

LOK SABHA DEBATES Dated... 23.03.201
(Part II—Proceedings other than Questions and Answers)

1399

1400

LOK SABHA

Thursday, 29th November, 1956.

*The Lok Sabha met at Eleven of the
Clock.*

[**MR. DEPUTY-SPEAKER** in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

12 hrs.

**PETITION RE. INDIAN POSTS AND
TELEGRAPHS ACT AND RULES**

Shri Viswanatha Reddy (Chittoor):
Sir, I beg to present a petition signed by a petitioner in respect of the Indian Posts and Telegraphs Act and the Rules framed thereunder.

**MOTOR VEHICLES (AMENDMENT)
BILL—Concl'd.**

Mr. Deputy-Speaker: The House will now take up further consideration of the following motion moved by Shri Lal Bahadur Shastri on the 28th November, 1956:

"That the Bill further to amend the Motor Vehicles Act, 1939, as reported by the Joint Committee, be taken into consideration."

The Deputy Minister of Railways and Transport (Shri Alagesan): Yesterday, I just began and said that I was happy to note the universal welcome which this measure, as emerged from the Joint Committee, received in this House, particularly from the hon. Members who participated in the discussion. They mainly

welcomed the provision that had been made for the creation of inter-State Transport Commission and laid emphasis on certain other aspects of the Bill. There were also some hon. Members who spoke against the nationalisation of road transport while some others were equally vigorous in suggesting more and more nationalisation. When I heard both these points of view, it struck me as somewhat unrealistic in the present conditions that obtain in the country. In the picture that the Indian economy presents today, there should be absolutely no conflict between the public and the private sectors in the road transport field.

One hon. Member very happily described the Bill as a good example of both the private and public enterprise. In fact, the present Indian scene presents such a happy blending of both private and public sectors and this is only a miniature which has the same aspect.

As far as the nationalised sector goes, a sum of Rs. 10 crores was spent actually on the nationalised road transport services during the First Plan though Rs. 12 crores were set apart. The provision made in the Second Plan is for an expenditure of Rs. 27 crores for nationalisation purposes. This will still leave a very large field for the private operators to take possession of and do useful service.

Let us consider the amount of traffic that will have to be carried during the next five years. It has been calculated when the plan for the railways was formulated that they would have to carry an extra quantum of traffic amounting to 60·8 million tons. Even

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so, the target for the expansion of rail-
way transport provided only for the
carrying of about 47 million tons
including the five million tons of
arrears that fell due in the First Plan.
Thus, there is already a gap of about
18 million tons. Certain targets of
production have been revised. It has
been decided to increase the target for
cement production from five to eight
million tons; similarly, in the field of
food production, it has been increased
from ten to twenty million tons. So,
actually the traffic that will have to
be carried goes up by at least fifteen
million tons and the resultant gap
comes to about 25 million tons. Even
to carry the traffic that has been pro-
posed to be carried by the railways,
the expenditure may have to undergo
an upward revision because the costs
have already gone up. Even to carry
the 47 or 50 million tons, the target
for the railways, the cost of the rail-
way plan will have to be revised in
an upward way. When this traffic of
about 25 million tons offers itself,
there should be no conflict between
the modes of transport. Road trans-
port has naturally to come in and play
its role. We will have to press other
forms of transport as well—for
instance, the inland waterways which
are not very much used. We have to
think of developing them and using
them also. So also, coastal shipping.
So, there is no question of private
sector *versus* public sector in road
transport; it is one of private sector
cum public sector.

There were other hon. Members who
pleaded that we should put a stop to
nationalisation. They expressed grave
doubts as to the utility of carrying on
further with nationalisation schemes.
I think that they are not quite in
touch with the actual facts of the
situation. It is not for the mere fact
of it that one wants nationalisation.
The hon. Member from Manipur spoke
yesterday about developing hilly
regions like Himachal Pradesh, Mani-
pur, Tripura, etc. where there is no
private enterprise coming forward to
operate the service. So, there is no

other alternative to nationalisation in
those regions.

Then, again, take the quality of
service that is rendered. After the
various State Governments have
undertaken the nationalisation pro-
grammes and put them through, cer-
tainly the quality of service rendered
to the public has gone up. I do not
say that all is well with the nationa-
lised sector.

Even in Delhi we quite often hear
complaints, and there is great justifi-
cation for those complaints. The
D.T.S. has to be pulled up and reform-
ed in several aspects. But such of
those hon. Members who were here
when the old G.N.I.T. were running
buses and vehicles in Delhi will
acknowledge that the present D.T.S.
represents a very great step forward
in regard to the quality of service that
is being rendered to the public.

So, nationalisation has come to stay
and there is no use quarrelling about
it. But it can be very well realised
that it does not come in the way of
expansion of private operators. They
have got a very large field. The two
circles, which both the nationalised
transport and the private transport
have described, have still not covered
a very large field. They have not
touched each other or infringed upon
each other. Therefore, I should like
to say that we have to realise the
anxiety of various State Governments
to render more service to the public
by way of providing better passenger
transport facilities, and also under-
taking in some places goods transport.

The question now is one of
co-ordination and pressing into ser-
vice all forms and manner of transport
instead of one sector quarrelling with
the other.

The question of rail transport was
also raised yesterday and my hon.
friend Shri Viswanatha Reddy said
that this bogy of road competition
against railways should be laid at rest.
True, it no more exists. There cannot
be any question of competition

between road transport and rail transport. Both have to supplement and complement each other, and still there will be a large volume of traffic to carry.

Then, so far the private sector have been advancing the plea that their development is being retarded on account of various factors. They mentioned prominently the fear of nationalisation, high level of taxation, restrictions on inter-State transport and inter-regional transport, restriction on long haulages under the Code, permits for short periods and also high prices of vehicles. These were the broad fears and grounds that were given expression to by the private sector. They pleaded that as long as these factors are there hindering further expansion, they will not be able to make much progress.

Take the question of nationalisation. I have already explained it. It has been computed by the study group which went into the question in very great detail that even to nationalise the present passenger transport services it will require such a huge sum as Rs. 100 crores. I have already stated that the provision in the Second Plan is only Rs. 27 crores. Therefore, if anybody says that nationalisation will stand in the way of further expansion in the private sector, he is only afraid of a phantom and not of any reality. But it is true that the position in general was somewhat like this. The individuals were standing in dread of their particular routes being nationalised. Now, as far as that goes, that fear has been removed. We have asked the various State Governments to prepare schemes of nationalisation of passenger transport and phase it properly so that there is enough notice given to the private sector to enable them to make other arrangements or think of alternative routes in the meanwhile. That has been agreed to by the State Governments.

Another factor also has to be taken note of. The Planning Commission and the Transport Ministry have said

that it is always better that the Centre also comes into the operation of road transport. There will be Road Transport Corporations formed. Somebody said that many of these departmental undertakings do not even pay income-tax. The Railways will gladly share the contribution towards the capital of such corporations. Even private operators can come in if they are prepared for it. But the private operators so far have shown no great inclination to enter into these corporations. So these corporations can be formed by the Railways participating and also the States participating. And, when schemes of passenger transport nationalisation are prepared, phased and placed before the public in advance, there should be no hesitation on the part of private transport to expand in other routes that are not going to be nationalised.

Some hon. Members opposite put forward the plea that there should be no objection to go forward with reference to nationalisation of goods transport as well. But, as I have said, there is a great limitation on the resources that have to be found for this purpose. In fact, that is the limitation. When we want to expand road transport by means of formation of these Road Transport Corporations, we take very good care of any future development with reference to competition between road and rail transport. That is obviated.

With reference to goods transport also, it is my intention to ask the Railway Board to take to goods transport themselves. There are not many private operators coming forward. The Railways themselves can try this experiment of operating goods transport vehicles. That will not be nationalisation in any big sense. The field for goods transport is completely left free for the private sector. It can come in and contribute its own share.

So, there should be no fear left anywhere with reference to nationalisation which is limited by so many factors that I have just mentioned and which has been very realistically conceived

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taking all the existing conditions into account.

Then there is the question of high level of taxation. This was also gone into by the study group. They came to the conclusion that the remissible part of this taxation does not mean much. When the cost of road transport operation is taken as a whole they find that it forms a very minor part. But still, through the machinery of the Transport Advisory Council we have been taking necessary steps in this direction so that the State Governments may not go on increasing the level of taxation on the motor vehicles.

With regard to the question of restriction on inter-State transport and inter-regional transport, the inter-State transport will be taken care of hereafter by the Inter-State Transport Commission that this Bill creates. Up till now there was no proper instrument in the hands of the Central Government to execute its policies in the matter of inter-State transport. This Inter-State Transport Commission will provide such an instrument by which the development of these inter-State routes can be undertaken, regulated and further developed. So, that is provided for.

As far as regional restrictions go, we have asked the various State Governments to do away with them and see that there is as much freedom given, to both public carriers and private carriers, as possible.

Then I come to the question of restriction on long haulages under the Code. I would like to say a few words about this Code which, I think, is more a memory of the past than something really belonging to the present. It was true that in the thirties and later on when there was fear of road competition against the railways, the principles and practices of this Code were conceived and a certain zonal restriction of 150 miles was placed. Even so, this Code was not

ratified by many of the State Governments. I think the one State Government which ratified and gave effect to it was the then Madhya Pradesh Government and the present Madhya Pradesh Government also continues it. Barring this and a few other examples, the Code was not very much practised in other States, but still, it represented a sort of psychological barrier in the minds of the private operators, and they were always mentioning this Code as something that came in their way.

