

Limited, New Delhi, for the year 1977-78 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT-4030/79].

NOTIFICATIONS UNDER NAVY ACT, 1957.

THE MINISTER STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH): I beg to lay on the Table a copy each of the following Notifications (Hindi and English version) under section 185 of the Navy Act, 1957:—

(1) The Naval Ceremonial, Conditions of Service and Miscellaneous Regulations, 1979, published in Notification No. S.R.O. 26 in Gazette of India dated the 20th January, 1979.

(2) The Navy Leave (Amendment) Regulations, 1978, published in Notification No. S.R.O. 57 in Gazette of India dated the 24th February, 1979.

[Placed in Library. See No. LT-4031/79].

12.03 hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:—

“In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 5th March, 1979, agreed without any amendment to the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill, 1979, which was passed by the Lok Sabha at its sitting held on the 21st February, 1979.”

12.04 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

STRIKE BY TAXI AND SCOOTER DRIVERS IN DELHI

SHRI P. M. SAYEED (Lakshadweep): I call the attention of the Minister of Shipping and Transport to the following matter of urgent public importance and I request that he may make a statement thereon:

“Reported strike by Taxi and Scooter drivers in Delhi causing hardship to the public”.

THE MINISTER OF STATE IN CHARGE (OF THE MINISTRY OF SHIPPING AND TRANSPORT SHRI CHAND RAM): Under the Motor Vehicles Act, State Transport Authority, Delhi, which is a quasi-judicial authority constituted by Delhi Administration, has the power to fix fares to be charged by taxis and scooter rickshaws for the Union Territory of Delhi. The existing fares in Delhi were fixed by S.T.A. Delhi in March, 1974. Consequent on the increase in the price of petrol and mobil oil, following the presentation of the Union Budget on the 28th February, 1979, the Secretary of the State Transport Authority, Delhi, had convened a meeting of the Authority on Monday, the 5th March, 1979, to consider the demand for increase in the fares to be charged by taxis and scooter rickshaws. It is unfortunate that the taxi and scooter rickshaw operators did not wait for the decision of the State Transport Authority and have gone on strike with effect from 3rd instant. I deeply regret the hardship caused to the public, specially those who arrive from outside by trains, buses and planes, because of this strike.

In order to alleviate the hardship to the commuters, I had issued necessary instructions to the Chairman, D.T.C.

[Shri Chand Ram]

to ensure that additional buses are operated on routes where there is heavier demand due to this strike by taxis and scooter rickshaws.

The meeting of the STA was held yesterday and the STA has allowed the increase in the fares of taxis and scooters. The increase in the fares allowed averages 25 per cent over the existing rates to compensate for the increases in input costs since March 1974, when the rates were earlier fixed. I am happy to inform the House that the taxi and rickshaw operators have withdrawn the strike since yesterday evening.

SHRI P. M. SAYEED: Mr. Speaker, Sir, it was some years back when we happened to be on the other side of the House, the Minister and also most of the Members on this side of the House perhaps, you may be remembering that—and when the then Finance Minister, Shri Y. B. Chavan presented his budget in this House, if my memory is correct Shri Atal Behari Vajpayee and also Shri Lal Krishna Advani Ji, both of them, had happened to come on the bullock cart to the Parliament House. Because of the hike in the global petrol price in those days, the then Finance Minister had to increase the price of petrol. Now at that time they came on bullock carts; now that they are occupying the other side of the House, they have forgotten; the pinch of increasing petrol price has affected. . .

MR. SPEAKER: I did not see any bullock cart this time.

SHRI P. M. SAYEED: This is what I am saying; they had forgotten those days. I do not blame them. All this happened because of the bullock budget presented by the Finance Minister. I do not blame him because he had done justice at least to his political base. It is an unprecedented tax on common people, housewife, fixed income group. . .

MR. SPEAKER: This is addressed to the Minister of Transport. You are raising the question of taxation.

SHRI P. M. SAYEED: The whole thing arises because of that.

MR. SPEAKER: That will come up again.

