Minister that though sufficient care has been taken in Schedule VIII for the limitation of the speed of motor vehicles, there must be greater caution and vigilance exercised over these speeds. We find these heavily laden trucks or passenger buses running at very high speeds, at higher speeds than those provided here. Any relaxation of the check would mean greater loss of life and dislocation of traffic. I have seen buses trying to overtake cars at forty or fifty miles speed though the highest speed provided here is only 35 miles. Without some check, there is every possibility of accidents happening more often. There must be some check on the transport of goods also. Starting at 8 or 9 in the night, they are to reach some other place at a distance of one hundred miles or more by the next morning. In many such cases the lorry drivers go to sleep and the lorries, in consequence, go into the ditch and the occupants go to the hell.

Mr. Deputy-Speaker: Why does the conclude that they all go to hell?

Shri Ramachandra Reddi: Probably some of them may go to heaven; I do

not know. Therefore, proper check has to be maintained in regard to the speed also.

Shri L. Jogeswar Singh (Inner Manipur): Mr. Deputy-Speaker, I welcome the Bill in general. It will be a boon to the eastern parts of India where this transport problem is very acute. Nationalised transport is not meant to take away the cream of business of the railways. It is a false assumption. It will supplement railway transport. The problem of transport is very badly affected due to a number of bottlenecks in the eastern parts of India—Assam, Manipur, Tripura etc. The prices of the commodities are therefore very high there as they are to be transported by air because, sometimes, the railway transport takes a long time. So, the rail transport should be supplemented by road transport.

So far as nationalisation of road transport is concerned, in my State of Manipur I doubt whether it will be successful and if so, how far. There, next only to the hand-loom industry, road transport is the most essential industry. Many young persons are employed in this industry. If it is nationalised, I think that some people may be taken but the rest will be thrown out of employment. In this connection, I should like to draw the attention of the Minister to one aspect of the problem. The private enterprise is very helpful in providing employment to the motor drivers and so you should encourage these people. Until the whole system has been nationalised, these people who are undertaking this enterprise, should get some encouragement from the Government.

In this connection, I would mention the name of the Manipur Drivers' Union. This Union is running side by side with the State Transport. It is giving very good service. The only difficulty is this. About 10 years ago, there was no difficulty to get the automobile parts, but because of the non-availability of these, it is finding

it difficult to run the service. After the war, the Allied forces had left a lot of dumps of these spare parts in Assam and Manipur. This Union and other Motor Associations and private operators used to get their spare parts out of these dumps, but these have now been condemned. As a result of this, the industry which is run by private operators is declining and these people are not making profit in the business and thus all the employees who were in the service of those private operators have been thrown out of employment. I would like to suggest to the hon. Minister that Government should invest a certain amount of money to help these private operators. If this is done, then the question of the employment of a large section of the population will be solved. Now the position is that the present State transport is being run side by side with private transport and it cannot absorb all the technicians and drivers etc. This is the point which I want to bring to the notice of the hon. Minister.

Another point is that in the hilly regions of India, the only system of transport available is the road transport. Where the rail service is not available, you will find that the transport system is being carried on by road transport. On account of the scarcity of this form of transport the prices of essential commodities in those parts are very high. Then again, there is the difficulty of exporting the produce of those regions to the outside world. On account of the non-availability of transport, the commodities produced in those parts cannot be exported outside, so that the economic position of the people cannot be improved. Thus the people of these parts are suffering on account of non-availability of road transport facilities. I wish that Government should give a subsidy to private operators, so that they will be able to carry these goods at a reduced rate. If my suggestion is accepted, it will benefit the consumer as well as the men who are running the business there.

[Shri L. Jogeswar Singh]

Another point that I want to mention is with regard to compensation. This question has been discussed in the House, and a number of Members have spoken about it. I am not in favour of payment of compensation for withdrawing the license or permits issued to the private operators, but I am in favour of giving compensation to those whose assets have been taken over by the authorities. Here again, I should like to point out that in my part of the country a number of private operators have now ceased to function because of the non-availability of automobile spare parts, with the result that the economic position of the people has very much deteriorated. So, whenever any transport is to be taken over or to be run by the Corporation or by the Transport Authority, compensation to those people whose assets have been taken by Government, should be paid.

