

701 *Re. Statement by* VAISAKHA 14, 1916 (SAKA)
Railway Minister

incident by a Committee of Senior Administrative Grade Officers.

All railway workers and I express our heartfelt condolences to the families who lost their relatives due to this unfortunate incident, and also express sincere sympathies to the injured.

I trust the House will join me in extending heartfelt condolences to the bereaved families. *(Interruptions)*

15.04 hrs.

Re. Statement by Minister of Railways on unmanned level crossing accidents involving 7424 Narayandari Express and a tractor trailer on the Bibinagar-Nadikude BG single line section of South Central Railway on May 2, 1994.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer) : How much compensation has been paid to the families of the deceased ? *(Interruptions)*

MR. CHAIRMAN : I will allow you if you speak one by one.

(Interruptions)

[English]

SHRI BASUDEB ACHARIA (Bankura) : What compensation are you paying to the relatives of the deceased and injured?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF) : The Railway Budget is being discussed in the other House. *(Interruptions)*

Statement by 702
Prime Minister

SHRI BASUDEB ACHARIA : The Railways have provided unmanned level crossing and because of that, the accident has taken place. What compensation is going to be paid to the victims ?

[Translation]

SHRI HARIN PATHAK (Ahmedabad) : Mr. Chairman, Sir, I want to know as to how much compensation has been paid to the families of the victims. The hon. Minister has left the House without replying to my question and without seeking your permission. This is a contempt of the House. *(Interruptions)*

[English]

SHRI BRISHIN PATEL (Sewan) : This is a contempt of the House.

(Interruptions)

SHRI ANNA JOSHI (Pune) : Is it the way that the Railway Minister should go away like this?

SHRI BASUDEB ACHARIA : He has left the House. It is an insult to the House.

Mr. Chairman, you should call the Railway Minister.

[Translation]

MR. CHAIRMAN : In my view, the hon. Minister should not have left the House like this.

SHRI ANNA JOSHI : Please call him back.

MR. CHAIRMAN : Now it is over.

I have already told you.

[*Translation*]

DR. LAXMINARAYAN PANDEYA (Mandsaur) : I am on a point of order. You may recall that when the issue was raised the hon. Minister had brushed it aside by saying that he had sought direction from the Chair whether it was compulsory to make statement. He did not make statement even today. This is a contempt of the august House as well as of Chair. It is all right that we can discuss it under Rule 193, but he could have replied to the question of one or two hon. Members.

MAJ. GEN. (RETD.) BHUVAN CHANDRA KHANDURI (Garhwal) : We know that according to rule questions are not asked, after the statement is made by the Minister, but on a number of occasions questions have been asked in the past. The hon. Minister, therefore, should have waited for the direction of the Chair. He should have left the House and the Chair not allowed question to be asked on the statement.

[*English*]

SHRI MOHAN SINGH (Deoria) : The hon. Minister read out his statement and left the House abruptly without seeking your permission. I condemn it. The hon. Minister should not have been so indifferent to such a sensitive issue. It is improper both from the Parliamentary procedure as well as human angle.

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT AND MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES (SHRI P.K. THUNGON) : After the hon. Minister makes the statement on the floor of the House, no clarifications are sought. Moreover, the discussion on Railway Budget is going on in the House. The hon. Minister has, therefore, to go to the other House immediately.

[*English*]

(*Interruptions*)

SHRI HARIN PATHAK : I am on a point of order. The hon. Minister cannot leave the House immediately after delivering his speech as laid down under Rule 349.

As I said earlier, the discussion on the Railway Budget is going on in the other House. As far as this issue is concerned, there is no point of order or displeasure which can arise out of this.

PROF. SUSANTA CHAKRABORTY (Howrah) : The first part of the statement is incomplete. The second part of the statement is in regard to condolence. The hon. Minister has not announced in the House the amount of compensation to be given to the families of the deceased. Without making it clear what is the amount of compensation that the Railway Minister had agreed to give to the families of the deceased, he left the House.

(*Interruptions*)

SHRI BASUDEB ACHARIA : Sir, there are precedents. On a number of occasions, after the statement was made by the Minister, members were allowed to seek clarifications. This is a human question where 31 poor passengers maybe, they were travelling in a road transport - were killed because of the

negligence of the Railways because they did not provide the manned level-crossing there. The poor passengers were killed. We wanted to know about the amount of compensation that the Railways will pay to the family of the deceased. But he immediately left the House. It is not fair on the part of the Minister to do so. So, I request you to arrange to call him. It will be proper to call him from the Rajya Sabha. Let him come and give clarifications. (*Interruptions*)

[*Translation*]