It will be seen that in the Bill as introduced originally in the Lok Sabha, there was a clause—clause 50—the provision under which ran as follows:

“...no such permit shall, without the previous approval of the State Transport Authority, be granted for a route exceeding one hundred and fifty miles and serving places connected by railway”.

Then, in the same clause, there was a sub-clause defining the meaning of places connected by Railway, etc. These two provisions have been omitted in the Bill which is now before the House, as reported by the Joint Committee. So, this question of some restriction coming in the way of long haulages under the Code does not stand. Therefore, there cannot be any restriction. Of course, road transport is more economical—That has been examined and found to be so—with reference to short haulages. This distance restriction has been found to exist in other countries as well, but in cases where it is found necessary that a longer distance is necessary for the economical operation of the goods vehicles, certainly it can be undertaken without any restriction being placed upon it. In fact, we have already told the State Governments that wherever they feel that the Code comes in the way, they have only to write to the Transport Ministry and the Transport Ministry will be too glad to consider it a consultation with the Railway Ministry and allow the

relaxation. So, this Code should not any more come in the way of further expansion.

There was also the question of granting permits for short periods. When the State Governments wanted to undertake nationalisation, they began to issue permits for very short periods like three months, six months, etc. In fact, several State Governments amended the Act which had of course local effect, namely, of enabling them to give permits only for short periods. Then, it required a good deal of persuasion in the Transport Advisory Council to make them agree to a period of one year, that is, no permit can be granted for a period shorter than a year. But now we have done away with all these things. We have said that the minimum period will be three years, and that there is no question, hereafter, of granting permits for very short periods. So, this objection also goes. This was one of the things that was found irksome to private transport, and it has been removed.

Then comes the question of high prices of motor vehicles and the necessity for developing the indigenous automobile industry which was very rightly stressed by some hon. Members. Dr. Jaisoorya pleaded that the policy of protection that is being afforded to the indigenous automobile industry has not produced good results or rather, it has not produced the results that we require. I only wish to say—I shall not be able to go into the details with reference to this—that this matter has been recently gone into by the Tariff Commission. I think their report also is in the hands of the Government. It has been just received, or, I think, it was received sometime back. It is being studied and examined by the respective Government departments. So, the report is out, and we shall have some more light thrown on this subject. The steps that have to be taken to make the indigenous industry meet our needs, make it more efficient, etc., should have been discussed by the

Tariff Commission. They should also have discussed the question of high prices, and we should await the decision of the Government on this matter. But I feel, without committing the Government in any way, that the policy of protection and the question of prices require some re-thinking on the part of the Government. They should be conceived in such a way as to produce results which will lead to further expansion of road transport.

Then, I would like to point out that, apart from all these factors, the private operators themselves come in the way of further expansion of road transport. When there is any question of opening more routes, awarding more permits for a larger number of vehicles, etc., it is the private operators who already run their vehicles on the particular routes that raise the objections. The private operator would like to create a certain amount of scarcity on the particular route that he serves so that he could gain his maximum, and he will not hesitate at any infringement of the regulations in this regard. So, the private operators should also try to co-operate and not raise frivolous objections. I am talking of the existing operators coming in the way of further expansion of road transport. This seems to have been lost sight of by some Members who spoke and accused the Government of all sorts of things.

Then the question of compensation was raised and opposite views were expressed. Some said it is too liberal and some others said that it is not so liberal. As the House is aware, the Joint Committee was pleased to double the quantum of compensation that was provided in the original Bill, and Government thought that it should not stand in the way of the Joint Committee making that change. As Shri V. B. Gandhi said yesterday, we wanted to leave the impression in the minds of the private sector that we are prepared to be fair in this matter. We do not want to be harsh or very stingy in the matter of compensation. But, at the same time, it will be

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recognised that we may not be able to go further than this. In fact, the original level of compensation that was proposed was the level that was adopted by the U.P. Act. In fact, that was adopted by the U.P. Government on our advice and so, we adopted the same scale of compensation. But the Joint Committee during the course of their deliberations thought it fit to raise this level and double it. We have agreed to it and I hope that will satisfy all the interests concerned.

Then the question of alternative routes was raised. Pandit Thakur Das Bhargava was pleading that wherever an operator is displaced, he should be granted an alternative route. There is a provision in the Bill for grant of alternative routes. Government can issue instructions to the State Transport Authority or the Regional Transport authority for the grant of permits for running on alternative routes when a particular route is being taken away for operation by Government.

Then the question of duration of permits was raised by many hon. Members and they said that it should be further raised. It is already raised to 5 years in the matter of goods vehicles, and even in the matter of buses, it is between 3 and 5 years. Nobody prevents the transport authorities concerned making it 5 years. The minimum period is 3 years and it cannot be shorter than 3 years. The Road Transport authority, the Regional Transport authority or the State Transport authority can issue permits for vehicles up to 5 years. When the nationalisation scheme is prepared, it should be easy for the various Transport authorities to suitably increase the period of the permits. It can go very well up to 5 years even in the case of passenger transport vehicles, but it will not be right to ask for further increase in these limits. The State Governments, I am sure, will oppose such an increase, if it is sought to increase this duration to 7 or 10 years. The State Governments, certainly, will oppose it for they will plead that it is almost acquiring a sort

of permanent right in the route. I think that this provision will be found acceptable to all sections of the House.

Then the question of acquiring the assets at the time of nationalisation was raised. I do not know how it is going to benefit at all the State Government or the private operator if all the assets are going to be acquired at the time of nationalisation; he may have put up some buildings or he may like to use them for some other purposes. The vehicles may have been just useless junk and we cannot go and spend good money in buying these useless vehicles. So, it has been left for private negotiation between the Government and the private operators. When the Government feel that they can take over vehicles in good condition, they can certainly do so, but certainly we should not here plead that the tax-payers be burdened with throwing good money after bad things. In fact, perhaps, some hon. Members who were Members of the previous House should be able to recall the criticism that was levelled against Government when they paid huge sums of money as compensation and took over the vehicles of the former G.N.I.T. Company, here in Delhi. They were all useless scrap. I do not remember the sum, but I think several lakhs were paid. Naturally, Members took exception to that unwise course of throwing good money as compensation for useless vehicles. Such a charge will be levelled against State Governments also, if we make it obligatory on the State Governments to acquire all the assets of the private operators at the time of nationalisation.

The question of preference that is sought to be shown to co-operative societies was raised by some hon. Members, and they pleaded that all is not well with the co-operative movement. I agree very largely with them. It has become just a slogan; when you say 'co-operative society' it seems to cover so many sins now. It should not be so. I myself have some experience of these co-operative societies

functioning in my State, and I know that all is not well with the co-operative movement, but that should not stand in the way of our taking steps to further expand the co-operative movement. Formerly, it was confined to only some credit operations and it did not spread out; it rather became stagnant at a particular level and it did not expand. Now several new ideas are coming into the field and we are thinking of very extensive agricultural co-operatives to increase food production and we mainly rely on them to realize the increased target of food production and we are going to set up these co-operatives in the Community Project and National Extension Service areas and so, it fits in with that view that we should encourage co-operatives.

It was said that a private operator may expand into a co-operative society himself, by putting in only his relations, members of his family, etc. I do not know how it will be possible for him to run away with such a co-operative society. But I should like to tell hon. Members that this idea of a co-operative society of vehicle owners was there even in the original Act. If you turn to section 108 of the Motor Vehicles Act, 1939, this is what you find there:

"The State Government may on the application of a co-operative society of public service vehicle owners, registered or deemed to have been registered under the Co-operative Societies Act, 1912, or under an act of a State Legislature governing the registration of co-operative societies and subject to the control of the Registrar...."

This idea of a co-operative society of public service vehicle owners was there in the minds of the framers of the Act even in the year 1939. So it does not come a day too soon when we propose to give preference to the co-operative societies in the matter of grant of permits, other things being equal.

Shri B. K. Das (Contai): Is there anything in this Bill that the R.T.A.

will be barred from judging whether a co-operative society is a good one or not? If it is a bad society, it must not be given any preference.

Shri Alagesan: Legally, it will be difficult to define a good or bad society. All that could be done will be that these societies will have to be registered under the existing Act—either the Central Act or the respective State Acts—and the Registrar of Co-operative Societies, who gives his consent to the registration of such a society is supposed to take all factors into account, whether this society will further the co-operative principles, and also further the economic interests of the members of the society concerned. These are the broad criteria laid down in the Co-operative Societies Act. So, when we register these societies, then it should be enough that they come under this definition and the R.T.A. will proceed under the provisions of the Act. That is how I conceive it.

There are also other Co-operative societies. I know of a certain society of ex-Servicemen, a certain society formed by D.Ps. This will provide a very good scope for all those people with small means to come together and run road transport. As I said, the mere name or calling a certain concern a co-operative society does not produce all the good results. It is the human material which goes to make the societies that counts in the final analysis. I think a very right step has been taken by the Joint Committee in giving preference to co-operative societies in the matter of granting permit. This movement has to be much more broad-based and extended into fields into which it does not extend now.

I come to the question of the working conditions of the workers in this industry. That was rightly stressed by Shri Vittal Rao and Dr. Rama Rao. I think I answered this question in the Question Hour sometime back and I can clarify the position further. At present the Motor Vehicles Act, 1939 includes only one section—section 65—which restricts the hours of work of

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drivers of transport vehicles. The question whether the Act should be enlarged to cover other matters relating to employment was considered by Government and it was agreed that it would be more appropriate to undertake separate legislation on the subject rather than widen the scope of the Act, which is primarily concerned with the safety aspects of motor vehicles and the control and rationalisation of motor transport services. The Ministry of Labour are seized of this matter and are having under their consideration proposals for the enactment of suitable legislation with regard to this. In pursuance of the conclusion reached at a meeting of the Standing Labour Committee held in April this year, the draft of the provisions that may be included in the proposed legislation has been circulated by that Ministry to State Governments for comments. As soon as their replies are received, a special committee consisting of representatives of State Governments' nationalised transport undertakings and some non-official organisations interested in road transport problems will scrutinise the comments and make recommendations to Government in regard to the provisions to be included in the proposed Bill. Further action will be taken by the Ministry of Labour in the light of the recommendations of this committee.