SHRI P. M. SAYEED: I am giving the background to the hon. Minister. What can the taxi drivers and three wheelers do? On 28 February budget was presented here the very next day I think Thursday, all the items, were costlier, no item was left from the hands of the Finance Minister He has beaten down all his predecessors in mobilisation as well as deficit financing; in both he has created a record. What can taxi driver and three wheeler do? His soap, his bidi, his coal and kerosene and cooking gas, tyres, tubes has been taxed and the price has increased the very next day, 1st March, 1979. Added to this the Administrator of Delhi has threatened the taxi drivers and three wheelers with dire consequences if they increased unilaterally the fares. Passengers were used to paying something to drivers and they used to accept it from 28th onwards upto 3rd, when they resorted to strike. Three clear days were there if they were serious enough to solve the problem; they could have called a meeting and decided as they say that 48 hours notice was necessary. Only yesterday, they met and decided on 25 per cent increase in fares. It is those very people who are in the Delhi Administration, they themselves are there, the bullock-cart strategists; they are ruling over the Delhi Administration, and they take no note of the serious difficulties that are caused to those people coming from various parts of the country by bus, plane and train. I want to draw the attention of the House to a very serious matter. Because of the increase in petrol price most of the persons who are travelling by taxis and three wheelers will now be going by bus. The Delhi Administration has got 1850 or so buses, half

of them stay in the middle of the road and block the road. I want to ask only two or three questions. Taking into account all the difficulties caused to the consumers, will the Government be serious enough to look into the hike on petrol and withdraw it?

MR SPEAKER: He cannot answer that question. That would be answered by the Finance Minister.

SHRI P. M. SAYEED: I do not think even the Finance Minister can do that.

MR. SPEAKER: I do not know that.

SHRI P. M. SAYEED: Considering the importance of the matter and the hardship it has caused all round will he at least recommend to the Minister concerned to withdraw this duty, or consider the matter afresh? Secondly, what are the arrangements that the Ministry and the transport authority are going to make in order to provide additional facilities to these passengers who are going to travel by bus on account of the enhancement of the price of petrol? Perhaps my third question also you will not allow me to ask. On account of this price hike, these 5 000 taxi drivers and 17,000 three-wheeler are not only not going to be off the roads but they will not be able to get any customers. They will become unemployed very soon, because many people will not be able to afford the new rates. Government have announced that within ten years they will solve the problem of unemployment. Now this measure will create additional unemployment. How are the Government going to tackle it?

SHRI CHAND RAM: Most of the points which the hon. Member raised could very well be raised in the discussion on the budget. So far as the arrangements for transport of passengers that we are making are concerned, we are going to increase the number of buses under operation. Recently we have increased the number by taking 600 buses from private operators. The figure which the hon. Member mentioned is wrong. We are not

plying only 1,000 buses, we are plying 2,400 buses. We are going to increase it by 236 buses during the course of the year.

Another point that he raised was that the public were inconvenienced by this strike. Now that the taxi and scooter drivers have consented to call off the strike, I think there is no question of any hardship.

So far as the question of possible unemployment is concerned, we will consider it.

SHRI P. M. SAYEED: Why was there a delay in fixing the revised rates? Why did you take five days?

SHRI CHAND RAM: The budget was presented in the afternoon of 28th February under the procedure laid down by the STA, 48 hour notice has to be issued before any change in the fares. The taxi and scooter drivers could not increase the fare before that. That would be illegal. When the representatives of the taxi and scooter drivers made a representation, the STA said that they should not increase the fares pending a decision by the STA. Some of them had assured. Now, the 48 hours' notice expired on the evening of 3rd. 4th was Sunday and there could not be any meeting held on that day. On 5th, the meeting was held and the decision was taken. They are satisfied.

SHRI VASANT SATHE (Akola): It is the callous handling by the Ministry of this entire question of fare hike resultant on the price increase of petrol which led to the sufferings, that the people had to undergo in the last five days. It is no satisfaction to hear from the Minister about what has happened. Although the budget proposals increased the price of petrol from the 28th, he was leisurely following the routine method of giving 48 hours' notice and then telling the taxi people and the scooter people that it was illegal and all that. He should have rather advised the Finance Ministry not to impose the rise from 28th and to wait for three days more or five days more, if he wanted that. The price of petrol

[Shri Vasant Sathe]

was increased from the 28th.