PROF. RASA SINGH RAWAT : Mr. Chairman, Sir, through you I would like to submit that the hon. Minister of Railways had made a statement yesterday as ordered by the Chair. But he has only given the number of he deceased and expressed condolence or them in his statement. This accident took place due to the negligence of the railways because they did not provide the manned level crossing there and a tractor trailer tried to cross it and 34 passengers including women and children lost their lives. The hon. Minister did not announce in the House the amount of compensation for the families of the deceased. This is a question of humanity. I therefore, urge the Government to pay compensation to the families of the deceased. (*Interruptions*)

SHRI SURYA NARAYAN YADAV (Saharsa) : Mr. Chairman, Sir, it has been the convention of the Parliament that explanatory questions are not asked after an hon. Minister has made a statement in the House So, what is the justification to compel him to reply to such questions? During the discussion yesterday the speaker had given his ruling that

the hon. Minister of Railways would make a statement and he has made the statement accordingly. Then what else clarification do they want? ... (*Interruptions*)

SHRI MOHAN SINGH (Deoria) : Mr. Chairman, Sir, it is not a question of practice and procedure. Soon after the hon. Minister read out his statement all the hon. Opposition Members rose and you allowed them to speak one by one and they did but he left the House contemptuously. I am using this word because he should have sought your leave before leaving the august House. It is right that as a rule no clarification can be asked on his statement, but he could quote rules. But he did not do so. Sir it is the contempt of the Chair and the House and I would like to bring to your notice that I want to raise the issue of breach of privilege against him.

SHRI NITISH KUMAR (Barh) : Mr Chairman, Sir, so far as rules are concerned, after an hon. Minister makes a statement on the floor of the House, clarifications are sought.

However, there are precedents that on a number of occasions, the Chair has allowed to seek clarifications after the statement was made by the Minister and the latter has given clarifications.

This issue relates to an accident. It is a human issue on which the chair allowed the hon. Members to speak one by one. So, it is incumbent upon the hon. Minister to wait for the direction of the Chair. The Chair was entitled to say that no clarification would be allowed. Nobody then would have objected to it. But the abrupt exit of the hon. Minister from the House without seeking the leave of the Chair is a contempt of the House

[Sh. Nitish Kumar]

and the Chair. That is why this serious situation has cropped up. I, therefore, would like to urge the Chair to direct the hon. Minister to be present here and former let the Chair decide whether the clarification should be given by the hon. Minister or not. His presence in the House is essential to maintain the dignity of the Chair and the august House.

DR. S.P. YADAV (Sambhal) : Mr. Chairman, Sir, this is not the sole unmanned level crossing accident. Previously the number of unmanned level crossing was very few and most of them were manned. On the 9th December a jeep collide with a train resulting in the death of three persons in my constituency. But no compensation was paid therefor. In another accident 28 children were killed. Many other similar incidents in its likelihood take place but the hon. Minister comes here and he finishes his task merely by making a statement here. Our submission is that the hon. Minister should be called for giving reply so that such accidents do not recur. With these words I conclude. *(Interruptions)*

THE MINISTER OF CHEMICALS AND FERTILISERS (SHRI RAM LAKHAN SINGH YADAV) : Mr. Chairman, Sir, I would like to draw the attention of the august House to the circumstances under which this accident took place and the hon. Minister came here and made his statement. The Railway Budget is being discussed in the Upper House.....*(Interruptions)* Please take your seat. Please listen to me.

SHRI NITISH KUMAR : What is this ? Would you not like to address the Chair or would you rebuke the hon. Member? Please address the Chair.....*(Interruptions)*

SHRI RAM LAKHAN SINGH YADAV : I was stating that the Budget was being discussed in the Upper House and since it was an important issue, the hon. Minister had come here and made his statement..... *(Interruptions)*

SHRI ANNA JOSHI : He had come here under the direction of the Speaker*(Interruptions)*

MR. CHAIRMAN : Shri Joshi, please take your seat.

SHRI RAM LAKHAN SINGH YADAV : As a rule, after the hon. Minister has made his statement it is not obligatory for him to reply to the clarifications. The order of the Chair is the final in such matters. The Chair can direct him to do so. The hon. Minister has stated thrice that he was going to the upper House to be present there during the discussion on Budget there. This is the reality. Had he not gone there a question of breach of privilege could have been raised against him in that House. Therefore, in such a circumstance he was under compulsion to make his statement here and leave this august House to attend the Budget discussion there. Therefore, it is not his fault.

SHRI NITISH KUMAR : Is the discussion in this august House not as important as in the Upper House? How can he leave the House unless he finishes his business here? Therefore, the explanation given by Shri Yadav is not tenable.

MR. CHAIRMAN : You have expressed your opinion. Please take your seat.

(Interruptions)

709 *Re. Statement by
Railway Minister*

VAISAKHA 14, 1916 (SAKA)

*Statement by 710
Prime Minister*

SHRI RAM LAKHAN SINGH
YADAV : On the one hand the hon.
Member want me to address the Chair
and not the Member on the other hand
he points his fingers towards me and
speaks whatever he likes. It is not
proper. *(Interruptions)*

MR. CHAIRMAN : It seems that
the hon. Member is talking in a lighter
vein.