Shri T. B. Vittal Rao (Khammam): It will be taken up in the next Parliament.

Shri Alagesan: Perhaps so; the next Parliament is not far off and I hope the hon. Member will be here.

It is not possible to hold out any assurance when the measure will come up before Parliament; but, the Labour Ministry are doing their very best to expedite the matter and it is hoped that it will be possible to bring forward the legislation much sooner than my hon. friend expects.

I think I should not take more time of the House. I have answered all

the points raised by hon. Members. Some other points were raised regarding fitness certificate etc. I can explain all of them, but for want of time, I should like to conclude now.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Motor Vehicles Act, 1939, as reported by the Joint Committee, be taken into consideration."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 5— (Amendment of section 7)

Dr. Rama Rao (Kakinada): I beg to move:

Page 4—

omit lines 5 and 6.

The Bill proposes to raise the licence fee for the driver from Rs. 5 to Rs. 11. I do not want the licence fee to be increased.

Shri Alagesan: The period of validity of the licence is also increased from one year to three years. So, the fee has been increased.

Mr. Deputy-Speaker: The question is:

Page 4—

omit lines 5 and 6.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clauses 8 to 51 were added to the Bill.

Clause 52.—(Amendment of section 58).

Shri Bahadur Singh (Ferozpur-Ludhiana—Reserved—Sch. Castes): I beg to move:

(i) Page 33, line 40—

omit "A stage carriage permit or"; and

(ii) Page 34, line 5—

before "other than" insert "or a stage carriage permit"

I want that there should be no difference in the period of permit between the stage carrier and the public carrier. At present the period is 3 years for stage carriers and 5 years for public carriers. I want that this distinction should not remain there. It should be 5 years for both, because it will not be possible for the owner to get back the return within three years.

Shri Alagesan: The Joint Committee have thought it fit to retain the present lower limit of three years. I have also explained that if the Road Transport Authorities so desire, they can even issue permits for a period of 5 years. So, I do not think there is any necessity for this amendment. I oppose it.

Mr. Deputy-Speaker: Amendment No. 24 is the same as No. 11 and amendments Nos. 12 and 13 are not moved.

The question is:

(i) Page 33, line 40—

omit "A stage carriage permit or"; and

(ii) Page 34, line 5—

before "other than" insert "or a stage carriage permit"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

That clause 52 stand part of the Bill."

The motion was adopted.

Clause 52 was added to the Bill.

Clause 53 was added to the Bill.

Clause 54. (Amendment of section 60).

Shri Alagesan: I beg to move:

Page 35—

(1) after line 5, insert:

'(i) in clause (c) for the word "possess" the word "own" shall be substituted.'

(2) the existing items (i), (ii) and (iii) shall be re-numbered as items (ii), (iii) and (iv) respectively.

I shall briefly explain this. Under section 60(1)(c) of the Motor Vehicles Act, 1939, the Regional Transport Authority which granted a permit, may cancel a permit or may suspend it for such period as it thinks fit if the holder of the permit ceases to possess the vehicle or vehicles covered by the permit. In a recent judgment of the Allahabad High Court, an order of cancellation of a permit under the above provision was set aside, because although the vehicle is sold to another person and registered in his name, the permit holder could say that it was still in his possession. This judgment has created difficulty for the Regional Transport Authorities in that they cannot always prove actual dispossession of a vehicle. In order to get over this difficulty, it was suggested by a State Government that the word "possess" occurring in this section should be substituted by the word "own" since the change of ownership can be proved as soon as transfer of ownership is entered in the records of the registering authority. That is the reason why this amendment has been brought forward.

Mr. Deputy-Speaker: The question is:

Page 35—

(1) after line 5, insert:

'(i) in clause (c), for the word "possess" the word "own" shall be substituted.'

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2. the existing items (i), (ii) and (iii) shall be re-numbered as items (ii), (iii) and (iv) respectively.

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clause 54, as amended, stand part of the Bill."

The motion was adopted.

Clauses 55 to 61 were added to the the Bill.

Clauses 55 to 61 were added to the Bill.

Clause 62.—(Insertion of new Chapter IVA)

Shri T. B. Vittal Rao: I beg to move amendments Nos. 1 to 4.

Shri Alagesan: Amendment No. 2 does not stand in his name. Only amendments Nos. 1, 3 and 4 are in his name.

Mr. Deputy-Speaker: So, he is only moving amendments Nos. 1, 3 and 4.

Shri T. B. Vittal Rao: Yes.

I beg to move:

(i) Page 45, lines 30 and 31—

omit "and accepted by the holder of the permit"

(ii) Page 46, lines 5 and 6—

for "Two hundred rupees" substitute "One hundred rupees"

(iii) Page 46, lines 8 and 9—

for "One hundred rupees" substitute "Fifty rupees"

The quantum of compensation that has been fixed, or rather, which has been raised by the Joint Committee is too much. I am sure the State Governments have not at all been consulted in this matter. If the State Governments had been consulted, they would not have agreed to such a revised compensation. At what rate does it work out? Suppose a person

is plying a route having invested Rs. 25,000, when the State takes over or modifies or cancels the permit, they would be paying at the rate of Rs. 200 per month per vehicle. It works out to 10 per cent of the total investment if the vehicle costs Rs. 25,000 whereas in the case of Government bonds, it is very difficult to except 4 per cent. Here, for nothing,—the business has been taken over—we pay compensation at the rate of 10 per cent. Is it justifiable?

My friend Sardar Iqbal Singh was arguing that the Central Government have paid a huge amount of compensation, or recommended a huge rate of compensation to the owners of the Kolar Gold Fields than was proposed by the State Government. I need not go into the circumstances under which such a high rate of compensation was paid to the Kolar Gold Fields. I would only ask my friends who demand more compensation to just read the speech of Shri Hanumanthaiah, the former Chief Minister of Mysore, when that Bill was moved in the Mysore Legislative Assembly. I need not say anything further. By this rate of compensation, you are actually preventing the State Government from nationalising Road Transport. Having declared it as your policy that there shall not be any nationalisation of freight transport, are further making it impossible for the State Government to undertake nationalisation. The State Governments today are willing to nationalise. Only a few months ago, the Bangalore Transport Co., which was running a suburban service in the city of Bangalore, was taken over and compensation was paid. If computed at this rate of compensation, the compensation that was paid by the Mysore State Government would work out to as much as twice or thrice of what we are providing for.

I would like to bring home to the Government one point. After you cancel or modify the permit, is the vehicle going to be idle? There is huge scope for development of road transport. No vehicle will be idle.

If he goes out of business, if he is not going to run in other places, at least he will sell it to some factory or mine or any such businessman so that he can utilise it for his own purposes. So, paying huge compensation is really against the interests of the State. The State Governments are very anxious to go ahead with nationalisation. Today, they are undertaking so many development works and they are finding it difficult to find finance. This would be a source of income for them. Don't deny it to them. This way of arbitrarily imposing such restriction on the plea that you are going to have a national co-ordinated road transport policy, is against the interests of the State Governments, against the interests of the people and against the interests of the very policy which we are going to advocate. Therefore, I strongly ask the Minister to reconsider and accept the amendments that I have moved.

Mr. Deputy-Speaker: Amendments moved:

(i) page 45, lines 30 and 31—

omit "and accepted by the holder of the permit"

(ii) Page 46, lines 5 and 6—

for "two hundred rupees" substitute "One hundred rupees".

(iii) Page 46, lines 8 and 9—

for "One hundred rupees" substitute "Fifty rupees".

Dr. Rama Rao: I beg to move:

Page 44—

omit lines 23 to 26.

In page 44, sub-clause (3) there is a proviso about taking over by the State Government. "This compels the State Governments to obtain the previous permission or approval of the Central Government. Here, I already indicated that there is a tendency on the part of the Central Government to restrict the freedom of the State Governments to nationalise routes as and when they think fit. I

do not want the Central Government to put too many impediments in the way of the State Governments. Therefore, I want this proviso to be omitted which reads:

13 hrs.

"Provided that no such scheme which relates to any inter-State route shall be deemed to be an approved scheme unless it has been published in the Official Gazette with the previous approval of the Central Government."

When you want approval from the Central Government it may take any number of months or years for papers to pass up and down, and any remark by some Under Secretary for any information will take at least another three months or six months. Therefore, this will place a handicap on the State Governments and thus interfere with the freedom of the State Governments. Therefore, I desire this proviso to be deleted.

The hon. Minister just now stated in his speech that the public sector and the private sector are having a happy co-existence. Of course, he did not use those words, but that is what he meant. Of course, co-existence is very happy because the private sector has about 90 per cent and the public sector has about 10 per cent of the total vehicles. We want this to increase as rapidly as possible. As my hon. friend Shri Vittal Rao mentioned just now, there is no question of any vehicle going out of use because the demand is so great and the limitations on nationalisation are such that any route nationalised will not throw the private vehicles out of work. Therefore I desire that this restriction should be removed.

Mr. Deputy-Speaker: Amendment moved:

Page 44—

omit lines 23 to 26.

