

12.34 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER CUSTOMS ACT AND
INCOME-TAX (SECOND AMENDMENT)
RULES

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI
K. C. PANT): I beg to lay on the
Table:—

- (1) A copy each of the following Notifications under section 159 of the Customs Act, 1962:
 - (i) G.S.R. 512 published in Gazette of India dated the 16th March, 1968.
 - (ii) G.S.R. 513 published in Gazette of India dated the 16th March, 1968.
 - (iii) The Customs (Export of Tea to United Kingdom on Consignment Account) Valuation Rules, 1968, published in Notification No. G.S.R. 518 in Gazette of India dated the 12th March, 1968.
 - (iv) G.S.R. 519 published in Gazette of India dated the 14th March, 1968, [Placed in Library. See No. LT-673/68].
- (2) copy of the Income-tax (Second Amendment) Rules, 1968, published in Notification No. S.O. 1112 in Gazette of India dated the 18th March, 1968, under section 296 of the Income-tax Act, 1961. [Placed in Library. See No. LT-674/68].

INDIAN FOREST SERVICE (REGULATION OF
SENIORITY) RULES

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS
(SHRI VIDYA CHARAN SHUKLA): I beg to lay on the Table a copy of the Indian Forest Service (Regulation of Seniority) Rules, 1968, published in Notification No. G.S.R. 481 in Gazette of India dated the 16th March, 1968. under sub-section

(2) of section 3 of the All Indian Services Act, 1951. [Placed in Library. See No. LT-675/68].

12.35 1/4 hrs.

PUBLIC ACCOUNTS COMMITTEE

TWENTY-SECOND REPORT

SHRI M. R. MASANI (Rajkot): I beg to present the Twenty-second Report of the Public Accounts Committee relating to the Third Five Year Plan of the Railways—Chapter I and paras 16 and 17 of the Audit Report (Railways), 1967.

MR. SPEAKER: Mr. Poonacha.

12.35 1/2 hrs.

STATEMENT RE. RAILWAY ACCI-
DENT AT BHARWARI STATION ON
THE NORTHERN RAILWAY

THE MINISTER OF RAILWAYS
(SHRI C. M. POONACHA): Sir, with profound regret I have to inform the House that shortly after 22-21 hours on 30-3-1968, train No. 460 Down Goods hauled by electric locomotive, entered the down main line at Bharwari station on the Fatehpur-Allahabad broadgauge electrified section of the Northern Railway and collided with the rear of train No. 2 AGA Down Agra-Allahabad passenger, which had been received earlier on the same line at about 22-11 hours.

As a result the electric locomotive of the goods train along with four wagons next to it derailed and capsized and the rear-most two coaches of Agra-Allahabad passenger—a first class coach and a third class luggage and brake van—were seriously damaged. Seventeen persons including the driver of train No. 460 Down goods were killed and another 30 persons injured of whom 11 persons are suspected to have sustained grievous injuries. Subsequently two persons with grievous injuries succumbed

to their injuries bringing the total number of dead to 19.

Immediately on receipt of information of the accident, medical van was rushed from Allahabad, which reached the site of the accident at 00.08 hours on 31-3-68. The injured persons after being attended to at the site were brought to Allahabad and were admitted in the Motilal Nehru Hospital and Railway Hospital. The Accident Relief Train from Allahabad reached the site of the accident at 01.10 hours. The Divisional Superintendent accompanied by Divisional Officers proceeded to the site of the accident by road. The General Manager of the Northern Railway accompanied by Heads of the Departments proceeded to the site of the accident by a special train. The Deputy Minister for Railways and the Member (Engineering) Railway Board flew to the site of the accident and visited the injured persons in the hospitals.

Both the Up and Down main lines at Bharwari station are provided with track-circuiting which ensures that reception signals cannot be taken off for a train running through a main line unless the line is clear.

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

The Additional Commissioner of Railway Safety is holding inquiry into the accident today.

I fully share the anxiety and concern of the Honourable House over the recent trend of accidents, resulting unfortunately in some cases, with heavy loss of life. It is necessary to constitute a High Powered Body to look into the causes leading to these accidents with particular reference to the implementation of the recommendations of the R.A.C. of 1962, headed by Shri H. N. Kunzru. The Ex-Chief Justice of India, Shri K. N. Wanchoo has kindly agreed to head this Committee. Sarvashri

M. R. Masani, M. P. Vasavada, F.C. Badhwar and P. B. Aibara, Commissioner for Railway Safety will be the Members of the Committee

SHRI HEM BARUA (Mangaldai): We submitted an adjournment motion on this subject. Every day the time of the House is being taken up by such unfortunate accidents. It is a very unfortunate and also unhappy thing. The Railway Minister has done nothing about it. I would like to refer to a news item which has appeared that he has offered to resign and that he has sent this letter of resignation to the Prime Minister and that the Prime Minister has not accepted the resignation. As honest man Shri Poonacha should resign and sack his Railway Board.

