

LOK SABHA DEBATES

6835

6836

LOK SABHA

Tuesday, 8th September, 1959/Bhadra
17, 1881 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Defect in Pile Foundations in Durgapur Steel Plant

+

Shri Ram Krishan Gupta:
Shri Sadhan Gupta:
Shri Surendranath Dwivedy:
Shri C. K. Bhattacharya:
Shri Narayanankutty Memon
Shri S. M. Banerjee:
Shri Jagdish Awasthi:
Shri Nagi Reddy:
Shrimati Mafida Ahmed:
Shri Morarka:
Shri Vajpayee:
*1216. Shri Raghunath Singh:
Shri N. R. Muniswamy:
Shri Assar:
Shrimati Da Falchoudhuri:
Shri Nath Pai:
Dr. Ram Subhag Singh:
Shri Wodeyar:
Shri Aurebindo Ghosal:
Shri Hem Barua:
Shri F. G. Deb:
Shri Viswanatha Eddy:
Shri F. C. Borooah:
Shri Kalika Singh:

Will the Minister of Steel, Mines
and Fuel be pleased to state:

(a) whether it is a fact that the Government of India had appointed recently a high-powered committee of engineers headed by Shri K. Subbaraman, former Chief Engineer of the
221 L.S.D.—1.

Bhilai Steel Plant, to investigate into the matter of defective pile foundations which had been put at the Durgapur Steel Plant;

(b) whether the Committee has submitted its report;

(c) if so, the findings of the Committee; and

(d) the action taken thereon?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes, Sir. A committee of engineers was appointed by the Hindustan Steel Ltd., I would also invite attention to the statement I made on the 10th August, 1959.

(b) The final report of the Committee is still awaited.

(c) and (d). Do not arise.

Shri Ram Krishan Gupta: May I know how far these defects will affect the pace of progress?

Sardar Swaran Singh: The ISCON have confirmed that this has not affected the pace of work. The first battery of the coke oven has already been heated up more or less according to schedule and the first blast furnace is expected to go into production in November.

Shri N. R. Muniswamy: May I know whether it is a fact that one of the engineers, at the time of piling the foundations, brought to the notice of the Government by a separate note that the piling was very defective and that they must see that it was not done in that fashion? The hon. Minister may give us the reply by referring to the records that he is now having.

Sardar Swaran Singh: I can assure the hon. Member that there is nothing

in this record. But it is a fact that this defective piling was brought to our notice and it is as a result of that that all these remedial action has been taken and the ten years' guarantee has been given by ISCON. I cannot really recall to my mind as to how it came to my notice, whether on the note of somebody or otherwise.

Mr Speaker: Shri S M Banerjee

Pandit K C. Sharma: What is this ten years' guarantee?

Mr. Speaker: Hon Members must catch my eye. The hon Minister need not answer the question put by an hon Member unless I call the hon Member.

Pandit K C. Sharma: I am sorry.

Sardar Swaran Singh: The ISCON have stated with complete confidence that all the foundations of the project containing bore piles will be adequate for the purpose and that they will comply with every requirement of the contract. As an expression of their confidence, ISCON undertake to rectify at their own expense any damage to the works caused by the settlement of foundations containing bore piles for a period of ten years.

Shri S. M. Banerjee: May I know when this defect was actually brought to the notice of the Government and whether any explanation was asked for from the company and, if so, whether a reply was received? May I also know whether it is a fact.

Mr Speaker: He can put only one question at a time.

Shri S. M. Banerjee: Will you please allow me to put it?

Mr. Speaker: I cannot allow a string of questions all together. I allow only one question; whichever he considers very important may be put.

Shri S. M. Banerjee: May I know when this defect was brought to the notice, and whether as a result of this, a huge amount which is due to ISCON

is not being paid to them and, if so, what is that amount?

Sardar Swaran Singh: The defect was brought to the notice of Hindustan Steel several months ago, but at the moment I do not think that there is any amount that has been withheld, in view of the guarantee and the rectifying measures that have already been taken by ISCON.

Shri Sadhan Gupta: May I know whether the company which was responsible for the defect is one of the constituents of ISCON?

Sardar Swaran Singh: It is that is why ISCON have rectified all the defects at their own cost and have also given the guarantee. They would not give that guarantee or undertake those expenses for rectification if they were not the constituents of ISCON.

Shri P C. Borooah: May I know whether any change in the agreement has been made with ISCON and, if so, will a copy of the agreement be laid on the Table of the House?