सरदार इकबाल सिंह (काञ्चिका-सिरसा) : जनाब डिप्टी स्पीकर साहब,

[सरदाप इकबाल सिंह]

में अपनी एमडयट्स (संशोधन) नम्बर १७ और २१ को मूव (प्रस्तुत) करता हूँ :

(i) Page 45—

omit lines 32 to 34.

(ii) Page 46—

after line 27, insert:

“68GG. Notwithstanding any thing contained in sub-section (i) of section 68G, when in pursuance of a scheme approved under section 68D, the applications for renewal of a permit are not entertained or refused, there shall be paid to the permit holder compensation which may not be less than two years' profits, to be determined by a tribunal consisting of one nominee of the permit holder, one representative of the State Transport undertaking and an independent chairman to be nominated by the Government.

68GGG. Whenever as a result of cancellation, modification or refusal to renew a permit in pursuance of a scheme approved under section 68D the holder of the permit is unable to use his vehicles and other assets connected with the business, the State Transport undertaking shall take over such vehicles and assets at an agreed price or a price as nearly as the market value, to be determined by a tribunal consisting of one nominee each of the permit holder and the State Transport undertaking and an independent chairman to be nominated by the Government.”

इस सिलसिले में अभी श्री त० ब० विठ्ठल राव और हमारी डिप्टी मिनिस्टर साहब ने कुछ रोशनी डाली है। लेकिन मैं यह कहना चाहता हूँ कि इस में सब से बड़ी बात यह है कि इस देश में हम ने एक फंडे-मैंटल प्रिंसिपल (मूल सिद्धान्त) को माना है और वह यह है कि जिस किसी को भी

डिसलाज (विस्थापित) किया जायगा या उस की ट्रेड को खत्म किया जायगा उस को कम्पेंसेशन दिया जायगा। इसी प्रिंसिपल (सिद्धान्त) के मुताबिक आप ने जब इंपी-रियल बैंक आफ इंडिया को नेशनलाइज (राष्ट्रीयकरण) किया तो लोगों को कंपेंसेशन (मुआवजा) दिया एयर लाइंस को जब नेशनलाइज किया तो भी आप ने कंपेंसेशन दिया। इस वास्ते आज यह बात नहीं कही जा सकती कि कम्पेंसेशन नहीं दिया जाना चाहिये। लेकिन यहां पर जो फर्क है और जिस बात पर हम जोर देते हैं वह यह है कि कम्पेंसेशन डिटरमिन (निर्धारित) करने का जो ढंग हो, जो तरीका हो वह फेयर (उचित) हो। गवर्नमेंट भी कहती है कि वह कम्पेंसेशन देने के लिये तैयार है लेकिन जो हम चाहते हैं वह वह है कि कम्पेंसेशन फेयर और जस्ट होना चाहिये। जो कंपेंसेशन डिटरमिन करने का तरीका है वह एक टेक्नीकल सा तरीका है और आप ने जो कम्पेंसेशन की क्लाज (खण्ड) रखी है अगर उस को देखे ही रहने दिया गया तो मैं समझता हूँ कि जो कम्पेंसेशन आप देंगे वह न देने के बराबर ही होगा। आप जानते ही हैं जब परमिट कैंसिल किये जाते हैं तो वे फिलमजी ग्राउंड्स (मामूली कारणों) पर ही कैंसिल कर दिये जाते हैं और परमिट्स को इस बिना पर कैंसिल नहीं किया जाता कि किसी जगह पांच हज़ार या दस हज़ार गवर्नमेंट को गाड़ियां चलानी हैं।

अभी माननीय डिप्टी मिनिस्टर साहब ने कहा कि दो सौ रुपये की जो बात रखी गई है वह उसी कानून के मुताबिक है जोकि यू० पी० में है और जिस को कि यू० पी० की सरकार ने गवर्नमेंट आफ इंडिया की मंजूरी से बनाया है। इस वास्ते गवर्नमेंट उसी फार्मूले (सूत्र) को यहां पर भी लाना चाहती है और उस को यहां पर भी लागू करना चाहती है।

अगर आप देखें तो आप को पता चलेगा कि सन् १९४६ में सैंड्रल असैम्बली में एक मोटर बीहिकल्स एक्ट (मोटर गाड़ी अधिनियम) आया था और उस के बारे में जो सिलेक्ट कमिटी (प्रवर समिति) बैठी थी उस ने भी यह सिफारिश की थी कि कम्पेन्सेशन को डिटरमिन करने का जो तरीका हो वह ऐसा होना चाहिये जो फेयर हो, जस्ट हो। फेयर कम्पेन्सेशन डिटरमिन करने का एक तरीका यह हो सकता है कि आप उस में ज्यूडिशरी (न्यायपालिका) को भी स्थान दें। एक आदमी ज्यूडिशरी में से लिया जा सकता है, एक आदमी गवर्नमेंट का हो सकता है और तीसरा सम्बन्धित पक्ष का हो सकता है। यह एक्ट जोकि १९४६ में पेश किया गया था पास नहीं हो सका क्योंकि वह लैप्स हो गया। इस के बाद सन् १९४७ में कन्स्टिट्यूट असैम्बली (संविधान सभा) आ गई। इस के बाद सन् १९५१ में श्री गोपालास्वामी अय्यंगर साहब ने जब रोड ट्रांसपोर्ट के बारे में एक बिल भूव किया तो उन्होंने ने यह आश्वासन दिया था कि जहाँ पर कम्पेन्सेशन का सवाल आयेगा वहाँ पर हम मुनासिब कम्पेन्सेशन देंगे। इस तरह से एक के बाद दूसरी और दूसरी के बाद तीसरी एश्योरेंस (आश्वासन) देने के बाद आज यह आर्गु (तर्क) नहीं किया जा सकता कि हम वह कम्पेन्सेशन देना चाहिये जो मुनासिब न हो। यू० के० म भी रोड नेशनलाइजेशन (सड़क परिवहन का राष्ट्रीयकरण) हुआ है और वहाँ पर भी कम्पेन्सेशन का जो फार्मूला बनाया गया था वह ऐसा था जोकि जस्ट था। यहाँ पर भी यह बात नहीं है कि बिना कम्पेन्सेशन दिये ही हम रोड नेशनलाइज कर लेंगे। प्रश्न इस बात को मान चुके हैं कि आप कम्पेन्सेशन देंगे। तो मैं चाहुता हूँ कि इस को डिटरमिन करने का जो तरीका हो वह ऐसा होना चाहिये जो ईमानदाराना हो और जिस के बारे में किसी को कोई गिला न हो। यहाँ पर बड़े आदमियों का सवाल नहीं है। आप ने ईमान-

दाराना तरीके पर चलते हुए इम्पीरियल बैंक को जब नेशनलाइज किया तो उस दिन जो शेयरों का भाव था उस के मुताबिक ही कम्पेन्सेशन दिया। तो आज जब छोटे आदमियों की बात आती है, ऐसे आदमियों की बात आती है जिन की ज़िन्दगी इसी पर निर्भर करती है तो कोई दूसरा तरीका ही इस्तेमाल में लाने की बात सोची जाती है। जो तरीका आप ने रखा है उस के बारे में मैं यह कहने के लिये तैयार हूँ कि उस पर चल कर आप पांच साल के बाद भी यह देखेंगे कि एक आदमी को भी कम्पेन्सेशन नहीं मिल सकेगा। इस वास्ते मैं ने एक एमेंडमेंट को भव किया है जिस के जरिये से मैं ने यह चाहा है कि एक ट्रिब्यूनल की स्थापना हो जिस म एक तो ट्रांसपोर्ट आर्टेसंस का नुमाइंदा हो, एक गवर्नमेंट का नुमाइंदा हो और तीसरा कोई ज्यूडिशल आफिसर हो और ये तीनों मिल कर कम्पेन्सेशन के बारे म फैसला करें। अगर ट्रेड को नुकसान हुआ है तो उस के मुताबिक मुआविजा द और अगर आलटरनेट रूट (वैकल्पिक मार्ग) दिया जा सकता है तो कोई भी पैसा न दें। लेकिन अगर एक आदमी को ट्रेड म नहीं रहना है या आप के परमिट को फँसल कर दिये जाने के कारण वह ट्रेड में नहीं रह सकता है तो उस हालत में वह जंकस के साथ क्या करेगा। जब अभीर लोगों का सवाल आता है, एयरलाइज को नेशनलाइज करने का सवाल आता है जहाँ पर आप का वास्ता बिड़ला और टाटा से पड़ता है वहाँ पर तो आप बुरी से बुरी चीज को भी उठा लेते हैं और कोई एतराज नहीं करते लेकिन जब एक छोटे आदमी का सवाल आता है तो अच्छी चीज को भी लेना आप पसन्द नहीं करते हैं। इस के हक में एक आर्गुमेंट यह दी जाती है कि आप स्टेट अंडरटेकिंग (राज्य उपक्रम) में कुछ नेशनलाइजेशन (वैज्ञानिकन) करना चाहते हैं। मैं यह कहने को तयार हूँ कि नेशनलाइज्ड रोड ट्रांसपोर्ट में जिस किस्म की बुरी गाड़ियाँ

[सरदार इकबाल सिंह]