SHRI H. N. MUKKEREE rose—

MR. SPEAKER: Kindly resume the seat. I will call you again. I myself do not know what to do. Everytime the Minister makes a statement, if we are to have a discussion, how can we proceed? There are a number of Calling Attention Notices and Adjournment Motions on the subject. I would request you to suggest how we should proceed. I would request the leaders to say something. The Minister has already announced a very powerful High Powered Body, headed by the Ex-Chief Justice of India and one or two Members of this House. If anybody could suggest how we can proceed, I will listen, I would request Shri H. N. Mukerjee to say what he wants to say.

SHRI H. N. MUKERJEE (Calcutta North East): My submission to you—and I make it with the utmost seriousness—is this. This is a very appropriate matter where you should have been pleased and perhaps even now can be pleased to allow discussion on adjournment. This has happened over and over again. There has been a chain of accidents which shows how disastrously mismanaged the railway

[Shri H. N. Mukerjee]

system in this country is. The statement of the Railway Minister does not satisfy the House merely because it promises an enquiry which after all is something which should have been done just like that. The sequence of events which have gone on for long is something very serious. That is why without going into detail, I suggest that you be pleased to fix some-time for the adjournment motion, if you are pleased to admit it.

MR. SPEAKER: Absolutely no objection. But the point is this. A number of adjournment motions were there. But I thought that we should not lose time when the budget demands were being discussed. You can defeat the demands. Adjournment motion is after all a censure motion against the Government; you want to censure the Government. But every day the demands are discussed and that gives the opportunity to the Members to censure the Government. If you want it this way, I have no objection, but then you will lose the time on the demands. True, it is a matter of regret that accidents happen and lives are lost. I have absolutely no objection to permit this discussion. But every day when the demands are discussed, you can throw out the Government; you can censure the Government. If you are prepared to curtail the time on the demands, I shall allow the adjournment motion.

श्री मधु लिमये (मुगेर): स्थगन प्रस्ताव स्वीकार करने की जो मांग की गई है उस की मैं ताईद करता हूँ। आज मैंने अखबारों में पढ़ा है कि पुनाचा साहब इस्तीफा देने वाले हैं। मैं इस का स्वागत करने वाला था और मेरे सामने जो दूसरा पहलू है उसको भी मैं आपके सामने रखने वाला था। लेकिन ऐसा लगता है कि वह इस्तीफा देने वाले नहीं हैं। इस तरह की घटनाओं के लिए हम मंत्रियों को तो जिम्मेदार ठहराते हैं.....

MR. SPEAKER: Do you want a discussion on the motion for adjournment at the cost of the time allotted for the demands for grants?

श्री मधु लिमये : इन्होंने अगर इस्तीफा दिया होता तो मामूली भी एक घंटे की बहस काफी होती और हम लोग उसको मान लेते। लेकिन वह इस्तीफा नहीं दे रहे हैं। इस लिए स्थगन प्रस्ताव जरूरी हो गया है। साथ साथ मैं यह भी कहना चाहता हूँ कि रेलवे बोर्ड को भी हटाना चाहिये। यह हमेशा केवल मंत्री की जिम्मेदारी नहीं होती। मंत्री की भी होती है और रेलवे बोर्ड को भी आप उनकी गर्दन पकड़ कर निकाल दीजिये।

श्री बजर्राज मधोर (दक्षिण दिल्ली) : एडजर्नमेंट मोशन को स्वीकार करने की जो मांग की गई है वह मानी न भी जाए तो भी उस के अन्दर कोई बहुत बड़ी बात नहीं है। मुख्य चीज यह है कि पिछले कई महीनों में लगभग हर रोज कोई न कोई रेल दुर्घटना हमारे सामने हो रही है। प्रश्न यह है कि रेलवे सिस्टम के अन्दर क्या खराबी है? मुश्किल यह है कि हम लोग अपनी बात कह देंगे और आप लोग भी कह देंगे और फिर मामला वहीं समाप्त हो जाएगा। यह जो मंत्रिमंडल है या रेल मंत्री है क्या उनको स्वयं इस बात का खयाल नहीं है।

There is something basically wrong in the whole system. Why did not they think of it before? Today they have appointed a committee and the committee will go into the matter and it will take six months to submit a report. By that time more accidents will take place. I want to know whether the General Manager or anybody concerned had been dismissed or taken to task.

