

tion, retirement and conditions of service of Members) Amendment Rules, 1978, published in Notification No. G.S.R. 613 in Gazette of India dated the 13th May, 1978.

- (ii) The University Grants Commission (Disqualification, retirement and conditions of service of members) (Third) Amendment Rules, 1978, published in Notification No. G.S.R. 31(E) in Gazette of India dated the 18th January, 1979.

- (iii) The University Grants Commission (Returns and Information by Universities) Rules, 1979, published in Notification No. G.S.R. 32(E) in Gazette of India dated the 18th January, 1979.

[Placed in Library. See No. LT-4457/79.]

- (5) A copy each of the following papers (Hindi and English versions):—

- (i) Annual Report of the Bal Bhawan Society, India, New Delhi, for the year 1977-78 along with the Accounts and the Audit Report thereon.

- (ii) Review by the Government on the working of the Bal Bhawan Society, India, New Delhi, for the year 1977-78.

[Placed in Library. See No. LT-4458/79.]

**NOTIFICATION UNDER URBAN LAND
(CEILING AND REGULATION) ACT.**

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI RAM KINKAR): I beg to lay on the Table a copy of the Urban Land (Ceiling

and Regulation) Second Amendment Rules, 1979 (Hindi and English versions) published in Notification No. G.S.R. 271(E) in Gazette of India dated the 27th April, 1979 under sub-section (3) of section 46 of the Urban Land (Ceiling and Regulation) Act, 1976 together with an explanatory memorandum. [Placed in Library. See No. LT-4459/79.]

**PRESIDENT'S ORDER UNDER GOVERNMENT
OF UNION TERRITORIES ACT.**

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): I beg to lay on the Table a copy of the order of the President dated the 10th May, 1979 issued under section 51 of the Government of Union Territories Act, 1963 extending the President's rule in Pondicherry for a further period of six months commencing from 12th May, 1979, published in Notification No. S.O. 263(E) in Gazette of India dated the 10th May, 1979. [Placed in Library. See No. LT-4460/79.]

**NOTIFICATION RE. FLOATATION OF
MARKET LOANS BY CENTRAL
GOVERNMENT.**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): I beg to lay on the Table a copy of Notification No. F.4(1)-W&M/79 (Hindi and English versions) dated the 10th May, 1979 regarding floatation of market loans by the Central Government. [Placed in Library. See No. LT-4461/79.]

11.50 hrs.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE**

**REPORTED COLLISION OF A BUS WITH
TRIVANDRUM-BOMBAY JAYANTI JANATA
EXPRESS NEAR ALWAYE STATION.**

MR. SPEAKER: Shri Ram Gopal Reddy—he is not here.

SHRI C. N. VISVANATHAN (Tirupattur): I call the attention of the Minister of Railways to the following matter of urgent public importance and request that he may make a statement thereon:

'The reported collision of a Bus with No. 82 Up Trivandrum-Bombay Jayanti Janta Express near Alwaye station on the 9th May, 1979 resulting in the death of several persons.'

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): Sir, Hon'ble Members of the House are already aware of the unfortunate accident involving an Express train and a bus near Alwaye in Kerala resulting in heavy casualties. At about 15.17 hours on 9-5-1979, while 82 Up Trivandrum-Bombay Janata Express, with a load of 13 coaches and hauled by a diesel locomotive, was running between Alwaye and Angamali stations on the Cochin Harbour-Shoranur Board Gauge single line section of Olavakkot Division of Southern Railway, it dashed against a tourist bus No. TMX-1755 at 'C' class unmanned level crossing No. 64 situated at Km. 80/12-13. The bus was dragged upto Km. 80/4-5 and caught fire. The bus is said to be carrying tourists bound for Kaladi, the birth place of Adi Sankara, from Arni, near Madras. They were all employees of the Tamil Nadu Government's Land Record Survey Department and their families.

As a result of the accident, out of 59 occupants of the bus, 36 died on the spot and 4 in the hospitals, bringing the total number of deaths to 40. Of the remaining 19 persons, 13 persons sustained grievous injuries and 6 others simple injuries. There were no injuries either to the train crew or the passengers on the train.