मिलती हैं उस किस्म की बुरी गाड़ियां शायद ही बाकी सारे हिन्दुस्तान में मिलती हों। आप डी० टी० एस० को ही ले लीजिये। यहां पर जिस तरह की गाड़ियां दिखाई देती हैं वैसे शायद ही हिन्दुस्तान में कहीं दिखाई देती हों। कहीं पर पांच और कहीं पर दस मिल जायें तो मिल जायें, नहीं तो नहीं मिल सकती हैं। इस का कारण यह है कि जो आफिसर इन को खरीदने लगते हैं वे पार्शल व्यू (एकतरफ दृष्टिकोण) ले लेते हैं या जिस तरह का नोट नीचे से पुट अप (पेन्न) कर दिया जाता है उस को मान लेते हैं। फिर भी मैं कहना चाहता हूँ कि अगर आप जंक्स को उठाना नहीं चाहते तो न उठायें। अगर उस का कोई नुकसान हुआ है तो उसको पूरा अपायर कर दें। अगर उसका कोई नुकसान नहीं हुआ तो आप उस को एक पैसा भी न दें, मुझे कोई एतराज नहीं होगा।

इसलिये जो एम्बेडमेंट मैं ने दी है उस को न मानने का सवाल ही पैदा नहीं होता। उस को तो आप को मान ही लेना चाहिये। उस में मैं ने एक तरीका सुझाया है जो इन्साफ पर मबनी है, न्याय पर मबनी है और उस पर चल कर फेयर कम्पेंसेशन दिया जा सकता है। मेरा खयाल है कि कम से कम आप कोई ३०,००० बस अप्रेंटिस होंगे। उन में से कई आदमी ऐसे हैं जोकि तीन तीन और चार चार मिल कर एक बस को धोन करते हैं। तो जो तरीका मैं ने बताया है उस के जरिये इसे आप छोटे आदमी के साथ न्याय कर सकेंगे न कि बड़े आदमी के साथ। इस वास्ते मैं चाहता हूँ कि मेरी जो एम्बेडमेंट्स हैं उन को मंजूर कर लिया जाय ताकि हम कह सकें कि सोशललिस्टिक पैटर्न आफ सोसायटी (समाजवादी ढांचा) बड़ों के लिये दिल में कभी हमदर्दी नहीं रखता और छोटों के इन्ट्रेस्ट्स (हितों) के खिलाफ नहीं जाता। बड़े लोगों को तो आप ने कम्पेंसेशन दे दिया है। स्टेट बैंक आफ इंडिया के सिलसिले में आप ने १००

रुपये के शेर के लिये २८०० रुपये रखे और १४०० रुपये टेक ओवर (लेने) करने के वक्त दे चुके हैं। इसी तरह आप ने एयर लाइन्स के मामले में करोड़ों रुपये बतौर कम्पेंसेशन दिये हैं। यहां पर तो उतने रुपये बनेंगे नहीं। रोड ट्रांसपोर्ट में तो अगले बीस सालों में भी उतने रुपये नहीं देने पड़ेंगे। इस से तो यही जाहिर होता है कि आप दो किस्म के लोगों के साथ मूल्तलिफ सलूक करते हैं—उन के साथ दो किस्म का सलूक करते हैं। जब छोटों की बात होती है तो आप सब तरह के आर्ग्यूमेंट्स देते हैं और उन को कुछ न देने की कोशिश करते हैं, लेकिन जब बड़े लोगों का सवाल होता है, तो आप कहते हैं कि अगर हम उन के साथ इन्साफ नहीं करेंगे, तो बिजिनेस करने वालों में हतमाद पैदा नहीं हो सकेगा। इस का मतलब तो यही है कि बिजिनेस से आप का मतलब सिर्फ बड़े आदमियों का बिजिनेस है, छोटे आदमियों के बिजिनेस को तो आप बिजिनेस समझते ही नहीं हैं। आप को कोई इस तरह का माहौल पैदा नहीं होने देना चाहिये, जिस में लोग इनबेस्ट करना (रुपया लगाना) बन्द कर दें। मैं अर्ज करना चाहता हूँ कि अगर आप चाहते हैं कि इस देश में अच्छी गाड़ियां हों, लोगों को ज्यादा फैसिलिटीय मिलें, वर्कर्स को बोनस मिलें और काम करने वाले प्राफिट हासिल कर सकें, तो उस के लिये पहली शर्त यह है कि पुरानी और खराब गाड़ियों की रिप्लेसमेंट (बदल) हो और रिप्लेसमेंट तभी हो सकती है, जबकि काम करने वालों को यह विश्वास हो कि हम ने जो दस, बीस या चालीस हजार या एक लाख रुपया इनबेस्ट किया है, वह महफूज है और जब स्टेट इस काम को अपने हाथ में लेगी, तो हम को पूरा मुआवजा देगी। मेरी एम्बेडमेंट्स फंडामेंटली इस के खिलाफ नहीं हैं। हम को इस के ढंग पर एतराज है। जब परमिट देने का सबाल धरता है, तब आप जुडिशियल आफिसर को मुकर्रर करते हैं और वह इसलिये कि आप

दुनिया को बता सकें कि आप हर एक के साथ एक सा सलूक करते हैं। ऐसी हालत में मेरी समझ में नहीं आता कि कम्पेन्सेशन डिटरमिन करने के लिये आप ऐसा फार-मूला बनाते हैं, जो न हिन्दुस्तान में कहीं लागू हुआ और न दुनिया में कहीं लागू हुआ। यू० पी० ने एक फारमूला बनाया था, लेकिन आज तक वह लागू नहीं किया गया है। वह सिर्फ अफ्रिसर्ज की मेज पर ही रहा और यू० पी० में कहीं भी उस के मुताबिक पैसा नहीं दिया गया। इसलिये मैं कहता हूँ कि आप ने जो फारमूला बनाया है, वह अनवर्कैबल (न चल सकने योग्य) है और अनजस्टिफ़ाइड (अनुचित) है और वह उन लोगों के दिलों में कान्फ़िडेंस पैदा नहीं कर सकेगा, जोकि पैदा करना चाहिये। इस सिलसिले में मैं यह अर्ज कर देना चाहता हूँ कि बड़े बड़े ट्रांसपोर्टर्ज से मुझे कोई हमदर्दी नहीं है और न ही मैं उन के मुताबिक कुछ कहना चाहता हूँ। मैं सिर्फ यह चाहता हूँ कि पंजाब और दूसरी जगहों के इंडि-विजुअल ट्रांसपोर्टर्ज—जोकि एक एक लारी के मालिक हैं या एक एक लारी के चार चार मालिक हैं, एक एक लारी के दस दस मालिक हैं—के इन्स्टेस का क्याल रखा जाय। मैं सिर्फ उन्हीं की बात यहां पर कह रहा हूँ। जिस ढंग से आप नें स्टेट ग्रंडरटेकिंग में जमीन लेने के सिलसिले में इन्साफ़ किया है, वही मेरी इन दोनों अर्मेंडमेंट्स में है। कम्पेन्सेशन देने का जो तरीका इस बिल में प्रस्तियार किया गया है, उस के मुताबिक तो उन लोगों को एक पैसा भी नहीं मिल सकेगा। बाकी दस हजार लारी आप पहले चला रहे हैं, अगली फाइव थ्रीअर प्लैन (पंच वर्षीय योजना) में पांच हजार और चला लेना मुश्किल नहीं होगा।

इन अलफ़ाज के साथ मैं दरल्वास्त करता हूँ कि मेरी इन दो अर्मेंडमेंट्स को मंजूर फरमाया जाय।

Mr. Deputy-Speaker: Amednments moved.

(i) Page 45—

omit lines 32 to 34.

(ii) Page 46—

after line 27, insert:

“68GG. Notwithstanding any thing contained in sub-section (1) of section 68G, when in pursuance of a scheme approved under section 68D, the applications for renewal of a permit are not entertained or refused, there shall be paid to the permit holder compensation which may not be less than two years' profits, to be determined by a tribunal consisting of one nominee of the permit holder, one representative of the State Transport undertaking and an independent chairman to be nominated by the Government.

68GGG. Whenever as a result of cancellation, modification or refusal to renew a permit in pursuance of a scheme approved under section 68D the holder of the permit is unable to use his vehicles and other assets connected with the business, the State Transport undertaking shall take over such vehicles and assets at an agreed price or a price as nearly as the market value, to be determined by a tribunal consisting of one nominee each of the permit holder and the State Transport undertaking and an independent chairman to be nominated by the Government.”

Shri Bahadur Singh: I beg to move:

(i) Page 45—

for lines 32 to 34, substitute:

“(3) Notwithstanding anything contained in sub-section (1) of section 68-G compensation shall be paid, when in pursuance of a scheme approved under section 68-D, the application for renewal of a permit is refused to be entertained or not granted, to the permit-holder which may not be less than his two years' profits, to be determined by a tribunal consisting of one nominee of the permit-holder, one representative of the State transport undertaking and the Chairman

[Shri Bahadur Singh]

to be nominated by the Government."

(ii) Page 46—

after line 27, add:

"(6) Whenever in pursuance of a scheme approved under section 68-D action is taken under sub-section (2) of section 68-F resulting in the cessation of use by the permit-holder of his vehicles and other assets connected with the business, such vehicles and assets shall be taken over by the State transport undertaking at a price to be agreed, or in case no agreement is possible, at a price which may be arrived at by a tribunal consisting of one nominee each of the permit-holder and the State transport undertaking and a chairman to be appointed by the Government."

In this Bill there is no provision for the payment of compensation to a permit-holder when his permit is not renewed. If the permit is cancelled, then he is paid compensation, but if the permit is not renewed, the poor fellow is not given anything. I do not understand for what fault he is not paid anything. After all, he is doing a business, and he is earning his livelihood. At the expiry of the period of the permit, when the poor man comes with a request that his permit may be renewed, his request is refused; and when you refuse to renew his permit, you deprive him of his livelihood. So, you are not doing justice to him, if you do not pay him **any compensation**. As the Planning Commission have pointed out, more than 95 per cent of the persons engaged in the business of road transport are small individuals. And it is these small people who are going to be deprived of their livelihood by the refusal to renew the permit, because past experience has been that whenever the question of renewal of a permit comes up, Government do not renew it. That has been the experience in Bombay. Government try to take over all the routes, and the poor men

are thrown on the roads. We must do some justice to them, and at least for the work that they were doing, they should be paid something.