MR. SPEAKER: I was asking clarification—not the Minister.

SHRI RANGA (Srikakulam): We would have no objection if you allow two or three or five hours apart from the time allotted for the demands. Provided we waive this question of quorum, it should be possible for the House to do so. I have seen assemblies meeting till 9 o'clock in the night. I do not see any reason why the House should not be prepared, if it is advised by you, to agree to your advice and to sit for two or three hours after 7 o'clock one of these days. Let this matter be discussed. Apart from that I want to say this time that my hon. friend has not been able to give any consideration to the simple suggestion I made, apart from the demand for his resignation or the resignation of some of the concerned members in the Railway Board or of the General Manager. These people have not got that much of sense of conscience as to be able to accede to that kind of demand at least, the Minister must be willing to ask the whole of the railways, starting from the Railway Minister down to the last man, to wear black bands as a sign of mourning at least for one day on every occasion when these unhappy incidents take place.

Now, they have thought of appointing this commission. But it is not enough to absolve their responsibility; they ought to do something more. You may be pleased to tell the House that you agree to have a discussion on this matter for two to three hours in addition to the time that we are already having for the discussion of the Demands for Grants.

SHRI SURENDRANATH DWIVEDY: (Kendrapara): Sir, as you may have seen, the House is not satisfied with the sort of statement that the Minister has made. You know that these railway accidents are taking place, and there was a Railway Accidents Enquiry Committee headed by Dr.

Kunzru, and the report was also there. In spite of that, repeated accidents are taking place. Therefore, I would not suggest that we waste the time of the House at this moment because the budget discussion is going on. The Railway Minister or the Government should promise that they will take strong action; at least the Railway Board should be dismissed. It is not a question of accusing the Minister; one Minister had resigned and this Minister also may resign. But the Railway Board which is responsible for these accidents should be dismissed. Therefore, I would suggest that if such a statement is not coming forward, then, as has been pointed out by Shri Ranga, we might sit for about two hours, after the budget discussion is over, to discuss this subject.

AN HON. MEMBER: On the adjournment motion.

SHRI NAMBIAR (Tiruchirappalli): My submission is this. There must be a discussion on the adjournment motion also. The reason is this. A Commission has now been appointed. We want to give our opinion on the personnel of the Commission and the terms of reference. These things will come up in the discussion.

Another point is, there is no use the Minister resigning. As I have already stated in my budget speech, the Railway Board should be scrapped.

MR. SPEAKER: During the discussion, you can say all that.

SHRI NAMBIAR: Kindly bear with me. I am speaking from the point of view of the railway working also. You might have seen that this is an electrified line.

MR. SPEAKER: You are going into the details.

SHRI NAMBIAR: Please bear with me. I will not take the time of the House. This is an electrified line, and a double line system. One train goes

[Shri Nambiar]

on one side, and the opposite train comes on the other line. But here, one train was running on the same track where another train was stationed, and there was a smash which shows that something is very serious wrong there. Therefore, a detailed study is necessary. The general terms of reference as given now here is not enough. There has been another enquiry committee recently set up with regard to the accident near Hubli. Here again a separate enquiry is needed as the enquiry which is now proposed is a thing on the whole railways concerning accidents in general. Do not confuse this with that. Therefore, we will have to discuss it through the adjournment motion.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH): You have already said that two hours discussion may be had. (*Interruption*).

AN HON. MEMBER: The budget is there; there must be time.

MR. SPEAKER: That, I will decide. I am only asking for the opinion of the Minister.

DR. RAM SUBHAG SINGH: I agree with you—as you yourself have said—that there must be a discussion.

MR. SPEAKER: There is one clarification. We may sit after seven as Mr. Ranga has suggested.

DR. RAM SUBHAG SINGH: There will be some difficulty in sitting after seven. Therefore, it might be held after, say, five.

MR. SPEAKER: Five to seven.

SHRI BAL RAJ MADHOK: We do not want the Demands for grants to be guillotined; that time should not be taken away.

MR. SPEAKER: It is the desire that we should have a discussion. There is no doubt about it and the Minister agrees and all of us agree. The only point is, whether we should give up the time allotted for the demands....

SEVERAL HON. MEMBERS: No, sir.

MR. SPEAKER: Instead of discussing it here immediately, here and now, tomorrow I will convene a meeting of the Business Advisory Committee and fix up. The only point is whether the discussion should be within the time, time allotted for the demands or outside it. Therefore, I will convene a meeting tomorrow morning or at four in the afternoon. (*Interruption*). Today itself we shall meet, say, at about 4.30 P.M.

MR. SPEAKER: Mr. Limaye.