Another point which I want to mention is in regard to the service conditions of the employees, who are employed in the State transport. We have State transport in Manipur State. There is no provision for the security of the service of the people employed in that organization. There is no scope for the improvement of their condition, no provision for insurance and provident fund and other benefits which are generally given to the employees of Government. Their service may be characterized more or less as of a temporary nature. Therefore, it should be considered by the Ministry that as they have taken over that transport service they must improve the service conditions of the employees there.

Another point is in regard to the conductors. In these parts of the country, where the road transport system is not advanced, these conductors find it difficult to get licenses, and on this account the private operator experiences some difficulty. Therefore, I want to suggest that when these conductors are appointed some relaxation should be made in their conditions of service such as

issuing license etc. in the case of those areas where this transport system is not so much advanced.

Shri N. R. Muniswamy (Wandiwash): Mr. Deputy-Speaker, I shall be very brief, because many of the points have already been covered by other hon. Members, and I shall only add some more points with regard to other aspects which have not been raised by them.

So far as nationalization is concerned, though I agree on principle, as a practical proposition, I am opposed to that. Any nationalization at this stage is not very conducive so far as the road transport is concerned, and we have seen how after the nationalization of the railways, people are not subject to discipline, how they are care-free, and the spirit of service is utterly gone. I do think that nationalization should be given the go-by for the present and taken up later on.

As far as co-operation is concerned, the principle is all right, but when we take into consideration how it is being implemented by the people at the time of running this transport, we see that some indiscipline comes into existence, and there is a good deal of corruption etc. Therefore, co-operative societies also should not at this stage be given any priority. It has been stated by the hon. Minister that co-operative societies would be given priority in respect of giving permits for transport. I wish to say that at this stage it is not advisable. We are introducing co-operation in many spheres. So far as land reform is concerned we have introduced co-operation. With regard to production of food-grains and other things we are experimenting co-operation. But so far as transport is concerned, I think it is a novel method to introduce co-operation. I can understand transport being given to local Boards or corporations. But to run any transport on the basis of co-operation is not advisable.

So far as the period for which permits are given is concerned, I find in this Report that a permit is given only for five years—it is given from three to five years. I am unable to understand why this provision of five years should be put in. It must be for a minimum period of ten years. My reason for that is this. A particular individual or a concern may start a business for running a transport. He must be able to find out whether the business is running on a profit or loss. He cannot make up what he has invested in a period of five years. Therefore, at least a minimum period of ten years must be given in case of nationalisation. He might also by that time be able to realise the money that he has invested. I would therefore suggest that an amendment increasing this to ten years instead of five years may be brought.

As regards the Board I have one thing to say. Under the provisions of the Bill as it has emerged from the Joint Committee, it becomes an autonomous body. This Board consists of three members and the Chairman happens to be a judicial officer. I quite welcome this provision because there is some reason behind having this kind of an outlook. The Board need not necessarily consist of three members presided over by a judicial officer. I only insist that there should be jurors. There should be at least five or seven jurors or assessors as the case may be. They will be able to know the real position of the actual working of the transport. In that composition of jurors we can also include respectable persons, persons who have had experience of running or plying motor transport. Therefore, my suggestion is that the Board consisting of three members should have the able assistance of these jurors, five or seven as the case may be. If the opinion of the jurors is unanimous the Board should necessarily give effect to that decision. If their opinion is divided, the Board can, if they like, give effect to the majority decision, or else have their own decision in the matter.

The reason for my insisting in having these jurors is this. At the time of giving evidence before the Joint Committee, it was insisted that this Board should also have some representation from the workers. They have done a right thing in rejecting that proposal; the workers need not have any representation on the Board. But, at any rate, the jurors I visualise represent the operators and other workmen. In that case the workers will be highly satisfied that these jurors will put forward their view point before a verdict is given.