Then, I have demanded that in case the permit is not renewed, the displaced operator must be paid compensation which would amount to not less than two years' profits which he was earning through his business. To determine that compensation I have suggested that there should be a tribunal consisting of one representative of the permit-holder (so that the displaced operator who is deprived of his business may not have any grievance), one representative of the State transport undertaking and a chairman to be nominated by Government.

I now come to amendment No. 20. In this amendment, I have suggested that when road transport on a particular route is nationalised, the persons affected must be paid compensation, and the assets of the concern should be taken over by the Government. If the assets are not taken over, then what will the poor man do with those things? When we nationalised other things, we did pay compensation to the persons affected. But here, no compensation is being paid. I do not understand why this sort of discriminatory treatment is meted out to these people. It has been stated so many times by so many non. Members on the floor of this House that the operators who are running this road transport business are mostly small individuals and poor people. When that be the case, I do not see any reason why Government should adopt this sort of attitude towards these people. No sound argument has been advanced by Government in support of their attitude.

Government should take over the assets of these people. They should have a committee or some kind of a tribunal to determine the price of the assets. If the things are of not any use, then Government may not take over, but if they are good and they are of some use, Government should take them over at a price to be determined. For determining that price, a board or a tribunal

should be constituted, and a representative of the operators should also be taken in on that board, so that he may also have a say in the determination of the price and express the viewpoint of the operators, and thus have no grievance that his views have not been taken into consideration.

If the assets are not taken over, then the operators who are displaced should be given some alternative routes, because, in the rural areas, especially, more transport facilities are needed.

If the Government think that they can earn some money by nationalising transport, they take it over. But where the Government do not think that they will earn money—actually the question whether there will be any earning is also debatable—, where the Government have spent some money in the rural areas and where they think that they will not earn much, then Government are not taking it over. Then at least give chance to those people who are hard workers. Give them permits for the rural areas and they will work it.

With these words I request the hon. Deputy Minister to think over this question and accept my amendments.

Mr. Deputy-Speaker: Amendment moved:

(i) Page 45—

for lines 32 to 34, substitute:

“(3) Notwithstanding any thing contained in sub-section (1) of section 68-G compensation shall be paid, when in pursuance of a scheme approved under section 68D, the application for renewal of a permit is refused to be entertained or not granted, to the permit holder which may not be less than his two years’ profits, to be determined by a tribunal consisting of one nominee of the permit holder, one representative of the State transport undertaking and the Chairman to be nominated by the Government.”

(ii) Page 46—

after line 27, add:

“(6) Whenever in pursuance of a scheme approved under section 68D action is taken under sub-section (2) of section 68F resulting in the cessation of use by the permit holder of his vehicles and other assets connected with the business, such vehicles and assets shall be taken over by the State transport undertaking at a price to be agreed, or in case no agreement is possible, at a price which may be arrived at by a tribunal consisting of one nominee each of the permit holder, and the State transport undertaking and the Chairman to be appointed by the Government”.

Shri Raghavachari (Penukonda): I rise to oppose these amendments. I shall dispose of them one after another briefly.

Evidently our friends have not listened carefully to the exposition of the whole scheme, the purpose and the policy which the Government have kept before them as explained to the House. For instance, I will just take the amendment of my hon. friend, Sardar Iqbal Singh. He wants that in page 45, lines 32 to 34 should be omitted. This sub-clause simply reads thus:

“For the removal of doubts, it is hereby declared that no compensation shall be payable on account of the refusal to renew a permit under clause (a) of sub-section (2) of section 68F”.

If this is removed, he gains nothing. This sub-clause simply makes the position as a result of the other sub-clauses clear. If this is omitted, it still does not mean that any compensation will be paid or will be claimable. Therefore, it has absolutely no purpose. It only makes litigation possible. That is so far as that amendment is concerned.

Then he advanced the argument yesterday about the small man and the

(Shri Raghavachari)

big man. As regards this, I tried to explain the position yesterday. It is unnecessary to repeat those things again.

As regards Shri T. B. Vittal Rao's amendment, he wants that when an alternative route is offered, the acceptance of the offer by the operator is unnecessary. In other words, he might have said that nothing is to be paid to him. That is consistent with the principle of confiscation without compensation. But what is the meaning of offering something which may not be accepted or which may not be acceptable? Of course, an alternative route being acceptable to the man is what is necessary. Suppose the license to operate on a very good route is cancelled and the man who is living in Cape Comerin is given a route in the Himalayas.

[SHRI BARMAN *in the Chair*]

13.24 hrs.

Dr. Rama Rao: He won't be given.

Shri Raghavachari: You imagine geographically inconvenient positions. You simply offer him and he must naturally say, 'I do not want it'. Better say, 'I will take away without compensation'. Therefore, the phrase 'and accepted by the holder of the permit' is very essential and in the interest of the people who are operators. Hence I cannot understand the amendment of the Shri T. B. Vittal Rao. Of course, he has been consistently making some observations about the doubling of the compensation as proposed and finally determined by the Committee. His general arguments are against compensation. I do not think at this stage I should repeat arguments in favour of compensation.

Then there is an amendment proposed by Dr. Rama Rao which is for the deletion of the proviso in lines 23 to 26 on page 44. The proviso reads:

"Provided that no such scheme which relates to any inter-State route shall be deemed to be an approved scheme unless it has

been published in the Official Gazette with the previous approval of the Central Government".

This proviso was put in with a view to ensure that the whole scheme is co-ordinated, particularly in the inter-State areas. With this end in view, the Centre has taken some powers to control and co-ordinate those things, I daresay, after consultation and with the consent of the States also. Otherwise, each State will take over the particular portion of a route which is in its areas and then create trouble. Then there will be no question of inter-State transport operating smoothly. Therefore, the very purpose of this scheme and the creation of this Commission is to provide facilities and convenience for public, not so much for the operator, though surely his interests are also involved. Hence, if the proviso is omitted, it simply means creating confusion in different States. So the proviso must be retained.

Then a general argument was advanced to the effect that paying compensation even under the terms permissible, as well as interference by the Commission or by the Centre in the administration of the States's powers, was really thwarting the useful existence of the States and curtailing their powers. The States have been given absolutely sufficient powers within their own State limits and these are meant only for the convenience of the public, both operating as well as using these vehicles. You say that paying compensation is putting some obstacles in the way of the States doing the work. The plainer method would be to say that you want to take away without compensation. That would be an honest way of putting it rather than saying that the States would be affected. This is how I feel. I therefore oppose this amendment.

As regards the amendment proposed for the formation of another committee consisting of this man and that man, it will only create a wheel within a

wheel and there will be no end to litigation. Of course, the principle that compensation should be paid may be accepted by the House even for acquisition of assets. That is another matter. But I would only request Members not to ask and urge in the name of the small man and not the big man for compensation to be paid for the acquisition of assets. The Minister very plainly told us that it was going to be the practice that whenever anything was nationalised in respect of passenger traffic, the States would invariably acquire and purchase assets by private agreement. It is not that they (the Government) are anxious to throw away useful material into a useless State. Therefore, compulsory acquisition is not here. That is all. It is not that things won't be acquired at all. If they are useful, they will be acquired. But once you make them compulsorily acquirable, the result, as everybody knows, will be that junk will have to be purchased and there will be charges of corruption against the officers who have to acquire them and ultimately there will be a heavy burden to the taxpayer involved in this transaction.

Therefore, arguments should be adduced in a realistic sense, as I put it even yesterday. Sir, I oppose these amendments.

Shri Kastiwal (Kota-Jhalawar):
Like my hon. friend who spoke before me, I rise to oppose all amendments.

There are two kinds of amendments to this clause, one relating altogether to the reduction of fair compensation and the other to increase compensation generally. With regard to the amendment of Shri T. B. Vittal Rao, the Joint Committee was of opinion that the compensation which was being given previously was not adequate. It is, therefore, only fair that the Committee should have come to the conclusion that the compensation so far as these things are concerned should be doubled from Rs. 100 to Rs. 200 and so on. Here I

am in full agreement with the view of the Joint Committee.

Coming to the other amendments of my friends Sardar Iqbal Singh and Shri Bahadur Singh, I also oppose these amendments. It appears to me that there is some slight confusion with respect to the question of compensation. I submit that the question of compensation arises under three conditions. First of all, there should be a non-renewal of permit or there should be a case where during the pendency of currency of the permit the route is taken over by the State and, thirdly, where the terms of the permit are modified. So far as the modification of the terms of the permit and the taking over of the route during the currency of the permit are concerned, it has been definitely mentioned that compensation and adequate compensation will be given. It appears to me that the arguments of my hon. friends, as their amendments also show, relate only to the question of compensation so far as non-renewal of permit is concerned.

First of all, I should say that the period of permit has already been increased by the Joint Committee. In the case of transport vehicles, or what you call goods vehicles, it is 5 years; and in the case of stage carriages, it is anywhere between 3 to 5 years. That is a very important factor which has to be taken into consideration when the question of compensation with regard to non-renewal of permits is taken up.

In this respect I want to point out to my friends the evidence. I do not know whether my hon. friends have read the evidence with regard to this particular matter. Here is the evidence of Shri Kundan Lal, the Secretary of the All-India Motor Union of which Shri S. K. Patil is the Chairman. This is what he says. In reply to a question of Shri Dabhi: 'In regard to non-renewal of permit, what should be the basis of compensation in your opinion?'. Shri Kundan Lal said 'I would like to submit that I do not want any compensation for non-renewal of permits.' This is the

[Shri Kasliwal]

evidence that was given before the Joint Committee and the Joint Committee came to the conclusion, on this evidence, that there should be no compensation so far as non-renewal of permits is concerned.