Sardar Swaran Singh: The original agreement between ISCON and Government in which HSL is now represented on behalf of Government stands. It is the intention of HSL to stick to that contract. There will be some modifications and a formal agreement between HSL and ISCON will be executed giving effect to the ten years' guarantee.

Shri Hem Barua: May I know whether the committee of engineers appointed by the Government have recommended a complete dismantling of the piles in certain sections of the plant and, if so, whether it has been brought to the notice of ISCON and what is their reaction to it?

Sardar Swaran Singh: The first part is incorrect, the second part does not arise.

Shri Nagi Reddy: In view of the seriousness of the damage done, may I know whether the Government is

satisfied with the ten years' guarantee that has been given by ISCON?

Sardar Swaran Singh: In the first instance, the defect is there. But to say that serious damage has been caused is not a necessary corollary to the defect in the work. The HSL considers that ten years' guarantee is adequate.

Shri Morarka: Is it not a fact that this defect was noticed only because some structure collapsed and our consultants to whom we pay crores of rupees could not notice it and, if so, what action has been taken against the consultants?

Sardar Swaran Singh: It is true that the primary responsibility to ensure that the work executed by ISCON should be according to the specifications is that of the consultants, and the consultants cannot escape the responsibility that lies squarely on their shoulders to ensure proper supervision and to see that the work is executed according to the specifications. But in view of this guarantee given, it is too early to say as to whether any further action and, if so, what action is called for against the consultants.

Shri C. K. Bhattacharya: Why is it that the bore piles in the smelting shop were not included in the original contract between the Government and ISCON and the work was entrusted to another contractor who had other work to do?

Sardar Swaran Singh: The piles were not in the original contract, because, in the initial stages, the bore data were not enough to call for an undertaking for piling. Later on, when detailed boring was undertaken, it was found that piling was necessary. There was no separate contract that was given to any firm, but one of the constituent firms of ISCON has also undertaken this piling work.

Shrimati Renuka Ray: The hon. Minister said that the consulting engineers acknowledge that they are

responsible. What explanation have they given and what action does Government propose to take on this?

Sardar Swaran Singh: I have already attempted to reply. It is a failure, and all failures need not be capable of correct explanation.

Mr. Speaker: These failures seem to be contagious!

Shri Narayanankutty Menon: May I know whether any independent enquiry was conducted in order to satisfy that the remedial measures taken by ISCON are foolproof?

Sardar Swaran Singh: The independent enquiry is the one which I have already mentioned and which is contained in the reply also. We appointed a panel of five engineers. Their names are Shri K. Subbaraman, former Chief Engineer of the Bhilai Steel Project, Shri S. D. Kungur and Dr. K. L. Rao of the Central Water and Power Commission, Shri T. M. Malkani of the Calcutta Port Commissioners and Shri O. S. Murthy, Director, Railway Board. I would like to add that so far as the committee is concerned, this does not in any way absolve ISCON from their ultimate responsibility to do the work according to the specifications. This is an additional precaution that Government have taken to satisfy themselves that the remedial work that is undertaken is, by and large, all right. But merely because this committee of engineers is there, this does not absolve the contractors from their responsibility and it is for them really to hand over the work to us as completed according to the specifications.

Shri Tyagi: Is there any guarantee given by these consultants with regard to their responsibility mentioned by the hon. Minister and if so, is there any penalty clause in the agreement with them, whereby we can realise from them the losses which we may incur?

Sardar Swaran Singh: So far as the liability arising out of any failure of

any duty is concerned, that is an inherent law and it can always be enforced irrespective of any penalty clause or not. So, if any case is made out that there has been a breach of contract or failure of duty, irrespective of any provision by way of penalty, that can always be enforced. It is not usual in consultancy agreements to include a penalty clause. Penalty clauses are included in the contractors' i.e. suppliers' contracts. It is very seldom included in the consultants' contracts.

Mr. Speaker: There are a number of hon. Members who are interested in this. I believe the hon. Minister made a statement regarding this at an earlier stage.

Sardar Swaran Singh: Yes.

Mr. Speaker: He has already made a statement. If he has no objection, the report of the experts may be placed on the Table of the House, so that hon. Members may look into that. I leave it to the hon. Minister.