As far as the hardships of the people are concerned, they are not bothered. On 5th only, after a hue and cry was raised in the House that the Government woke up. Otherwise, it would have gone on leisurely, appealing and telling the taxi people and the scooter people that it is illegal and all that. You know the attitude of the employers towards taxi people and scooter people.

It is a general hardship and it is going to be caused to the public at large. Because of the price hike, everyone is going to be affected. Are they going to increase the bus fares also? That is also probably threatened. Then, they will say that buses cannot run. So, the common man will be made to suffer in every possible manner because of their attitude. He will be fleeced virtually.

As I said yesterday, the Minister has been taking this House for a ride. Yesterday, you fixed the Calling Attention at 5.30 P.M. You told us that the Minister had written to you saying that, as he was busy in the Rajya Sabha, he would not be able to come and, therefore, other Minister may be allowed to reply. You were patient enough to concede to that, on the basis that the Minister, Mr. Chand Ram, was busy in the Rajya Sabha at 5.30 P.M. I am told, subject to correction, that the Rajya Sabha adjourned at 5-12 P.M. He took the House for a ride he should have come to the House.

MR. SPEAKER: Much earlier than that, you had sent a letter asking me to postpone it.

SHRI VASANT SATHE: This was because I was told that the Minister also had written to you and, therefore, I wrote to you. But the point is this. We were told that the Minister could not come and, therefore, some other Minister was to reply. Because we could not get a satisfactory answer from a different Minister who was not dealing with the portfolio.....

MR. SPEAKER: If I may interfere, the reason given was that the House was very keen that it may be taken up the next morning.

SHRI VASANT SATHE: I am talking of the Minister's responsibility; I am talking about his misleading.

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): He did not want petrol; he wanted audience.

SHRI VASANT SATHE: What we wanted was that the Minister concerned should reply, not Prof. Madhu Dandavate. Prof. Madhu Dandavate cannot reply. He can talk of railway hike. He cannot talk of bus fare hike or taxi fare hike. I say, the Minister concerned was absent. Why did he not come to the House? He will have to reply to that. Why did he not come here at 5-30 P.M.?

Another point is this. The Members of Parliament cannot go from home anywhere because, apart from the fact that the taxis and scooters are very costly, from home they are not available also for going to any function. I want to draw your kind attention to this. The Constitution Club organizes every Wednesday an evening function, and I have been requesting you to make some arrangement to collect Members from North Avenue, South Avenue, Meena Bagh and other places. Members cannot go there because, in the evening, after going home they do not get taxis. I have been requesting that a bus arrangement should be made for this. Tomorrow, on the 7th, they are going to have a very good 'Quawwali' function, and every one would like to attend that. But how can we go? Will you kindly make arrangement for buses in the evening also, not only for coming to the House but for going from home to the Constitution Club....

MR. SPEAKER: And to come back.

SHRI VASANT SATHE: Yes, Sir.

Then, what are you going to do about buses? Are you going to increase the bus fare? And how are you going to arrange additional buses to relieve the sufferings of the commuters?

SHRI CHAND RAM: So far as my absence from the House yesterday is concerned, I am only sorry....

SHRI VASANT SATHE: Where did you go after 5.12 p.m.?

SHRI CHAND RAM: I had first requested you, Sir to postpone the Call Attention. At that time I never expected that the Rajya Sabha would adjourn much earlier. Later when you insisted saying that you had given an assurance and because I had my Bill in the Rajya Sabha which could not be postponed, I thought it fit to request, and I requested, my hon. friend, the Minister of State in the Ministry of Home Affairs, Shri Dhanik Lal Mandal, to reply on my behalf, especially because he happens to be in charge of the Union Territory also.

As you know, this Transport of Delhi does not directly come under the Ministry of Transport and Shipping; so far as the STA is concerned, they are a quasi-judicial body and they have to determine these things.

So far as his question regarding increase in the bus fare is concerned...

