

सिंह न कहा कि वहाँ एक रेस हार्स रह गया। मैं तो कहता हूँ कि एक नहीं पता नहीं कितनी चीजें रह गईं। सरदार दातार सिंह का एक कैटल का हर्ड रह गया जो कि बहुत बड़ा था और निहायत बेशकीमत था। उन में से आप को कितनी गायें और भैंसें मिलीं? वह सब की सब वहीं रह गईं। पेशतर इस के कि आप बिल लायें, मेरी राय में पहले आप अपनी तसल्ली तो कर लीजिये। तसल्ली करने के बाद कोई मुआहदा करना ठीक होगा। फिलवाक्या, वसूली के लिये हम लोगों के पास दो ही रास्ते हैं, एक तो मुआहदा है, और दूसरे के लिये मैं कुछ कहना नहीं चाहता।

श्री यू० एम० त्रिवेदी : समझते तो सब कुछ हैं।

पंडित ठाकुर दास भागंब : हम सब से ज्यादा बेहतर आप समझते हैं। यह बिल ऐसा है जिस पर कोई ऐमेन्डमेंट नहीं है।

संचार मंत्री (श्री जगजीवन राम) : आप बहुत अर्ज कर चुके।

पंडित ठाकुर दास भागंब : अच्छी बात है।

श्री ए० पी० बॉन : जनाब, मुझे इस के जवाब में कोई खास बात नहीं कहनी है सिवा इस के कि यह जो कहा गया है कि बाकी चीजों के लिये क्यों नहीं बिल लाया गया। मेरा कहना है कि उन चीजों के लिये बिल की जरूरत नहीं है। यह बिल इसलिये लाया गया कि अगर अदालत में कोई डिपॉजिट है तो वह कानून के ही जरीये से एक जगह से दूसरी जगह जा सकता है। अगर कोर्ट आफ वार्ड्स हम को पैसा देता है, या मनकूला जायदाद को मुत्तकिल करता है तो वह तो कानून के

ही जरीये से हो सकता है। मनकूला जायदाद के बारे में जो फैसला हुआ है, उस में जिन के लिये कानून की जरूरत है वही इसके अन्दर लाई गई है। जिन के लिये कानून की जरूरत नहीं है, उन को इस में रखने की न जरूरत थी और न उन के लिये कानून आयेगा।

Mr. Deputy-Speaker: The question is:

"That the Bill be passed"

The motion was adopted.

AIR CORPORATIONS (AMENDMENT) BILL

Mr. Deputy-Speaker: The House will now take up the Air Corporations (Amendment) Bill, 1954.

The Minister of Communications (Shri Jagjivan Ram): I beg to move:

"That the Bill to amend the Air Corporations Act, 1953, as passed by the Council of States, be taken into consideration."

This is a very simple Bill, which seeks to extend the period provided in the Act for certain purposes. I do not think any speech is necessary, because the Statement of Objects and Reasons makes it quite clear. I hope the House will pass this measure.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to amend the Air Corporations Act, 1953 as passed by the Council of States, be taken into consideration."

I shall now call upon Shri M. S. Gurupadaswamy. Hon. Members will take as little time as possible, of course, very effectively.

Sardar Hukam Singh (Kapurthala-Bhatinda): The hon. Minister has spared some time for us.

Shri M. S. Gurupadaswamy (Mysore): It was very surprising to find that the hon. Minister while moving for the consideration of the Bill contented himself with saying just one sentence that this Bill may be passed, as if it does not involve any vital matter.

Before I deal with the main issue before us, I would like to make one general observation. According to the Rules of Procedure, it is required that in all cases of introduction of Bills in the House, the sponsor of a Bill should append a memorandum, apart from the Statement of Objects and Reasons, giving more detailed information. But unfortunately, this procedure outlined in Rule 83 of the Rules of Procedure has not been followed by the drafters of this Bill. It is a very unfortunate omission. At least hereafter, Government should take more care to observe the Rules of Procedure and Conduct of Business in the House. I think there has been only one Bill which was passed earlier, and which contained just a short memorandum with only one sentence.

Mr. Deputy-Speaker: Where is the reference to such a memorandum in Rule 83?

Shri M. S. Gurupadaswamy: It is required that apart from the Statement of Objects and Reasons, there should be a memorandum.