I do not know why my hon. friends have brought their amendments to the effect that compensation should be given if there is non-renewal of permits. It appears to me that my friends Sardar Iqbal Singh and Shri Bahadur Singh seem to have been influenced by a certain Act which goes by the name of the U.K. Transport Act of 1947. I find that the scheme of their amendments is in accordance, more or less, with section 47 of the U.K. Act.

Sardar Iqbal Singh: That is correct.

Shri Kasliwal: The U.K. Transport Act has also been referred to by one of the hon. Members in a minute of dissent. My friend, Sardar Iqbal Singh has said that my view is correct. My submission is that the entire scheme of our Motor Vehicles Act is something quite different from the U.K. Transport Act. The U.K. Act relates to railways, harbours, road transport and so many other things, whereas our Motor Vehicles Act is self-contained and comprehensive. I may say that section 47 of the U.K. Act relates only to the question of acquisition of goods vehicles. It has nothing to do with stage carriages or anything of that sort. It says that if at all compensation in a matter like this has to be given, then there should be a Tribunal and things of that sort. So far as section 47 of the U.K. Act is concerned, it has no application whatsoever to our Motor Vehicles Act.

There is another point which this Shri Kundan Lal has raised and which my hon. friend, Shri Raghavachari has already answered. While saying that he did not want compensation for non-renewal of permits, he, at the same time, said that he would like to have compensation for cessation of business. If an alternative route is given to the same operator, there is

no cessation of business, although there is no non-renewal of permit. If his business is completely closed down, then, the hon. Minister has already said in his speech that the State will acquire his assets not by way of acquisition as such but by entering into private agreement with the operator. The State will take over his assets by paying reasonable compensation. In view of this, I oppose these amendments.

Dr. Rama Rao: I want to oppose amendment No. 17 and, in this connection, I want to clarify our position with regard to compensation. Our position has been either misunderstood or misrepresented. We do not oppose compensation as such if anything is taken. We always support reasonable compensation. Here when we take over the vehicles we must pay compensation. We support private negotiations as the hon. Minister has stated. If we lay down anything in the law, all assets and things will have to be taken, and, as has been mentioned by some hon. friend, only junk will be handed over to the State for compensation. Even if a permit is cancelled, there is already provision in the Bill. We only want the amount to be reduced a little.

What is the compensation our hon. friends want? It is not for taking away the vehicles, nor even for cancelling the permit but for not giving permits to certain owners who are running the transport services for a certain period. They want that the Government should be penalised for not extending the period. They want it as a hereditary right for one permit-holder to continue for ever. It comes to that. In fact, if the renewal is being refused to patronise somebody else, I can understand my friends' objection. I can even support that. But here it is specifically mentioned that the State will take it over and that we are nationalising the transport. If the State refuses renewal, they want compensation. For what act or service, I do not understand.

My hon. friend mentioned something about the State Bank. You will remember how we strongly felt that the compensation must be reasonable and that fanciful compensation should not be paid. So also in the case of the Airlines. It is our Congress friends who supported fanciful compensation for the former Imperial Bank and the former Airlines. We wanted reasonable compensation. Now, they bring in the name of the socialist pattern. Is it the socialist pattern that you want to punish the State for not renewing the permits? They want it in the name of the poor bus owners. There are not only poor bus owners; but, there are, as I have already mentioned many big owners with 350 or 400 buses.

Shri T. B. Vittal Rao: T. V. S.

Dr. Rama Rao: Therefore the reason why we want reasonable compensation for anything taken over is this. But, my friends desire the payment of compensation for not continuing the permit. No further argument is necessary. Our friends Shri Kasliwal and Shri Raghavachari have said enough about that.

Then, there is a further proposal for a tribunal on which one of the permit-owners should be a member. This is to decide how much of compensation is to be given. I think this is adding ridicule to the unacceptable proposal.

Pandit C. N. Malaviya (Raisen): Mr. Chairman, Sir also oppose these amendments. I agree with my hon. friends Shri Raghavachari and Shri Kasliwal and I do not want to repeat those arguments. What I wish to point out is that it is not reasonable to compare our scheme with the scheme in U.S.A. or U.K., because in U.S.A. and U.K., the bias is towards private enterprise; their aim or objective for the time being is not towards nationalisation or towards the public sector. Therefore, it is no use giving arguments where the two schemes differ fundamentally.

Secondly, there is no question of discrimination in paying compensa-

tion to airlines or to the Imperial Bank. Here in the body of the Bill, if we read the amendments of section 63 and section 68, the whole scheme is that the Inter-State Commission is set up in order to develop and provide bus service in the interest of the public and economically. Then a scheme has to be framed and circulated, and objections have to be invited, and then everybody will have his full say about it. After making enquiries and coming to a particular decision, and at the same time considering all the aspects of the question of private enterprise on the inter-State route where the scheme has to be implemented and the bus service has to be provided, the State Authorities can use their powers. Therefore, there is no fear that if a person's licence is not renewed, his buses will go useless, because there are these possibilities: one is he will have an alternative permit; another is that there will be so many other roads where he can use his buses. If we allow private enterprise, then there is an open market.

The Deputy Minister has also pointed out in his speech that having in view the special circumstances, they will try to purchase, but it cannot be made compulsory that when you provide a scheme for nationalisation of transport, it should be compulsory also to purchase the buses. I do not think it can be made compulsory. It should be left open. The State Authorities or the Commission or the Government may purchase, but if the demand is somewhere else and there is a bigger demand from other people who are carrying on the business, they might purchase the buses. So, if we are not nationalising the whole transport service and there is scope for free enterprise, then we should allow a free market also. Where is the question then of giving compensation to the people whose permit has already expired? They have been given permits only for a particular period, and if that period expires, nobody can claim any compensation. If there is a free enterprise, and in the

[Shri C. N. Malaviya]

interest of the public, transport is nationalised, where is the claim for compensation? I do not understand it.

There is a demand from the public that it should be nationalised, because in certain cases the private bus owners have not done well and people are put to inconvenience. Therefore, there has been a demand or a pressure upon the Government to nationalise the bus services.

Regarding our friends on the other side, it is their general tendency to oppose nationalisation or allow profits to go into the coffers of the State. They want the profits to go into the pockets of individuals. We cannot accept such a proposition. We are now going ahead with our plans and we want to co-ordinate our railway and bus services. If we have to do that, it is necessary in certain cases to nationalise motor transport. Therefore, I oppose the amendments which seek to provide compensation for those whose time-limit expires or where the transport bus service is nationalised. The provisions which are already there are quite enough, and more than enough. I, therefore, oppose the amendments, and support the original clauses of the Bill.

Shri Alagesan: The three hon. friends who spoke opposing the amendments have made my task considerably easier, and I do not think that I can usefully add to the arguments advanced by them. I should only like to place before the House certain factual information.

The question of nationalisation was again brought up by two hon. friends and they said that we should go forward with the business of nationalising the transport service. The present position is that the Central Government have invested or rather the Railways have invested money in several Road Transport Corporations and undertakings sponsored by State Governments. The total capital invested by the Railways comes to about Rs. 505 lakhs, and this represents

about 32.9 per cent. of the total capital invested. Perhaps that gives us an idea of the total amount invested in the nationalised transport undertakings. It comes to roughly about Rs. 15 or Rs. 16 crores. This will be sufficiently expanded in the course of the next five years, and the provision made in this regard comes to about Rs. 27 crores. Though that represents an amount more than Rs. 16 crores, the number of vehicles we will be adding to the nationalised undertakings will be about 5,000. The present number of vehicles is somewhere about 11,000, owned by the various State transport undertakings. To this fleet another 5,000 vehicles will be added. I think the House will agree that this is a substantial measure of expansion of the nationalised road transport services. There are no two opinions as to the necessity for further expansion. I have already explained the limiting factors, namely, want of sufficient resources. The question of priorities comes in and they have to be allotted for other and more urgent purposes, and can expand only to a certain extent. Barring that, there should be no doubt left in anybody's mind that we are hesitating in this matter or we are proceeding slowly or with more caution because we want to help somebody else. At the same time I should like to add that we do not hinder the private sector expanding. I do not see any conflict. As I said, in this matter, there is no question of private sector versus public sector; it is one of private sector cum public sector handling the job and doing it well. We should see that while we are anxious to expand the public sector, we place no impediments in the way of the private sector. I think this is a very healthy rule and it will be good in the interest of the country.

About the amount of compensation, I may say it was again referred to—I thought I had sufficiently answered that point. It is neither on the liberal side nor on the ill-liberal side. Perhaps it strikes a very happy *via media*.

I think Shri Vittal Rao pointed out that, supposing we paid compensation on the basis of 12 months, it came to about Rs. 2,400, perhaps about ten per cent, more or less of the cost of the vehicle. He said that it was a large amount and the State Government would object to it. I do not know how he came to that conclusion. This amount will be much less than the depreciated value of the vehicle. Supposing, it is a new vehicle. Certainly it is bound to be less than the depreciated value of the vehicle. If it is an old vehicle, perhaps the position may be different. Here the question arose whether we should provide—shall I say—a sort of a dispute-proof machinery for the computation of compensation, if not fool-proof. The hon. Members, Sardar Iqbal Singh and Sardar Bahadur Singh were pleading the cause of *chota admi* against a *bada admi* as they chose to call it. I do not think the amendments which they have given will help the small man. They want the matter to be left to the tribunal and the tribunal may make any amount of time in coming to a decision—days, months or years may pass and no compensation may be paid to the displaced operators. Here, we have made it quite straight and dispute-proof so that compensation is capable of being computed immediately and cash paid to the person concerned. I think we are helping the private operators more than it would be possible under the arrangement envisaged by Sardar Iqbal Singh and his friend, Sardar Bhadur Singh.