SHRI VASANT SATHE: Where were you at 5.30 p.m.?

MR. SPEAKER: He had written much earlier. He need not answer this.

SHRI VASANT SATHE: Did he go home?

MR. SPEAKER: I don't think he should answer that.

SHRI VASANT SATHE: What was the special attraction to go home?

SHRI CHAND RAM: I had been given this impression that this Call Attention Motion would be taken up at 5.00 p.m....

MR. SPEAKER: Mr. Sathe is more interested in knowing whether you will provide a bus...

AN. HON. MEMBER: To go to 'Quawwali'

SHRI CHAND RAM: Whenever there is a request from hon. Members, we do...

MR. SPEAKER: Mr. Sathe, you send a request and he will do.

SHRI CHAND RAM: Otherwise, it may remain unutilised. I think he will not like the buses to lie idle, without any passenger.

So far as the question regarding his fear about increase in bus fare is concerned, we have done our little bit and we are not going to increase the bus fare further. I can assure him that.

SHRI BALWANT SINGH RAMOWALLA (Faridkot): The taxi and the three-wheeler business was already facing hardship due to increase in the cost of maintenance and in the prices of spare parts. The increase in the price of petrol has further added to their hardships. Now, mild and strong attacks have been made on the hon. Minister by the Opposition. I certainly appreciate the hon. Minister for his quick action in getting the problem solved. He intervened very quickly though he was late in coming to the House and he tried his level best to prevent it and to get the problem solved in consultation with other concerned bodies.

Now, so far as the situation regarding the taxi-owners and the three-wheeler owners are concerned, there is a 25 per cent hike in the fares. I would like to bring to the notice of the House through you the hardships faced by the public. One is: in the early hours of the morning when

[Shri Balwant Singh Ramoowalia]

people come to the city and alight from the trains in the railway stations and also at the inter-state bus terminal when they come by the night buses, they have to stand in the queue to get a taxi or an auto-rikshaw. When you say, 'I have to go to New Delhi or to the Meena Bagh in New Delhi or North Avenue or South Avenue', they refuse to take the passengers and the cases of refusal are increasing both by the taxi-owners and the three-wheeler auto-rikshaw owners. I want to know, will the Minister help the people from these refusals?

Secondly, the existing norms are that only 2 persons are allowed in an auto-rikshaw. Now with the increase in the price of petrol, the fares have increased. So will the Minister allow the auto-rikshaw drivers to carry three persons in the auto-rikshaws so that some relief is there for them?

MR. SPEAKER: It does not arise. Yes... the Minister.

SHRI CHAND RAM: So far as the refusal to take the passengers to their destinations is concerned, we have been receiving complaints regarding that and we have taken steps in that regard and we have in fact directed our Traffic Police to look into this aspect... (Interruptions) They have created a cell and the Delhi Directorate of Transport also have created a cell to look into these complaints. Then through the Press and the TV they have told the public to take the assistance of the Traffic Police or inform the Directorate of Transport in case of such refusals and they have given the telephone number also...

SHRI K. GOPAL (Karur): What is the number?

SHRI CHAND RAM: And as soon as a complaint is received that a particular auto-rikshaw driver or a taxi driver has refused to take the passenger...

MR. SPEAKER: May I inform you, Mr. Minister, that in Bangalore they post a Policeman and he directs.

SOME HON. MEMBERS: Also in Madras.

SHRI CHAND RAM: In fact, even to-day I have consulted the Traffic Superintendent and the Delhi Directorate of Transport and they have assured me that they will see that these complaints do not recur.

His second question regarding allowing auto-rikshaws to carry three persons, that will be considered.

SHRI JYOTIRMOY BOSU (Diamond Harbour). At the outset, I would like the hon. Minister to take the initiative of calling a conference at Delhi of all Transport Ministers of States and also Finance Minister after the Parliament has cleared the Budget to decide as to what will be the real policy, as to what is the policy that should be adopted in order to save the people who are toiling and running the taxis and scooters and at the same time see what best can be done for the passengers and the users. I would like to have an assurance now on that from the hon. Minister.