Mr. Deputy-Speaker: Only two types of memoranda are referred to here, a memorandum regarding delegation of legislative power, if there is any such delegation, and a memorandum regarding the financial implications, if any.

In this case, I do not think any financial implications are involved.

Shri M. S. Gurupadaswamy: There are financial implications. The object of the Bill is to extend the period in regard to submission of accounts etc. That means extra work, and extra expenditure.

Mr. Deputy-Speaker: The other Companies which have been taken over are asked to submit their audited accounts etc. within a certain period. They want some more time for that. Under Rule 83, whenever a Bill is introduced imposing an obligation on Government to expend some money out of the Consolidated Fund of India, they should append a statement showing clearly the financial implications involved. The other memorandum referred to in that Rule arises only when the Speaker orders the publication of any Bill in the Gazette, which involves delegation of legislative power to Government; in that case, a memorandum regarding such delegation is to be appended. Otherwise, no memorandum is necessary.

Shri M. S. Gurupadaswamy: A financial memorandum is required, because it involves certain expenditure from the Consolidated Fund of India.

Mr. Deputy-Speaker: Does it involve any expenditure on the part of the Government of India, from out of the Consolidated Fund?

Shri Jagjivan Ram: I think the Corporations will have to pay for it. No new staff will be employed. The staff which is carrying on the work already will continue that work.

Shri M. S. Gurupadaswamy: Sir, I leave it at that.

Regarding the Bill itself, I want to say that Government have failed in their duty in not persuading the Companies or the managements of these Companies to submit books of account and other things which are necessary. Some of us expressed a little doubt when the Bill was first debated in the House that the managements would not co-operate with them, and Government have always been lukewarm in dealing with managements of big companies. This is a case—a typical case—of non-cooperation, or shall I say, lack of action on the part of Government to demand books of account within time. There are two things involved. There is lack of enthusiasm, or shall I say,

lack of sincerity, on the part of Government in making this Act a success, and on the part of the managements there is an element of non-cooperation. I want the Minister to see that the period that was provided in the parent Act was quite adequate for this purpose. The companies who were dealing with this matter of civil aviation already knew in advance that they were going to be nationalised, and they had to submit accounts. In spite of that, I do not know why they need more time, except, of course, to cook up new accounts and to inflate figures and to have more bloated demands on Government. I think that the various managements which ought to have submitted books of account within that period. The time given was sufficient. Therefore, the demand for more time seems to create in us, a suspicion in our minds...

Shri Jagjivan Ram: I may clear it up? The extension of time is not for the companies. It is for the Corporations to approach the tribunal, if they find it necessary.

Shri M. S. Gurupadaswamy: That is true, the Corporations want this time. But you thought that the Corporations could get all these accounts within this time. But they did not get these things within this specific period. Why did they not get these things? Why did they not finish the work? What was the reason behind it? That is my question.

So I say that the Minister should not have come before this House for extension of time.

There is another important matter in connection with this, that this work could not be finished because there is a growing internal conflict between the managements of the two Corporations, the Air India International and the Airlines Corporation. Very soon after the Corporations were started, they came into conflict on various issues. This delay therefore was due

entirely to the conflict and disharmony that exist between the managements of these two Corporations. My complaint is that they failed to carry out the provisions of the Act. The Government did not take any steps to see that these things are done in proper time. It is really disgusting that the hon. Minister should come to the House and ask for extension of this sort, when there is a clear case of failure on his part and also on the part of the management to carry out the purposes of the Act within the specified period. The Minister ought to have seen that the managements run the affairs properly. I still hold—and the Minister may deny—that extension of time means more expenditure, more work for the staff and more staff. It is not good practice to amend the parent Act for such small matters. I again say the working of the Corporations is not satisfactory. They are in conflict on many major and minor issues, and one corporation does not tolerate the existence of the other. If this spirit of disharmony continues and is carried further, I think, it will mean more inefficiency and more danger. It may not also be out of place if I say that the air crashes and all other things are ultimately due to the inefficiency of management and the conflict that is going on there.

Mr. Deputy-Speaker: The hon. Member is going away to another subject.

Shri T. B. Vittal Rao (Khammam): They are only casual references.

Mr. Deputy-Speaker: Casual accidents and casual references.

Shri M. S. Gurupadaswamy: Finally, I say, we do not feel any justification for the action of Government and we do not see any reason why the hon. Minister should have come with this Bill. He could have avoided this debate if he had taken some serious steps in this regard.

