

Shrimati Chandrasekhar : A copy of the resolutions is placed on the Table of the Lok Sabha and that will give a clear idea of the things discussed at the Simla Conference this year.

Mr. Deputy-Speaker : The decisions are not placed before the House yet. The hon. Member may take time and put further questions if necessary thereafter.

Railway Siding at Barbil

*2408. **Shri R. N. S. Deo :** Will the Minister of Railways be pleased to state :

(a) whether Government have received any suggestion for taking over the private assisted siding of Messrs. Bird & Company at Barbil (Orissa) and to distribute the same equitably amongst all the mine owners of the area; and

(b) if so, the action taken or proposed to be taken in the matter?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan) : (a) and (b). Yes, Sir. Private sidings cannot be taken over by the Railway. As regards the assisted siding of Bird & Co. at Barbil (Orissa) this can be taken over under certain conditions, the implications of which are being examined.

Shri R. N. S. Deo : May I know whether Government have examined the legal and constitutional position and found that they are not in a position to acquire the private sidings for a public purpose?

Shri Shah Nawaz Khan : Yes, Sir. That is so.

Shri R. N. S. Deo : May I know whether Government are aware that due to lack of loading facilities there is stockpiling of minerals and it has led to considerable retrenchment of labour in the mining area?

Shri Shah Nawaz Khan : That is quite another question. Some parties actually approached the Railway Ministry for construction of new sidings, taking off from the Thakoor Rani sidings, but that siding was a private siding belonging to Bird and Co. One of the parties concerned had to produce a letter of consent or agreement from the person concerned but they have not been able to produce that letter. In the absence of that we are not able to proceed any further. That is the position.

Shri R. N. S. Deo : May I know when this private siding was constructed its length and loading capacity, and under what concessions it was given to this company by the previous Government?

Mr. Deputy-Speaker : That does not arise out of this question. The hon. Member wants to know whether it can be acquired, and that question is under examination.

Shri Jaipal Singh : In view of the fact that owing to the monopolistic policy that has been adopted by this particular firm, something like 50,000 people were thrown out of employment, may I know whether Government would consider the question of persuading this firm to share that siding with everyone on an equitable basis?

Shri Shah Nawaz Khan : As I have explained, there are two types of sidings: one is the private siding and the other is the assisted siding. We cannot take over a private siding under the existing law and regulations. Government can take over the assisted sidings under certain conditions. That is the position and where it is necessary to take over assisted sidings in the public interest we will do so. The matter is being examined.

Shri Jaipal Singh : May I know whether the recent amendment to the Constitution does not apply to this particular firm, or, is the firm above the Constitution?

Mr. Deputy-Speaker : Possibly the Government have examined it also that way.

Shri Jaipal Singh : They say they cannot acquire it.

Mr. Deputy-Speaker : Are we now to have a legal interpretation of the Constitution here?

The Minister of Railways and Transport (Shri L. B. Shastri) : I want to say only one thing. There is clause No. 21 in that agreement under which the Government is not prevented from taking over the siding and convert it into a public one. But if there is a dispute between the two parties, then, as a matter of fact, the whole matter has to be referred to arbitration and we might take recourse to that method.

Shri R. N. S. Deo : May I know, in view of the difficulties felt by Government in taking over this private or assisted siding whether Government propose to provide a public siding there to remove the difficulties?

Shri L. B. Shastri : We will consider it.

India-Iraq Air Service

*2409. **Shri Bhagwat Jha Azad :** Will the Minister of Communications be pleased to state whether any regular air service has been started between