Here, in this case, if the call attention had taken place yesterday, it would have been one thing. To-day I will have to cover what has happened before and what will happen tomorrow... (Interruptions). Complications have been created.

On 2nd of March, 1979, the taxi and scooter operators, after waiting for over 72 hours...

12.25 hrs.

At this stage some persons from the Visitors' Gallery shouted some slogans and threw some leaflets and a piece of black cloth on the floor of the House.

Sir, on 2nd of March, 1979, after waiting for about 72 hours, the taxi and scooter operators met the Chief

**Executive Councillor... (Interruptions)**

On 2nd of March the taxi and scooter operators after waiting for about 72 hours met the Chief Executive Councillor, Mr. Sahni and officials of the State Transport Authority and they expected an *ad hoc* increase in fare. They did not go on strike till 2nd March. They showed patience. When on 28th at 5 P.M. they took a decision that they are going to levy new imposition why on earth Mr. Chand Ram and his Ministry and State Transport Authority of Delhi could not convene meeting the same evening and decide the matter then and there. I must thank the taxi and scooter operators that they waited almost for 72 hours even when they were made to pay 25 per cent extra on the cost of petrol. They have been generally very peaceful. I do not know of any case of violence. The authorities without applying mind came with a heavy hand and warned drivers not to charge and ask for extra money although they had to pay about 20 per cent higher price for the petrol and lubricants. Through various media police were informing public to refuse payment of such increased fares and they wanted complaints to be transmitted to certain telephone numbers. For an emergent meeting of the State Transport Authority a 48 hours' notice is necessary. I would like to ask why notice was not served on 28th evening itself so that the meeting could have been held on 2nd evening and thus increase granted and thousands and thousands of people could be saved of utter harassment at the railway station, airports and hospitals.

Sir, over and above the price of petrol, price of cars has touched sky high level which is now about Rs. 45,000. So, taxi driving has become very unremunerative. In North Avenue now the total number of taxis available is not more than nine whereas earlier there used to be forty. They say that they cannot run taxis any more. The last fare hike was as early as 6th March, 1974 following a rise in price of petrol.

Now, Sir, look at the comparison. At Calcutta the government intervention has ended the strike. At Bombay prompt action hardly created any problem. I must admire the Maharashtra government for prompt decision. Here the Director or transport, Mr. Potedar taking shelter under the pretext he did not receive official information about the settlement in Bombay. Every paper carried news about it. It is foolish to say decisions taken at Delhi could not possibly be influenced by what happened elsewhere. It is fool hardy. The demand for increase in fare was purely *ad hoc*. If the Parliament decides to reduce the duty, the fare could be reduced simultaneously. But then, Sir, the high cost of the cars should not be lost sight of. Then there is also 30 per cent rise in prices of tyres and the quality of tyre has become sub-standard. It is the total inefficiency laziness and fool-hardiness on the part of authorities concerned that has caused immense hardship.

MR SPEAKER: Please put the question now.

SHRI JYOTIRMOY BOSU: In some of the today's newspapers it has been stated that night charges, that is, between 11 P.M. to 5 A.M. will be 10 per cent and in some other papers it is mentioned that it will be 20 per cent. The point is whether this will be on the fare shown on the meter or it will be over the meter fare plus 25 per cent. That has not been clarified. The definition of the word 'night' has not been clearly defined. What is the relevant time—the boarding time or alighting time or the journey time. The government should have given a press notification clarifying all these things. In some papers it is stated that there is a rise in the waiting charges and the luggage charges. In some other papers it has been stated...

SHRI VASANT SATHE: His taxi always goes off the road.

**SHRI JYOTIRMOY BOSU:** ... that the waiting charge has been increased to Rs. 4 an hour and the luggage charge to 50 paise per piece. But the dimension and weight of the luggage has not been shown.

**MR. SPEAKER:** Please come to the question. You have made a long speech.

**SHRI JYOTIRMOY BOSU:** Sir, the Ambassador car can easily take five if not six passengers, besides the driver. But, although I have been writing to the Home Minister for the last 3 or 4 months to announce this, he is sitting light over this. If the cost is more, by carrying more passengers, it is compensated in one way. But it is not being done. Shri Dhanik Lal Mandal is sitting tight over it. I would like to know what he is doing.