Shri T. B. Vittal Rao: In normal circumstances, we could have easily agreed for the extension of time.

[Shri T. B. Vittal Rao]

This Act was passed by this Parliament as long back as May, 1953. After that, the Air Corporations were inaugurated on the 1st of August. There was four months' time. There was another month after this too for the Air Companies to submit their returns. I expected the hon. Minister to tell us to what extent the scrutiny has proceeded, what are the things that have been valued and what is the amount of work which is still left; how much of the Companies' accounts have been audited, and so on. But the hon. Minister simply thought it fit to refer to the Statement of Objects and Reasons of the amending Bill in which we are not given all these facts. Every one of these Air Companies, before they were taken over, had to get their accounts audited annually and submit them to the Registrar. Why should there be a change now? Is the delay due to Government? What are the things yet to be scrutinised? These things make us suspicious. Before these Air Companies were taken over, the cases of some were before the Income-Tax Investigation Commission. Daily, reports appear about something or other happening. Everything is not well. One day, there is a report about differences of opinion between the Chairman of the Corporation and the Ministry of Communications. I do not know what those differences are. It may be interested propoganda, but we ought to know in view of what is going on in the Press.

Secondly, there was a recent air crash. The pilots have been taken to task. Were these test flights to be carried out by ordinary pilots or by specially trained pilots?

Mr. Deputy-Speaker: I cannot permit this. It is absolutely irrelevant, although interesting.

Shri T. B. Vittal Rao: These Corporations are not functioning properly. When we are asked to extend

the time, we should be given more facts. We do not know when the services will be integrated. It has not been done so far.

Mr. Deputy-Speaker: He will have ample opportunity to raise that point during the Budget discussions.

Shri T. B. Vittal Rao: All these things are there. He should make them clear before we can agree to this extension.

Shri N. Rachiah (Mysore--Reservé—Sch. Castes): I support this Bill very strongly. This is a simple amending Bill. My hon. friend Shri Gurupadaswamy said that the Minister has been coming off and on for amending the original Act. This is the first amending Bill that has come before us. After the Act was given effect to, they have found some administrative discrepancies and difficulties and as such, in the interests of Government's revenue and to ensure proper administrative functioning, an amendment is necessary. Clauses 2, 3 and 4 require a simple thing to be done. Instead of six months, the amending Bill seeks to provide one year within which the Air Corporations will be able to check the accounts and books, so that it may be possible for the Air Companies and the Air Corporations to run the administration with perfect understanding and harmony. This amending Bill is thus very simple and requires no debate at all. They should not oppose and charge the Government with something merely for the sake of opposition. Nobody is supernatural. If the Minister could have anticipated these things at the time of bringing the original Bill, the same thing would have been done by the Members who have criticised him now. It is only during the working of the Act that these things have been found out and as such they have to be rectified through this amending Bill. As such, I very strongly support this Bill, which may be passed without any further debate.

Mr. Deputy-Speaker: We have not heard the hon. Member, Mr. Rohini Kumar Chaudhuri for a long time.

Shri R. K. Chaudhuri (Gauhati): It is not my fault entirely. When this topic of aviation is in the air in the House, I feel very strongly tempted to make certain observations.

An Hon. Member: Airy observations?

Shri R. K. Chaudhuri: It will be recollection of the House that when the last Bill was under discussion, I made a few appeals in favour of the air hostesses and I am glad to be able to say that my appeal has not gone in vain,—whether it was due to the merits of the air hostesses or whether it was due to the pleadings which had been put forward in the House, I am unable to say.

Shri Jagjivan Ram: Or whether it was to please you.

Shri R. K. Chaudhuri: I regret to observe that I have seen no evidence of gratitude from that side. Whether the hon. Minister of Communications has received any such evidence, I am not in a position to say, but I have travelled of late to different places, and personally speaking, I have received no special favours from them. All my effort, if it had depended on any return, has proved unsatisfactory.

Shri Jagjivan Ram: Try on your next journey.

Shri R. K. Chaudhuri: At that time I had the opportunity of seeing the right palm of the hon. Minister of Communications and made certain predictions on that occasion. I had said that the number of services, so far as Assam is concerned, would be reduced and that there would be an attempt to bring about an economy in the administration to the detri-

ment of the interests of the passengers. I can say confidently.....