Certainly, people, whose permits have been cancelled, could be offered alternative routes and we have said that no compensation will be paid provided the alternative route offered is accepted by the other party. It will not be fair, as pointed out by Shri Raghavachari, to compel a person to accept some route in which he may not find it possible to operate and in case he refuses, to refuse him compensation.

As I conceive, the State Governments need not pay any compensation.

Supposing they have to wait for a year to take over a route, there are ten buses plying in that route whose permits may expire after a year, they have only to wait for one year. Or, they may put one hundred vehicles and for ten more vehicles, they can wait for a year.

Shri T. B. Vittal Rao: That is postpone nationalisation; it amounts to that.

Shri Alagesan: It does not. The scheme that we are envisaging is a rational scheme and it will take into consideration all these factors—life of permits of the vehicles plying on a particular route, etc. It can be phased in such a way. Take for instance the Delhi Transport Service. We wanted to add 400 vehicles to the fleet. All the four hundred vehicles did not arrive one fine morning—all of them together. They come in batches, in dribbles at times. It takes time to build bodies on the chassis. These things are not all over at the same moment. It is not as if the State Government decides to nationalise a particular route and puts hundred vehicles on the particular route all at the same time. It is not so. These things can and should be arranged in a convenient way not only to displace the private operators but also to give them alternative routes as and when more buses of the State transport undertakings arrive. It provides for such a convenient displacement and it is a wise arrangement. If my hon. friend looks into it carefully, he will see the reasonableness behind it. I would like the State Governments not to pay compensation at all. They have only to wait and that will be a waiting, not with vehicles on their hands, but without vehicles. They would have to notify the route or area and they have to wait for the vehicles to arrive. In the mean while, there will be no dislocation of service and the private operators will continue. As and when the State Governments get the vehicles, they can put them on the routes. It has been conceived in such a way.

[Shri Alegesan]

We have provided for alternative permits to be given to those whose permits have been cancelled or whose permits are modified. Those whose permits are cancelled or not renewed can apply, just like anybody else, for fresh permits on other routes which are open for private operators. Their experience and the fact that their permits had to be cancelled or could not be renewed on account of nationalisation, will certainly be taken into consideration by the transport authorities concerned and that may be one of the reasons why they may stand a better chance of getting the other route so that no assets go to waste or remain unutilised. We envisage such a position.

Payment of compensation for non-renewal of permits forms the subject matter of the amendments of my two hon. friends. We consulted legal opinion and we were told that non-renewal of permits does not represent any loss of business. Also, it is inherent in the grant of a permit and in the provision for renewal of a permit. Leaving alone the question of nationalisation, for various other reasons, a permit may not be renewed. The old Act gave a certain amount of preference to those whose permits are to be renewed against the new entrants. It was sought to be left out but then the Joint Committee agreed to retain it and so it has been retained. It is not possible for us to give compensation to those people whose permits are not renewed. I hope they will see the reasonableness of the stand that the Government has taken. I need not again go into the question of acquiring all sorts of assets that are owned by the private operators at the time of nationalisation. I have made it clear that, if they are useful ones—serviceable vehicles, etc.—the State Governments would negotiate with the particular operator and take them over at a fair price. These are the things that I want to say with regard to these amendments and I am sorry to say that I am not able to accept any one of them.

Sardar Iqbal Singh: When the State Electricity Undertakings Act. was passed by this House, the manner of acquisition and payment of compensation was different. That is in the same manner as suggested in my amendment. May I know the reasons for adopting a different manner and method in this Bill? Liberal compensation was given there. If there is no difference in the nationalisation of this and that, why should there be this difference in the payment of compensation?

Shri T. B. Vittal Rao: Because, they are all British-owned and the British-owned undertakings get much more.

Shri Alagesan: I do not know whether they are foreign-owned as my friend opposite is suggesting. At the moment I am not able to recall the particular provisions of some other Act, nor can I explain them. I do not know those provisions. I can only say that, as far as this measure goes, the procedure that we have devised is the best under the circumstances.

14 hrs.

Shri A. K. Gopalan (Cannanore): What about Kolar?

Mr. Chairman: The question is:

Page 44—

omit lines 23 to 26.

The motion was negatived.

Mr. Chairman: The question is:

Page 45—

omit lines 32 to 34.

The motion was negatived.

Mr. Chairman: The question is:

Page 45—

for lines 32 to 34, substitute:

“(3) Notwithstanding anything contained in sub-section (1) of section 68G compensation shall be paid, when in pursuance of a scheme approved under section 68D, the application for renewal

a permit is refused to be entertained or not granted, to the permit holder which may not be less than his two years' profits, to be determined by a tribunal consisting of one nominee of the permit holder, one representative of the State transport undertaking and the Chairman to be nominated by the Government."

The motion was negatived.

Mr. Chairman: The question is:

Page 45, lines 30 and 31.

omit "and accepted by the holder of the permit."

The motion was negatived.

Mr. Chairman: The question is:

Page 46, lines 5 and 6.

for "Two hundred rupees" substitute "One hundred rupees".

The motion was negatived.

Mr. Chairman: The question is:

Page 46, lines 8 and 9.

for "One hundred rupees" substitute "Fifty rupees".

The motion was negatived.

Mr. Chairman: The question is:

Page 46.—

after line 27, add:

"(6) Whenever in pursuance of a scheme approved under section 68G action is taken under sub-section (2) of section 68F resulting in the cessation of use by the permit holder of his vehicles and other assets connected with the business, such vehicles and assets shall be taken over by the State transport undertaking at a price to be agreed, or in case no agreement is possible, at a price which may be arrived at by a tribunal consisting of one nominee each of the permit holder and the State

transport undertaking and a chairman to be appointed by the Government."

The motion was negatived.

Mr. Chairman: The question is:

Page 46—

after line 27, insert:

"68GG. Notwithstanding any thing contained in sub-section (1) of section 68G, when in pursuance of a scheme approved under section 68D, the applications for renewal of a permit are not entertained or refused, there shall be paid to the permit holder compensation which may not be less than two years' profits, to be determined by a tribunal consisting of one nominee of the permit holder, one representative of the State Transport undertaking and an independent chairman to be nominated by the Government.

68GGG. Whenever as a result of cancellation, modification or refusal to renew a permit in pursuance of a scheme approved under section 68D the holder of the permit is unable to use his vehicles and other assets connected with the business, the State Transport undertaking shall take over such vehicles and assets at an agreed price or a price as nearly as the market value, to be determined by a tribunal consisting of one nominee each of the permit holder and the State Transport undertaking and an independent chairman to be nominated by the Government."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 62 stand part of the Bill."

The motion was adopted.

Clause 62 was added to the Bill.

--- Clauses 63 to 102 were added to the Bill.

[Mr. Chairman.]

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Alagesan: Sir, I beg to move:

"That the Bill, as amended, be passed."

Mr. Chairman: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

SUPPRESSION OF IMMORAL TRAFFIC IN WOMEN AND GIRLS BILL

The Minister in the Ministry of Home Affairs (Shri Datar): Mr. Chairman, Sir, I beg to move:

"That the Bill to provide in pursuance of the International Convention signed at New York on the 9th day of May, 1950 for the suppression of immoral traffic in women and girls, as reported by the Select Committee, be taken into consideration."

Sir, this measure of social reform is one of great importance and, therefore, I am anxious that this Bill be considered and passed by both Houses of Parliament during this session. This matter was considered by the Select Committee. They have made certain changes and I shall briefly deal not only with the various points that have been introduced in this Bill by the Select Committee but also with the original Bill itself.

On the 9th May 1950 the Government of India ratified an International Convention for suppression of traffic in persons and of the exploitation of the prostitution of others. Now when this ratification took place further steps had to be taken by the Government of India. Ordinarily it is a matter within the jurisdiction or purview of the State Governments, but in view of the international character of the principles which have been embodied in this measure Parliament

has been seized of this Bill under Article 253 and item 14 of the Union List, because according to these provisions it is for Parliament to legislate and it is also for Parliament to see that proper provisions are introduced in such a Bill in consonance with the International Convention. Therefore, this Parliament is now entitled to pass a measure for the purpose of suppression of prostitution as also for the other attendant evils.

Now, so far as this question is concerned, I may point out that there are a number of Acts—a very large number—which have been passed by the various State Governments in this respect, but it is felt that they do not go long enough and therefore it was considered that in place of the various Acts which are about thirteen or fourteen in different States, there ought to be a Central Act which lays down a uniform procedure for the purpose of checking, if not completely eradicating, the evils associated with prostitution. After the passing of this Bill by both Houses of Parliament all these Acts would stand repealed to the extent that they are inconsistent with the provisions of this Bill. That is the reason why this Bill has been brought with the consent of the State Governments and taking into account the views of a number of institutions, especially associations of women who have dealt with this question. I might also bring to the notice of this House a report of the Advisory Committee on Social and Moral Hygiene. This Committee was appointed by the Central Social Welfare Board and their report is of great and inestimable value because it has considered the whole question of prostitution. It has also considered the main provisions of this Bill because this Bill has been before the Parliament for two years. Before that also, Government took action on the basis of a Bill which was submitted to Government by one of the outside associations. After the Bill was received, we sent it to the various State Governments.