**MR. SPEAKER:** Mr. Bosu, please conclude. Please come to the question.

**SHRI JYOTIRMOY BOSU:** I am coming to the question. This rickety, tin-pot car called Ambassador...

**MR. SPEAKER:** No, no. You cannot go on like this. You cannot go into all these aspects. We are not on cars. We are only on the subject of strike. Please come to the question.

**SHRI JYOTIRMOY BOSU:** Taxi is what?

**MR. SPEAKER:** You cannot go on like this.

**SHRI JYOTIRMOY BOSU:** Is taxi bullock-cart, Sir?

**MR. SPEAKER:** I don't know about that. Please come to the question.

**MR. JYOTIRMOY BOSU:** I am coming, Sir.

**MR. SPEAKER:** You have taken more than 7 minutes.

**SHRI JYOTIRMOY BOSU:** Why have the tyre prices been raised? What is the profit figures of Dunlops in India?

**MR. SPEAKER:** Mr. Bosu, all those are matters not related to this. It does not arise, please. This subject does not arise. Please come to the question.

**SHRI JYOTIRMOY BOSU:** I am not referring to Rajdoot or Ambassador....

**MR. SPEAKER:** Now you go on to cultivation of rubber, cultivation of trees and so on. All that you will come to! No please. You have made your point all right. Now let the Minister reply.

**SHRI JYOTIRMOY BOSU:** I would like to have an explanation from the hon Minister. Let him give the explanation before the House, why Mr. Fotedar, a responsible authority connected with this matter. .

**MR. SPEAKER:** Yes, that is a valid point, when the Maharashtra Government had done it...

**SHRI JYOTIRMOY BOSU:** Why did he not convene a meeting immediately when the Budget was laid on the Table of the House. Why is it that within 48 hours a meeting was not held. And, why was the fare rise not accorded?

**MR. SPEAKER:** That is the only relevant point.

**SHRI CHAND RAM:** Sir, I have only clarified the legal provision. There is the legal provision under which the State Transport Authority could not unilaterally raise the fares, as demanded by the taxi drivers, without hearing all the interests concerned.

**MR. SPEAKER:** The point was made about *ad hoc* increase.

**SHRI CHAND RAM:** That was the legal provision. He knows that the Budget was taken up at 5 P.M. It must have been concluded at 8 P.M.

MR. SPEAKER: Later on.

SHRI CHAND RAM: So, it could not be held on that day. On the next day the necessary notice was issued. As I said 48 hours' time is required. And, as you know, 48 hours ended in the evening of the 3rd. 4th was a Sunday. And on the 5th, Sir, this meeting was held. So, these are the things which happened.

And so far as the increase in fare is concerned, we have taken into account....

SHRI JYOTIRMOY BOSU: But how could the Maharashtra Government do it?

SHRI CHAND RAM: Sir, according to the information supplied to me, till yesterday, Maharashtra had not increased the rates. This is the information that has been supplied to me

SHRI K GOPAL: Two days back it appeared in the newspapers that the Maharashtra Government had already me say that the number of taxis has increased the fares....

SHRI CHAND RAM: An assurance may have been given. Here also an assurance was held out. The taxi drivers have their many unions. Their unions met the Director of Transport, Delhi and the State Transport Authority. They have been told that they should not increase the fares unilaterally without any backing of the legal provision. And, they undertook that they will not increase the fares....

SHRI VASANT SATHE: They have to pay for higher petrol. Who will suffer for that?

MR. SPEAKER: You please answer the other one. That point has been covered.

SHRI CHAND RAM: The legal provisions have to be complied with.

SHRI VASANT SATHE: They go on paying 25 per cent more for petrol. Don't give any gratuitous advice.

MR. SPEAKER: Mr. M. V. Chandrashekara Murthy—I have called the next Member—Shri Chandrashekara Murthy. You have answered the point.

SHRI JYOTIRMOY BOSU: Let him complete his reply.