Sardar Swaran Singh: I will certainly consider that when the report is received, if there is no harm done to the interest of HSL. The point I would respectfully submit before the House is that the appointment of this committee is not intended to cover up any defects. The suppliers themselves are ultimately responsible to make good those defects. It will be my earnest endeavour to ensure that any remarks in the engineers' committee do not in any way dilute the responsibility of the contractors.

Shrimati Bhanika Ray: When is the report expected to be received? How long will it take?

Sardar Swaran Singh: May be a month and a half.

Mr. Speaker: By the time we meet next.

Shri Merarka: May I know whether within the period of guarantee the full payment will be made or some

portion of it will be withheld as security?

Sardar Swaran Singh: The endeavour will be, the HSL will ensure that those who give the guarantee will have the necessary wherewithal to fulfil that guarantee. The rest is a matter of detail. This suggestion can be passed on to HSL, so that they might ensure that the guarantee is an effective guarantee and not a paper guarantee.

Shri Nagi Reddy: May I know whether any administrative steps have been taken to see that we will be able to know if any defects arise after this in the course of construction?

Sardar Swaran Singh: Yes; there will be a lot of people who will be in charge of the operation and if there is any defect, it will not remain unnoticed.

Mr. Speaker: He wants to know evidently, when other persons who are the inspecting authorities now have not brought it to the notice of Government, is there a proposal to have a different set of people to inspect?

Sardar Swaran Singh: That is not necessary. In the first instance, after all, these defects do not remain unnoticed for long. The question put by the hon. Member was, what will be the arrangement to ensure that during the period of guarantee, if there are any defects, it would be noticed. If there are any defects those who are in operation would certainly notice them....

Shri Nagi Reddy: My question was not "during the period of guarantee". My question was, in view of the fact that such a serious defect had taken place once, whether Government have thought it fit to take any further administrative steps to see that such defects do not arise in future in the process of the construction of this plant.

Sardar Swaran Singh: It is quite correct. The implication has been before HSL and steps have been taken

to strengthen the organisation of consultants. We have already posted a number of Indian engineers in the consultants' organisation, so that the supervision is more effective.

Shri Sadhan Gupta: The hon. Minister has stated that ISCON has undertaken remedial measures and given a ten-year guarantee. May I know the nature of these remedial measures, whether they are by way of replacing the smaller piles by piles of the requisite specifications and if not, whether the smaller piles can be adequately tested in the course of ten years?

Sardar Swaran Singh: One of the remedial measures that has been undertaken is what is technically called "under-pinning". Below the foundation, earth has been dug out and fresh reinforcement has been added. Technical people have given the advice that this under-pinning, although it is a fairly costly thing, strengthens very vitally the foundations. A number of other measures, even replacement in certain cases if necessary, will be taken. These are matters of detail, which are attended to by ISCON and I think the guarantee that they have given is something which should create confidence amongst everybody that the work will be executed after effecting the remedial measures.

Shri Hem Barua: In view of the fact that the Minister has spoken about financial responsibility, may I know what is the percentage of work in terms of money, out of Rs 128 crores, that has been affected by these defective piles?

Sardar Swaran Singh: So far as the actual piles are concerned, I think the total work is between Rs 30 lakhs and Rs 50 lakhs; I forget the exact amount. It is very difficult to assess the financial implication which might flow from this defective work, because the foundations are vital and so, if the foundations fail, then something more serious can happen. But our hope is that it would not happen in view of the remedial measures that

have been taken. In view of the guarantee that has been given, we can think that we have safeguarded our interests adequately enough.

Qualifications of University Teachers

+

*1217. { **Shri D. C. Sharma:**
Shri Ram Krishan Gupta:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 1563 on the 30th March, 1959 and state:

(a) whether the draft regulations regarding qualifications of different categories of teachers in Indian Universities have since been adopted by the University Grants Commission; and

(b) if so, the action taken in implementation thereof?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) The Regulations defining the qualifications of University teachers have been circulated by the Commission to all the Universities for information and guidance.

Shri D. C. Sharma: May I know if these rules are meant only for information and guidance or they are meant for implementation by the universities?

Dr. K. L. Shrimall: The University Grants Commission had already had some consultation with the universities and most of the universities have accepted these recommendations. So, I do not envisage any difficulty. When the UGC frame certain rules and regulations, though they are for guidance, it is expected that all the universities will accept them.

Shri D. C. Sharma: In what fundamental way are these regulations concerning qualifications different from those existing in the Indian Universities today?

Mr. Speaker: Are these regulations not available to the public?