The last point to which I wish to refer is about compensation. Clauses 65 and 68 visualise several principles and methods by which compensation has to be given. I wish to add one more thing. Instead of giving Rs. 200 for a month or a part of a month or Rs. 100 for less than 15 days, I wish to add that there should be a technical committee, a committee of experts who can give the real value of transport. They may be in a position to give either the market value or the existing value of those transports. The technical committee would be in a better position to advise the Board or anybody who would ultimately grant the money in compensation. That technical committee's opinion should be given proper weight. In the absence of a technical committee, to give compensation on an *ad hoc* basis, as is visualised in one of the clauses, is not quite proper, and it will not be workable in the long run. There are bound to be certain discrepancies in the long run. Therefore, if a technical committee is appointed they will be in a position to assess the real value. They can also take into consideration the other principles that are enunciated in this Bill.

Lastly, I want to say that I am very glad that the restriction has been relaxed by which a particular individual can run transport to any length. In addition to giving licences to firms or concerns, I only want to say that even private persons, who may, *prima facie*, not be able to start with any finance, if they are able to manage things they

[Shri N. R. Muniswamy]

should also be given a licence. Otherwise, only rich persons will be able to get licences whereby the rich will become richer and the poor will become poorer. You must also encourage private individuals who are able to do the job.

So far as Madras is concerned, they have nationalised transport in Madras. But that is not working properly. Even for a small defect in a running bus the driver stops and gets out saying that he cannot run it any more with the result that the passengers have to arrange their own conveyance from there. When we nationalise, people, are not very sincere. They work more or less in a nonchalant way. That is the reason why I am opposed to nationalisation.

Therefore, Sir, I commend this Bill with these observations. Barring nationalisation, co-operation and other things, I entirely support the Bill.

Shri M. K. Moitra (Calcutta North-West): Mr. Deputy-Speaker, Sir, in spite of the tirades made against the proposal of nationalisation of road transport, I continue to remain an unabashed protagonist of the nationalisation scheme. The need of the hour requires that road transport should be nationalised from now. What is the position? Now our railways lift only 34 per cent of the total goods traffic, that is, fairly one-third. Our shipping carries only about 10 million tons of goods. The Second Five Year Plan has envisaged that there will be a rapid increase in production of goods, and an apprehension also has been expressed that due to the bottleneck of transport the proposals of the Second Five Year Plan may be handicapped. It is, therefore, necessary that road transport should increase.

The Government have already spent about Rs. 300 crores in improving roads during the First Plan period. They are going to spend another 400 crores during the Second Plan period.

So, to carry the goods and to complement the railways these road transports should be nationalised.

So far, lorries and motor vehicles were not nationalised, but has it attracted capital? If we look into the facts we will find that in India there are only two lorries, including, of course, bullock-carts, for every mile, whereas in Great Britain there are 22 per mile and in the United States of America 17 per mile. Therefore, it is necessary that Government should now take the initiative and nationalise this. But it is surprising that while placing the Bill before the House the hon. Minister was pleased to say that the Government have not any contemplation of nationalising these lorries during the next five years. Grave doubts have been expressed by some hon. Members that nationalisation would not produce better results or the desired results. But if nationalisation has not brought any happy or desired results, it is not the fault of nationalisation, for, after nationalisation, the management was entrusted to inefficient hands and favouritism and corruption prevailed there. It is now a fact that the Government have not been able to free the administration from corruption. If there is no profit in the State undertakings, it is because of corrupt and inefficient management.

I come from West Bengal and I know something of the management of these buses and lorries. First of all, one has to cross a hurdle if one has to get a permit. Seldom does a man having no uncle behind him to back him or no Minister behind him or no Congress leader to back him, get a permit. It is difficult for him to get a permit although West Bengal roads have got the capacity to carry more traffic and there is need for more traffic. As regards buses, conditions have improved and more care is bestowed on the nationalised buses in Calcutta, but there is horrible overcrowding. Therefore, more buses are necessary

and more taxes are necessary. I wish that the Select Committee gave some attention to that problem.