Immediately on receipt of information about the accident medical relief

vans were rushed to the site from Shoranur and Ernakulam. The injured were removed to various hospitals at Angamali, Alwaye and Ernakulam. The General Manager, the Chief Medical Officer and other senior railway officers rushed to the site of the accident immediately on receipt of the information. The Superintendent of Police, the Commissioner of Police and District Collector, Ernakulam, and Deputy Superintendent of Police, Alwaye also reached the site.

Ex-gratia payment to the next of kin of the dead and to the injured has been arranged by the Railway.

Motor Vehicle Rules provide that the Driver of bus should stop at some distance from unmanned level crossings and depute his conductor to walk ahead of the bus to ensure safe passage. The caution boards already exist on both the sides of this particular level crossing.

In the present case, according to the eye witness account, some of the passers-by warned the bus Driver of the approaching train but he ignored their warning and proceeded to cross the railway line.

Additional Commissioner of Railway Safety is holding an inquiry into this accident from 13-5-1979 at Ernakulam.

This was a great tragedy and I am sure the House will join me in conveying our heartfelt sympathies to the members of the bereaved families.

SHRI C. N. VISVANATHAN: Sir, the hon. Minister has made a statement on the unfortunate accident. I join him in wishing a speedy recovery of the passengers involved in the accident. The Minister has mentioned in his statement that the Motor Vehicle Rules provide that the Driver of a bus should stop at some distance from unmanned level crossings.

[Shri C. N. Visvanathan]

It is also reported in the paper that the engine driver should have actually whistled before crossing the unmanned level crossing according to the rules. But, he never did it in this case. According to a co-passenger who travelled in that bus—the survivor, Shri Dharmalingam, who was sitting behind the driver, he never heard the whistle of the engine. Further, the General Manager of the Southern Railway, Mr. Murti who visited the spot, said that the visibility was very clear for more than half a kilometer in the area because of the track passing through an open field. At the same time, it is also reported in the papers that a taxi-driver who is residing at this place had passed through this area a number of times and he said that the vehicle coming from the westerly direction would not be able to see the train approaching from the south direction because of the obstruction of the buildings, trees etc. So, Sir, there is a controversy between the Statement of the General Manager in *the Hindu* and this statement. The General Manager of the Southern Railway said that the visibility is very clear. Actually the bus driver is also responsible. In the Kerala area five months before, the same kind of accident occurred near Trichur in December, 1978 where 16 persons lost their lives. This accident also took place in the unmanned level crossing.

A number of accidents occur in the unmanned level crossings. I cannot blame the Minister alone. I cannot also blame the Ministry of Railways alone. Everybody is responsible. The House can never forget the railway accident that occurred some years ago in which our beloved friend, Shri Prakash Vir Shastri, Rajya Sabha Member lost his life. Some concrete steps should be taken to avert such railway accidents in future.

I want to know from the Hon Minister what concrete steps is he going to take to avoid such accidents in future? There are many unmanned level crossings in India. May I know

from him the number of such unmanned level crossings? Has he any specific proposal to import automatic level-crossing gates? Will the Minister make a through enquiry into the matter? And will he make use of the man-power resources available in this country to man such unmanned level crossing? My last question is what concrete steps is the Minister going to take so that there is no such accident occurring in future?

PROF. MADHU DANDAVATE: As far as the level crossings are concerned, in India, out of 40,000 level crossings, about 22,000 are unmanned level crossings.

Formerly, according to the provisions—this is a statutory provision—if an unmanned level-crossing has to be converted into manned level-crossing and, it happens to cover the national highway, in that case, it will be the Ministry of Transport's responsibility to bear the initial cost, if it is a highway other than the national highway, in that case, it would be the State Government's responsibility. If the road concerned happens to fall in the Municipality or Corporation area and the level crossing is on that part of the road, then, it is the responsibility of the Municipality or Corporation. But, unfortunately, this provision was not implemented either by the Municipality or Corporation authority nor by the State Government.