SHRI CHAND RAM: Sir, Mr. Bosu made some point saying that the number of taxis have decreased. Let me say that the number of taxis has not decreased.

According to the information which has been supplied to me, the number of taxis has increased from 4900 to 5600. They have increased the number of taxis rather than decreased.

SHRI JYOTIRMOY BOSU: They have been registered, but have not come on the road.

SHRI M. V. CHANDRASHEKHARA MURTHY (Kanakapura): Sir, as you are aware, thousands of taxis and scooters went off the road for four days in protest against the rise in petrol price following the imposition of new duties in the Union budget presented to the Parliament on the 28th February. There was a lot of hue and cry throughout the country and Government had not taken note of it till yesterday evening. This is the most unfortunate and irresponsible behaviour on the part of the Government.

The Minister in his reply has stated that the State Transport Authority is empowered to raise the fares in respect of taxis and scooters. This is the most irresponsible reply by the Minister. Ultimately, the Government is responsible for all the hardship caused to the people.

After the announcement of the budget, immediately the Government should have entered into a dialogue with the taxi and scooter people and

[Shri M. V. Chandrashekhar Murthy] proportionate increase in the fare should have been approved which would have avoided the strike.

I would like to know from the Government, why the Government slept over the matter for the last four days and whether the Government is prepared to withdraw the imposition of duties on diesel at least, otherwise rise in fares in buses would hit the commonman.

MR. SPEAKER: You need not reply to the last question; to the other questions, you have already replied.

12.43 hrs.

COMMITTEE ON PETITIONS  
EIGHTH REPORT

श्री हरि बिष्णु कामत (होशंगाबाद) : वाचस्पति, महोदय, मैं आपके धनमति से छठी लोक सभा की शान्ति समिति का अष्टम प्रतिवेदन (हिन्दी और अंग्रेजी दोनों संस्करण) सदन की वेबा में प्रस्तुत करता हूँ।

STATEMENT RE: APPOINTMENT  
OF A JUDGE TO THE DELHI HIGH  
COURT

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): Sir, during the course of discussion on the Special Courts Bill on 1st March, 1979, a reference was made to the 'Kissa Kursi Ka' Case and in that context an Honourable Member, Shri Vasant Sathe, made the observation that an assurance had been given to the District and Sessions Judge, Delhi, who tried that case, that if "You hand over the conviction, you will be made a High Court Judge". As this remark has cast a most unfortunate and false aspersion on the Judiciary as well as government, I have sought this opportunity to take the House into confidence at this stage itself and apprise the Members of the real facts.

Shri Vohra is the senior-most officer of the Delhi Higher Judicial Service. The proposal for his appointment as Additional Judge of the Delhi High Court was, in accordance with the procedure laid down, initiated by the Chief Justice of the Delhi High Court. At that time there were 20 Judges in position in the High Court and five appointments remained to be made. Although there is no legal requirement to this effect, an effort is made to keep the proportion of service Judges at one-third of the total strength of the High Court. At that time there were six service judges in the Delhi High Court and the Chief Justice of the Delhi High Court had mentioned that his recommendation to appoint Shri O. N. Vohra would be in keeping with the resolution of the Chief Justices' Conference regarding the desirable proportion of service judges in a High Court.

The Chief Justice of India who was consulted advised that Shri O. N. Vohra be appointed as Additional Judge, Delhi High Court. As Shri Vohra had an excellent record and the proposal to appoint him was in order in every respect, it was approved by the President.

When the recommendations of the Chief Justice of Delhi High Court and the Chief Justice of India had been received the proceedings in the 'Kissa Kursi Ka' Case were at an advanced stage and the recording of the prosecution evidence was almost complete. It was felt that it would not be in the public interest to elevate him till the case had concluded since any such step might necessitate re-examination of witnesses by his successor causing great inconvenience both to the defence and the prosecution. The Chief Justice of the Delhi High Court, with whom I discussed this aspect agreed with this view and was of opinion that while a decision on the proposal could be taken at that very stage, the actual notification might be held up till the conclusion of the 'Kissa Kursi Ka' Case.