

stated that this change-over should take effect within one year of the introduction of the revised rates structure.

This matter is receiving attention, and should the responsibility of the Railways as carriers be enhanced as has been recommended, there will undoubtedly be substantial additional expense to the Railways by way of increased payments for compensation. In the absence of factual data, it is difficult to assess what the quantum of these extra payments will be, but Railway Officers of experience in compensation claims work guess that it might well be of the order of Rs. 2 to Rs. 3 crores. After the examination of this matter has been completed, necessary legislation to implement this recommendation will be put through.

Before I sit down, Sir, I will take this opportunity of expressing my appreciation of the valuable work of this Committee.

12.36 hrs.

STATEMENT RE. CHANGES IN THE RAILWAY BOARD

The Minister of Railways (Shri Jagjivan Ram): Sir, I have one other decision to announce.

The House is aware that the Railway Board at present consists of the Chairman, the Financial Commissioner and three other Members. Each Member of the Board, including the Chairman, has certain functional duties specially assigned to him. The Chairman is the *ex-officio* Secretary to the Ministry of Railways and the Financial Commissioner, since the announcement made by the late Shri Gopalaswami Ayyangar in his Budget Speech for the year 1951-52, functions as the Secretary to this Ministry in financial matters. With the considerable growth of work in the Ministry and increasing specialisation in the technical field, it is not possible for one man

to attend to all matters requiring disposal at the Secretariat level. Other Members, therefore, deal with such matters as lie in their respective spheres.

I have, therefore, decided to regularise and clarify this position so as to obviate any difficulty in their dealings with other Ministries, Parliamentary Committees and all Government and outside Organisations. Every Member of the Railway Board will henceforth be *ex-officio* Secretary to the Ministry of Railways, in respect of the subjects which are in his charge. The Chairman will be the principal Secretary to the Ministry and will retain his existing position in the Railway Board to ensure proper co-ordination, so that the Board might function as a corporate body and work as a team.

The change has no financial implication as all the Members already draw the same emoluments as the Secretaries to the Ministries.

Shri Harish Chandra Mathur (Pali): May I know whether the House will be afforded an opportunity to discuss this before the new freight structure comes into effect?

Shri Jagjivan Ram: I said I wanted to inform the House; and I am placing the decision of the Government on the Table

Shri Harish Chandra Mathur: There are two ways. One is the Minister himself will have to bring a Bill to give effect to these recommendations from 1st October as has been pointed out. But may we know whether this Bill is going to be discussed within the course of this session? If it is not going to be discussed within the course of this session, then, these rates will come into operation without this House having had an opportunity to discuss them. May I know what is the exact position?

It is open to Members to move a motion and see that this matter is

[Shri Harish Chandra Mathur]

discussed Could we know the exact position? If we know it from the hon Minister we will be able to adjust our activities

Shri Jagjivan Ram: Any Bill or Act is not necessary for giving effect to any change in the freight rates or parcel rates. Therefore, the question of any Bill having been brought before this House is not relevant. It is not the intention that this matter should be discussed because a Committee was appointed on which Members of this House were represented. They have gone into the question and Government had considered the recommendations. As I undertook to inform the House before effect was given, I am placing the decision of Government for the information of the Members of the House.

Shri Tangamani (Madurai): In view of the importance of this Report, I submit that copies of it may be circulated to all the Members

Mr Speaker: Yes

Shri Jagjivan Ram: I cannot say; but, we have made a copy of the Report available in the Library of the House and, Sir, if you think that more copies are required, we will place some copies at your disposal

Mr. Speaker: Any Member who wants that can take it from the Library. What is the difficulty?

12.38 hrs.

MINUTES OF ESTIMATES COMMITTEE

Shri B. G. Mehta (Gohulwad): Sir, I beg to lay on the Table of the House a copy of the minutes of the sittings of Estimates Committee held during the year 1957-58, Vol I, Nos. 1 to 3.

12.39 hrs.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I beg to move that the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration

This is a matter which deals with the question of service of summons and execution of warrants in the State of Jammu and Kashmir or in the rest of India. In this respect, as you are aware, there is already a section, namely section 93A of the Code of Criminal Procedure. But it deals with only two of the four matters with which it ought to have dealt. You will find that it deals only with the summons to be served on the accused or the warrant for the arrest of the accused. Two matters were left out by inadvertence and they are search warrants and summons to produce documents of things

You are aware that so far as the courts of Jammu and Kashmir are concerned, they are governed by their own Code of Criminal Procedure. In the rest of India, except where there has been a provision according to which the Code of Criminal Procedure is not made applicable, it applies to the whole of India. A reciprocal measure was necessary. Section 93A dealt with this question to a certain extent. This omission was in respect of two important matters, namely, the search warrants and also summons for the production of documents. Difficulty was felt in this respect both in India as also in the State of Jammu and Kashmir and the matter was such that it had to be dealt with almost immediately. Therefore, both here and in the State of Jammu and Kashmir, Ordinances were issued in June this year so as to make it possible for the respective courts to have powers for the purpose of proper execution or service of these four matters, in respect of only two of