SHRI R. K. SINHA: (Faizabad): Sir, there have been murders of Harijans. Some time must be given to discuss it....

MR. SPEAKER: Order, order. We had a discussion about it. Mr. Sinha went out just then. Now he has come back and wants to start it again. Mr. Limaye.

श्री जाज़ फरने डॉज (वम्बई-दक्षिण) :
मुख्य मन्त्री महोदय, आप ने माननीय सदस्य श्री मधु लिमये, को डायरेक्शन 115 के अन्तर्गत स्टेटमेंट करने के लिए कहा है। इस पर मेरा व्यवस्था का प्रश्न है।

डायरेक्शन 115 यह कहता है :

A member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker.... etc.

इस में महत्व के दो अल्फाज़ हैं "मिसटेक" और "इनएक्चुरेसी"। मेरा निवेदन है कि

श्री मधु लिमये जो मामला उठा रहे हैं वह न मिसटेक है और न इनएक्युरेसी।

एक माननीय सदस्य : माननीय सदस्य को कैसे मालूम है ?

श्री जार्ज फ़रनेन्डो : मुझे इस लिए मालूम है कि मैं आर्डर पेपर पढ़कर आता हूँ। 1 मार्च और 27 मार्च को यहाँ प्रधान मंत्री और श्री बलोराम भगत की ओर से बयान दिये गये थे। जब उन से पूछा गया।

MR. SPEAKER: Do not go into merits.

श्री जार्ज फ़रनेन्डो : मैं बताना चाहता हूँ कि यह न मिसटेक है और न इनएक्युरेसी, बल्कि यह तो डीलिवरेट मिस-लीडिंग आफ़ दि हाउस है। एक प्रश्न के उत्तर में श्री भगत की ओर से कहा गया कि कच्छतिवु द्वीप इम वक्त किसी के कब्जे में नहीं है।

MR. SPEAKER: You are going into the details.

श्री जार्ज फ़रनेन्डो : मैं उस के मेरिटस में नहीं जा रहा हूँ।

MR. SPEAKER: You are referring to the speeches.

श्री जार्ज फ़रनेन्डो : प्रश्न यह है कि वह मिसटेक या इनएक्युरेसी है या मिस-लीडिंग आफ़ दि हाउस है।

MR. SPEAKER: There is no point of order. I have considered all these aspects and given him permission to make a statement.

श्री जार्ज फ़रनेन्डो : पायंट आफ़ आर्डर जरूर है। आप मेरी बात सुने वगैर यह व्यवस्था कैसे देते हैं ?

MR. SPEAKER: I have said, there is no point of order. Mr. Limaye.

श्री जार्ज फ़रनेन्डो : यह तो प्रिविलेज का मामला है। यह डायरेक्शन 115 में नहीं आ सकता है।

MR. SPEAKER: Later on you can give a privilege motion or even no-confidence. Now, Mr. Limaye.

श्री जार्ज फ़रनेन्डो : जब भी प्राइम मिनिस्टर के बारे में प्रिविलेशन मोशन की बात आती है तो आप उस को नहीं लेते हैं। हमेशा यही होता है।

12.53 hrs.

STATEMENT UNDER DIRECTION 115
RE. KUCHHATIVU ISLAND

श्री मधु लिमये (मुंगेर) : माननीय अध्यक्ष जी, मैंने आप से पिछले गुरुवार को कहा था कि आप कच्छतिवु के मामले को मुझे नियम 224 या 377 या अध्यक्षीय निर्देश 115 के अन्दर उठाने की इजाजत दें। आपकी आज्ञा के अनुसार मैं इसको निर्देश 115 में उठा रहा हूँ।

एक मार्च उन्नीस सी अगस्ट को कुछ संसद् सदस्यों ने "सीलोन द्वारा पाल्क स्टेट्स में कच्छतिवु द्वीप पर कथित कब्जा" के सम्बन्ध में ध्यान आकर्षण का जो नोटिस दिया था उसको ले कर सदन में सवाल पूछा गया उस के जवाब में राज्य विदेश मंत्री श्री बली राम भगत ने कहा था कि यह "कच्छतिवु द्वीप बिल्कुल निर्जन है उस पर कोई नहीं रहता वहाँ पानी भी नहीं है इस लिए वह किसी के भी कब्जे में नहीं है"। आगे मंत्री महोदय ने कहा कि "जैसा कि मैंने कहा यह न भारत के न सीलोन के कब्जे में है"।

मेरे इस प्रश्न के जवाब में कि क्या कच्छतिवु पर सीलोन की पुलिस का या सेना का कब्जा हुआ है श्रीमती इंदिरा