Therefore, while presenting the budget for 1978-79, I made a new announcement that since the State Governments are not undertaking this responsibility and since the safety aspect is very important, the Railways themselves will undertake this responsibility of bearing the initial cost of converting those of the unmanned crossings into manned crossings as are potentially hazardous to the safety of passengers. Out of 22,000 unmanned level crossings,

there are some which are hazardous and we are trying to decide the nature of such crossings by finding out the traffic density. Number of trains multiplied by the number of vehicles that cross is the unit. If it is larger and it is an unmanned crossing, we try to convert it into a manned one. As far as this particular spot concerned in the course of the last five years not even a single accident took place and, therefore, naturally this unmanned crossing was not considered as prone to accidents and, as such, it was not converted.

Then, Sir, as far as vehicles Act is concerned it provides that there should be a notice board also at these unmanned crossing that the bus is supposed to stop and after the bus halts some feet away from the crossing the conductor is supposed to get down and give guidance to the bus. In this particular case, even the Press has reported that a number of eye-witnesses were shouting that the train is coming but inspite of that, probably by wrong judgment, the bus driver tried to go ahead.

Sir, we will review from time to time the position of various crossings and those which are unmanned but required to be converted into manned one, we will try to convert them into manned crossings.

SHRI C. N. VISVANATHAN: The Minister has not said anything about my point regarding the driver's responsibility.

PROF. MADHU DANDAVATE: Sir, I will clarify that point. As far as the responsibility of the engine driver is concerned, firstly, it is an unmanned crossing and there is no gate. It is a run-through track and there is no signalling arrangement. From time to time the drivers go on giving whistle. It is alleged that the whistle was not blown. Sir, when the Additional Commissioner of Rail-

way Safety is already investigating the matter this particular complaint which the hon'ble Member has made on the floor of the House will also be communicated to him and he will investigate on this point as well.

12 hrs.

श्री राम विलास पासवान (हाजीपुर) : मंत्री महोदय ने जो उत्तर दिया है उसके पहले मैंने उन्हें इस बात को कबूल किया है कि समपार संख्या 64 पर कोई चौकीदार नहीं था और आखिरी पैरा से पहले उन्होंने मोटर वीहिकलज रूल्ज का हवाला दिया है और कहा है कि बस ड्राइवर को पहले ही रुक जाना चाहिये था और अनुमति लेनी चाहिये थी। लेकिन जब चौकीदार ही नहीं था तो अनुमति किस की लेने के लिए वह कैसेगा? सब से गंभीर बात उन्होंने यह बताई है कि पांच हजार ऐसे फाटक है जहाँ कोई चौकीदार नहीं है और उन्हें सिंग कोई इस तरह की व्यवस्था नहीं की गई है। मैं सलाहकार समिति का भी सदस्य हूँ। मंत्री महोदय हम लोगों को समय समय पर बराबर इस प्रकार की दुर्घटनाओं की जानकारी भी देते रहते हैं। दुर्घटनाओं के बारे में उन्होंने हमें एक समीक्षा भी दी है। उसके अनुसार ट्रेन बेसिस या इस तरह की दूसरी दुर्घटनाओं की संख्या उन्होंने हमें बताई है। उसके अनुसार इस तरह की 1975-76 में 105 घटनाएँ हुई थीं, 1976-77 में 86, 1977-78 में 93 और 1978 के दिसम्बर मास तक 65 इस तरह की घटनाएँ घटी थीं। और मैं समझता हूँ कि यह जो दुर्घटना है यह सबसे बड़ी है जैसा कि प्रैस रिपोर्ट्स से भी मालूम होता है। और दुर्घटनाओं के पीछे प्रति वर्ष करीब 3 करोड़ 50 मे अधिक की क्षति होती है। सरकार कभी कभी कमेटी नियुक्त करती है, एक जांच कमेटी 1968 में नियुक्त की गई तो उसने अधिकांश लायेबिलिटी रेलवे कर्मचारियों पर ही

[श्री राम विलास पानवत]