Mr. Deputy-Speaker: I am sure the House is interested in hearing the hon. Member who speaks in an interesting manner, but as I have already told some other hon. Members, these remarks do not seem to be relevant to the Bill and they may kindly be reserved for the Budget speech. I will call upon the hon. Minister to reply.

Shri R. K. Chaudhuri: I hope you will remember me then. Sir.

Mr. Deputy-Speaker: You will be the first to speak on the Air Corporations Bill at that time.

Shri Jagjivan Ram: In the first instance, I should say that at no stage has there been any conflict between the two Corporations. They have functioned very amicably and on no occasion has it come to my notice that there had been any difference between the two. The time asked for is necessary because, under the scheme of the Act, the compensation has to be determined. The compensation has to be offered by the Corporation to the existing Companies, and for determining the compensation, as has been provided under sections 22, 23 and 24, the Companies are to submit certain returns and those returns have to be scrutinised by the officers of the Corporation and Government, and if after scrutiny they find that certain expenditures or liabilities in the books or in the returns are not genuine, they can bring them to the notice of the existing Companies in the first instance within three months from the date of receiving the returns. Then again, if certain debts and agreements have to be challenged, they are to be challenged by the Corporations before a tribunal within six months from the appointed date. Now the six months from the appointed date, which was the 1st of August 1953, have already expir-

[Shri Jagjivan Ram]

ed. It happened like this. In the first instance the Companies did not submit their returns within the specified period of thirty days, and the Corporation gave them extension. It became inevitable. We found that they had to submit a mass of information and though the Communications Ministry had taken action well in time.—as early as May 1953 we had thirty special forms printed and sent to the Air Companies to send their returns—the work involved was a colossal one. We found that it was not possible for us to scrutinise all the material that we received from the Companies within the short period at our disposal. We were also convinced that if we tried to expedite the thing, it may happen that proper scrutiny would not be carried out. We may in certain cases be paying more than what the Companies deserve. Therefore, it became necessary to get extension of the time. But during this period we have made great progress.

Sir, I would like to give the House an idea of the volume of the work that is involved. The verification of book debts has been completed in six cases. In the remaining three it is likely to be completed very soon. The checking of liabilities of five operators has been completed; two cases are in progress and two are going to be taken up very soon. In regard to inspection of agreements, I may say for the information of the House that we had to scrutinise nearly three hundred agreements which the existing Companies had entered into with various parties and they had to be scrutinised very carefully. Then the greatest and most stupendous task was the physical verification of the stores of these nine Companies and we had to engage a team of nine experts from the H.A.L., the Directorate-General of Civil Aviation and the Airlines Corporations in order to verify all these

stores. Their verification has been completed and the verification of the value has been completed in the case of five existing Companies and is in progress in the case of remaining four Companies. The entire work in connection with the verification of values of fixed assets other than the stores has been completed in respect of four Companies, while most of the forms of the other five have been scrutinised. The time that is taken is inevitable. At the time we introduced the Bill and when the House considered it—I have to be very frank—I personally had no idea that the work involved was such a large one. I had thought that the Companies would submit their returns within one month or, say, two months, and the three or four months we will have in our hands would be enough for the scrutiny of all the returns that we receive from the Companies. After they were received, I found that it was impossible to have them properly scrutinised, to have a physical verification of their stores and also scrutinise it and the other agreements entered into by the existing Companies with certain parties. They were to be scrutinised not only from the legal aspect but from accounts aspect as well. All these things have taken time and now the extension is not required in the interests of the Companies but in the interests of the Corporation, which ultimately amounts to the interest of the Exchequer so that by any laxity in their scrutiny or verification, we may not pay something more than what they deserve. We have to deal with very hardened people in these Companies and we have to take every precaution. I am quite alive to the responsibility and the tremendousness of the work. Therefore, I am taking every possible precaution, and that is why we have come before the House for the extension of the period during which we can challenge the veracity of the returns submitted by the Companies before a tribunal if

necessary. I think it is very necessary and I hope the House will give this extension.

Mr. Deputy-Speaker: The question is:

"That the Bill to amend the Air Corporations Act, 1953, as passed by the Council of States, be taken into consideration."

The motion was adopted.