However, I will point out one other problem. Competition between two States in allowing lorries to move in their respective areas is rife. I am putting forth an example. Calcutta is a port which carries the total imports of Bihar and Orissa. Now, the Bihar Government will only allow as many lorries as are allowed by the West Bengal Government to cross the borders of West Bengal and enter Bihar. That creates an unhealthy competition and an Inter-State Transport Board has been established. I hope this Inter-State Transport Board will be given the power to allow movement of transport in different States from one State to another beyond 150 miles and that the power will not be left with the transport authority of a particular State.

While I prefer that road transport should be nationalised at once, I am against doubling the rate of compensation. I also plead that some sort of provision should have been made in this Bill for the betterment of the condition of workers and conductors, etc.

Shri Raghavachari: Mr. Deputy-Speaker, I have been listening with patience to the whole trend of discussion, but I feel that many of the observations are not quite relevant to the consideration of the Bill, and many of the ideas and notions mentioned by the Members are foreign to the Bill. Take, for instance, the question of nationalisation. It is nowhere provided in this Bill that nationalisation would come—either of passenger transport or of goods transport. All that the Bill contemplates is that under the Second Five Year Plan, the Government finds it inadvisable at the present stage, mostly for want of necessary funds and due to the preoccupation in other essential particulars, to nationalise goods transport. There is no idea at all of doing so. That is a statement of

policy which the Minister has mentioned in his introductory speech, while moving for consideration of the Bill. Beyond that, there is nothing in the Bill.

As regards passenger transport, there is a contemplation that any State, wherever it finds it desirable in the interests of public service, may take over the services. So far as that aspect is concerned, it is purely within the State's powers and they have, under the Constitution, powers to take over that wing of the transport system, inside the State. We do not want to burden their discretion by trying to force conditions which make the running of that undertaking impossible. It is here that the question of compensation relevantly arises.

The House knows that legally speaking, if a permit is given for a few years for using the road, the vehicle and in fact everything belong to the operators, and they are only given a permit to run on the road for a particular period. The vehicle belongs to the operator; the assets belong to him. Everything is his. He has only been permitted to ply on the road. So, there is nothing to compel a permit being issued to a particular individual. Simply because an individual is chosen and he is given a permit, does any right of property vest in him so that the Government, when it deprives him of it or refuses to renew the permit, is bound to compensate him? That was the problem. But it was felt that constitutionally and legally also that man really has no right to ask for any compensation; but we as Members of Parliament and of the world, must take a realistic view.

Shri V. P. Nayar (Chirayinkil): Does it amount to a licence?

Shri Raghavachari: I shall come to that aspect shortly. We should take a realistic view. A man has invested some money believing that he will get a particular permit and once he gets it, he could run his service, because he has invested something and he must have some

assured profit. The witnesses, some of whom were economists, who gave evidence before the Committee pointed out that vehicles could run efficiently for a period of about eight to ten years at the end of which it was envisaged that vehicle price charges as well as the maintenance charges and running charges could be recouped with reasonable profits also. If the period was reduced, there would be some reason to feel that there is some loss for an individual. The general policy that is underlying this legislation is that in the case of passenger transport, invariably one more term of permits would be extended. In the case of goods traffic, as I already pointed out, there is no idea at all of taking it over now. Another five-year period would be given in that respect.

There is only one difficulty that arises. Supposing in any particular small bit of road, passenger transport is to be taken over by a State because of public need, the man who has invested must have some compensation. Therefore, we thought that if a further extension of the period for a permit is refused, no legal compensation would be given. If a particular period has already been granted, and if it is reduced or modified, the man concerned has really a right to ask for some compensation. That was no doubt provided in the Act by doubling the rate of compensation. But the arguments of the hon. Members who attacked that part of the legislation is that invariably—we know it from our previous experience—a State only refuses to renew the permit and it does not reduce the period or modify it and so, under those circumstances, the State has to pay no compensation. In other words, if the period of the permit is for three years or five years and at the end they refuse to renew it, the man goes without a right for compensation, and that way, the State can defeat this operator without giving him any chance for compensation. Technically

speaking, it is possible, and the State would certainly be wise in refusing to renew the period for the permit rather than reducing it and then expose itself to a claim for compensation. But the question is: what is it that the operator really suffers from?