श्रीर कहा है कि रेल कर्मचारियों का भी किसी न किसी रूप में हाथ रहता है। मंत्री जी ने हमें रेल भवन में एक ट्रेन भी दिखालाई थी जिसमें था कि जब इस प्रकार के खतरे की संभावना होती है रेल के इंजन में धावाज आने लगेगी और ड्राइवर को खतरा मालूम हो जायगा। इस प्रकार की दुर्घटनायें कभी भी घट सकती हैं। अभी हम लोग खगरिया से आ रहे थे और खगरिया के बगल में मान्सी में जहां आपका चौकीदार है वहां गाड़ी नहीं भी आती है तो भी क्रिमिनल्स की सांठगांठ से रेल का फाटक गिर जाता है और बसों और ट्रक को लूट लिया जाता है। तो एक तरफ तो आपके पास फाटक पर चौकीदार नहीं हैं उसके लिये आपने कहा है कि ओवरब्रिज और इन्डरब्रिज की व्यवस्था है, और आपने कहा है कि 40 से अधिक ओवरब्रिज और इन्डरब्रिज बन चुके हैं। तो 22,000 जो फाटक हैं बिना चौकीदार के उन पर कब तक चौकीदार रख दिया जायगा और आने वाले सालों में आपने कितने ओवरब्रिज और इन्डरब्रिज त्रिजेज की व्यवस्था की है और आप क्या तरीका अपना रहे हैं जिससे भविष्य में ऐसी दुर्घटनायें न घटें ?

प्रो० मधु बंडकले : पहला सवाल पूछने में माननीय सदस्य को कुछ गलतफहमी हुई है मैंने कभी यह नहीं कहा कि मोटर बैट्रिक्स ऐक्ट के तहत कोई भी मोटर बस अनमैड लेबिल कौंसिल के पास आती है तो गेट मैन की अनुमति से रुकना चाहिये। अनमैड का मतलब ही है कि वहां चौकीदार ही नहीं होता, इसलिये किसी की अनुमति का सवाल नहीं होता। इसलिये मोटर बैट्रिक्स ऐक्ट में कहा गया है, अगर चौकीदार होता तो वही फाटक बन्द कर देता, लेकिन जो अनमैड गेट्स हैं वहां कानून के मुताबिक और बोर्ड पर भी लिखा होता है

कि हर बस ठहरे और कंडक्टर आगे जाय और सेफटी देखने के बाद बस आगे जाने के लिये कहे।

माननीय सदस्य ने कहा कि 22,000 ऐसे फाटक हैं जो अनमैड हैं, उन पर चौकीदार अगर रखना है तो यह जिम्मेदारी हम कब तक निभा सकेंगे ? मैं सदन को बताना चाहता हूँ कि जो 22,000 अनमैड गेट्स हैं अगर एक अनमैड गेट को मैन गेट में परिवर्तित करना है तो उसके लिये 60,000 रु० की लागत आती है। इसलिये 22,000 अनमैड गेट्स को मैन गेट करना है तो 132 करोड़ रु० का खर्चा है। यह तो शुरु में खर्चा है और साथ ही साथ हर साल इंतमाज करने के लिये 30 करोड़ रु० का खर्चा और लगेगा। आज हमारी आर्थिक स्थिति ऐसी नहीं है कि सारे अनमैड गेट्स को मैन गेट में परिवर्तित कर के 132 करोड़ रु० उस पर खर्च करें। लेकिन हम बार-बार रिब्यू करेंगे और जिन अनमैड गेट्स पर ज्यादा दुर्घटना होने की गुंजाइश है ऐसे अनमैड गेट्स को प्राथमिकता दे कर उनको मैन गेट में परिवर्तित करने की कोशिश करेंगे।

12.04 hrs

COMMITTEE ON ABSENCE OF
MEMBERS FROM THE SITTINGS
OF THE HOUSE

ELEVENTH REPORT

श्री डी० जी० गर्बई (बुलडाना) : अध्यक्ष महोदय, मैं सभा की बैठकों से सदस्यों की अनुपस्थिति सम्बन्धी समिति का 11 वाँ प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) प्रस्तुत करता हूँ।