(Interruptions)

[*English*]

SHRI SRIBALLAV PANIGRAHI
(Deogarh) : Sir, kindly bring the House to
order. It seems everything is in disorder.

There are two different types of
procedures adopted in relation to certain
matters for business to be transacted in
both the Houses. So far as the state-
ment made by the Minister is concerned
..... *(Interruptions)* Why are you shout-
ing like this?

SHRI HARIN PATHAK : The Minis-
ter has insulted the House. We wanted
to seek a small query as to how much
money has been paid as ex-gratia to the
next of kin and kith.

SHRI SRIBALLAV PANIGRAHI : It
was a settled matter. So far as the state-
ment of the Minister is concerned, it was
settled that no clarification will be allowed
after that.

[*Translation*]

MAJ. GEN. (RETD.) BHUVAN
CHANDRA KHANDURI : It is not a pro-
cedural matter.

The question is that they have
shown disrespect to the House.

MR. CHAIRMAN : You have al-
ready said it. now please sit down.

[*English*]

SHRI BASUDEB ACHARIA : There
are instances when it was allowed.

SHRI SRIBALLAV PANIGRAHI :
sometimes, there are exceptions to the
general rule, but it cannot always be
demanded as a matter of right. The
Railway Minister came to this House,
said what he had to say and then he
went to attend to the business in the
other House. Where is his fault? As
regards the statement, if they want any
further information, if they want even a
discussion, there is a different procedure
laid down and let them take recourse to
those things. There can even be a de-
bate in this House on the statement
made by the hon. Minister. There is a
procedure for that and it is provided in
our Rules of Procedure. They can take
the help of that. I believe that the entire
time of the House, after the statement
made by the Minister, has been wasted.
It seems after the initial statement deliv-
ered by the hon. Finance Minister on the
Finance Bill, probably, they are not hav-
ing enough material to participate in the
debate in this House. I think we can
come to that conclusion.

[*Translation*]

SHRI HARIN PATHAK : Mr. Chair-
man, Sir, this whole incident should be
seen from the viewpoint of humanity. On
our request. Hon. Speaker had issued
direction in this respect yesterday, There-
fore. Railway Minister has made a state-

Minister Statement by Prime Minister in the House on this incident in which he has assured to provide some ex-gratia payment to the affected persons. 35 persons were killed in this accident, but as this accident took place due to the fault of a tractor driver we asked him that how much amount as ex-gratia was paid. Only this was the query which our hon. members wanted to make that how much amount was paid. Mr. Chairman, Sir, even after 47 years of Independence, today there are several railway crossings in the country, which are unmanned and remain open for 24 hours of the day. I would like to know whether it is not the responsibility of the Ministry of Railways to make arrangements for setting up manned railway crossings in the country. Even then if hon. Minister says that it was because of the mistake by the tractor driver, we would like to know the amount as ex-gratia paid. You have said that we can ask about it turnwise.....*

MR. CHAIRMAN : This will not go on record.

SHRI HARIN PATHAK : We wanted to speak with your permission only. *

Mr. Chairman, Sir, I consider that the behaviour and attitude of the hon. Minister was not according to the parliamentary practice and was disrespecting to the dignity of the House and the chair also. So, I request you that the hon. Minister should be called in the House. *(Interruptions)*

MR. CHAIRMAN : Hon. Members I would like to say that protest shown by the members of all parties has been recorded and now I will think over about the action to be taken on what is being said here.

SHRI ATAL BIHARI VAJPAYEE (Lucknow) : Mr. Chairman, Sir, I would like to tell my friends that discussion on Railways has consumed a larger portion of time allotted for discussion on the budget. This accident compelled us to raise the issue but now it has become essential that we should come to Finance Bill at once and should not drag the issues regarding Railways anymore.

Finance Bill, 1994 contd.

[English]

DR. DEBI PROSAD PAL (Calcutta North West) : Mr. Chairman, Sir, I rise to support the Finance Bill which has been presented by the hon. Finance Minister along with the various amendments which he has introduced today. The Finance Bill is only to give a concrete shape to the budgetary proposals which are already discussed in this House.

The Finance Bill introduces certain measures for the implementation of the economic policy of the Government. In the field of direct taxes there has been a certain policy which has been announced by the hon. Finance Minister. In the field of direct taxes the policy of the Government is to reduce the taxes, to moderate the tax rates, to widen the tax net, so that the participation of a larger section of the people can be had. At the same time if the tax rate is reduced to a moderate level, there shall be a better compliance with the tax laws and the tax evasion which is taking place in this country in such a rampant manner can be to some extent checked. It is with this idea that the hon. Minister has increased the exemption limit from Rs. 30,000 to Rs. 35,000. It is a welcome measure by