Clause 2.—(Amendment of Section 22)

Mr. Deputy-Speaker: The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.— (Amendment of section 23).

Shri Gadilingana Gowd (Kurnool): I beg to move:

In page 1, line 8, for "one year" substitute "nine months".

Just now the hon. Minister told this House that the Air Corporations require time for going through the accounts. The Statement of Objects and Reasons says:

"In view of the fact that the existing Air Companies are taking more time than anticipated for the purpose of supplying the Corporations with a list of their book debts, investments"...etc.

It is evident from this statement of Objects and Reasons that it is the Air Companies that are taking more time and not the Corporations. It is, therefore, with a view to see that the time required by the Companies is minimised and also to see that there is no scope for them to manipulate their accounts, I am moving this amendment.

24 P.S.D.

Shri Jagjivan Ram: My hon. Friend has moved that amendment under a misapprehension. The amendment refers to clause 23 where the period fixed, that is six months, would apply to the tribunal and not to the Companies. If the Corporation finds there is some defect in the returns submitted by the Companies it has to apply to the tribunal and this extension of time is not in the interests of the Companies but in the interest of the Corporation.

Shri Gadilingana Gowd: In that case, I do not press my amendment.

Mr. Deputy-Speaker: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

5 P.M.

Mr. Deputy-Speaker: Is any amendment going to be moved to clause 4?

Shri Gadilingana Gowd: Sir, in view of what has been said by the hon. Minister I am not moving my amendment.

Mr. Deputy-Speaker: Then I shall put all the clauses together.

The question is:

"That clauses 4, 5, 1, the Title and the Enacting Formula stand part of the Bill."

The motion was adopted.

Clauses 4, 5, 1, the Title and the Enacting Formula were added to the Bill.

Shri Jagjivan Ram: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

Mr. Deputy-Speaker: The next is the Shipping Bill. There are a number of amendments to the Bill. We will take it up at six o'clock. The House will now stand adjourned till 6 P.M.

The House then adjourned till Six of the Clock.

The House re-assembled at Six of the Clock.

[MR. SPEAKER in the Chair]

CONTROL OF SHIPPING (AMENDMENT) BILL—*contd.*

Shri M. D. Joshi (Ratnagiri South): Mr. Speaker, Sir, I was in the middle of my speech last time.....

The Deputy Minister of Railways and Transport (Shri Alagesan): Almost at the end.

Shri M. D. Joshi: I am not going to tire the patience of the House, I assure hon. Members. However, I have to stress two or three small points which I shall finish just now in a very short time.

Sir, I spoke about the steamer fares last time. Then I spoke about the fleet—the sadly depleted fleet of the Bombay Steam Navigation Company. The fleet is so depleted that the Company is not able to run its normal lines throughout the week. Therefore, it has to curtail the sailings of some of the ships. But the unfortunate part of it is that in spite of the persistent and consistent demands of the people for restoration of certain lines, the Company is constantly refusing to accede to the public demand, and our grouse is that our

Government is not paying sufficient attention to the needs of the public....

An Hon. Member: Perfectly right.

Shri M. D. Joshi: Sir, I belong to a very obscure corner of the country. Formerly, in the days of the mighty British Government, the old companies used to play havoc with public opinion, and the same thing is being repeated in our own time, in the time of our own *Swaraj*. This is a thing which I am very sad to relate here. But facts must be faced, and our Ministry must be informed of what is going on in the country. Therefore, Sir, in all earnestness, I urge upon the hon. Deputy Minister that Government may kindly pay immediate and urgent attention to the problems of coastal shipping on our side.

Then, Sir, all small ports come within the purview of the State Governments. But the carriage and the safety of passengers on board the ships is the concern of the Central Government. Now, the funny situation is this, that when a ship enters a small port, it is guided by the beacon lights that are to be maintained by the State Government. The Bombay State Government, however, does not maintain any beacon lights in the coastal ports. The House will be very surprised to know this fact. In spite of this fact being brought time and again to the notice of the State Government, nothing has been done. When we ask questions—I sent questions here—they were rejected because it was a State subject. What are we to do? As I said, the safety of the passengers is the concern of the Central Government. But how are the passengers to alight and to board safely unless there are good beacon lights? So what has happened is that the Company has put up its own beacon lights and these beacon lights serve other ships also. This is a very sad state of affairs and I say it does not do credit to any civilised government.