17 hrs.

As I have already pointed out, technical people have told us that the life of a vehicle is a particular number of years. If a man's permit is not renewed, still he has his vehicle and he can make any use of it. It is true that the regular use to which he has been putting his vehicle will be stopped...

Mr. Deputy-Speaker: Do technical men suggest that even if the route was not allowed to them, the vehicles can be put to use?

Shri Raghavachari: The idea is....

Mr. Deputy-Speaker: If the hon. Member can conclude within 3 or 4 minutes, the hon. Deputy Minister can begin tomorrow.

Shri B. K. Das (Contai): He was the Chairman of the Joint Committee. He can continue tomorrow and explain it in detail.

Mr. Deputy-Speaker: Even the hon. Minister will continue in the same strain; he would also explain in detail.

Shri Raghavachari: I will conclude within five minutes. That question was actually considered with the experts; what use the operator can make of the vehicle at the end of 3 or 4 years. The refusal of the renewal of the permit means that he cannot make use of that particular route between a particular point and another point. It is not that there are no other routes where the vehicles can be used; nor does it mean that the vehicle is useless. For instance, a passenger bus can easily be converted into a goods traffic vehicle.

Mr. Deputy-Speaker: Is there any guarantee that as a goods traffic vehicle, it would be allowed to run?

Shri Raghavachari: Yes. As I have submitted already, the policy is that there will be no taking over of the goods traffic by the State in the next five years and probably even beyond that. Therefore, free permits can be granted without limitation of mileage or routes. There are plenty of opportunities for goods traffic.

I will only mention one other fact. Suppose there was a compulsory need to acquire these assets. In India we find vehicles of all kinds of makes and ages. Some of them are road-worthy no doubt under a certificate. But the moment the question of nationalisation or compensation for assets arises, all the material parts of the vehicle might disappear except the wheels, the body and the engine case and they might be sold elsewhere. Only the junk will remain and the Government will have to pay for it. Also, in the process of determining the probable value of the vehicle for purposes of compensation, the question of corruption and all that kind of thing will arise. That is another difficulty. If all makes and types of vehicles are taken over, then the spare parts for all those types must be kept in the Government workshops. So, it leads to a lot of confusion and difficulty. If we are merely going to transfer the junk to the State, indirectly it means that the tax-payer has to pay for the whole thing. Therefore, a realistic view should be taken that no man should suffer and his investment must not lead him to loss. That is the whole point of view from which it was looked at in the Committee.

As I said, there will be plenty of opportunities. Small individuals

should be given compensation; so far big people have been given more compensation etc., all those big principles are not involved in this matter. The majority of the members of the Committee thought that the present rate of compensation might not really be adequate in most cases. Still there is a principle that if the period of the permit of a new road-worthy vehicle is reduced in the middle, the owner will get some reasonable compensation. Government is also mindful of the employment potential involved in these cases. Every vehicle put on the road means employment for 8 or 10 people. When we are having our second Five Year Plan, it is not that we want to throw everybody out of employment, but to encourage employment. Therefore, a wide view has been taken so far as goods traffic vehicles are concerned.

Under the circumstances, all the criticisms about inadequate compensation, no acquisition of assets etc. are more sentimental than real. Of course, in a few cases they might suffer; but, the only thing is from a regular and ready-made business, they will have to go into other routes adventurously and develop them.

Shri Alagesan: Mr. Deputy-Speaker, I am happy to note the universal welcome that this Bill, as reported by the Joint Committee, has received from the House.

Mr. Deputy-Speaker: He may continue tomorrow. We might disperse now and meet again tomorrow at 11 A.M.

17-06 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, the 29th November, 1956.