

[Shri Raj Bahadur]  
[Placed in Library. See No. LT-2918/61.]

(iv) (a) Annual Report of the Hindustan Cables Limited, Burdwan for the year 1959-60 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 639 of the Companies Act, 1956;

(b) Review by the Government of the working of the above Company;

[Placed in Library. See No. LT-2919/61.]

(v) Government Resolution No. 15(1)Met/60 dated the 22nd April, 1961 under sub-section (2) of section 16 of the Tariff Commission Act, 1951 revising Government's decision contained in paragraph 2(6) of Resolution No. 15(15)Met/58, dated the 5th December, 1959, relating to the fair price payable to the Metal Corporation of India.

[Placed in Library. See No. LT-2920/61.]

CENTRAL BOILERS BOARD (NOMINATION OF MEMBERS) RULES

**The Minister of Works, Housing and Supply (Dr. B. Gopala Reddi):** I beg to lay on the Table, a copy of the Central Boilers Board (Nomination of Members) Rules, 1961, published in Notification No. GSR 490 dated the 8th April, 1961, under sub-section (2) of section 28A of the Indian Boilers Act, 1923. [Placed in Library See No. LT-2921/61].

STATEMENT REGARDING SAFETY EDUCATION AND PROPAGANDA IN MINES

**The Deputy Minister of Labour (Shri Abid Ali):** On Behalf of Shri L. N. Mishra, I beg to lay on the Table a statement regarding Safety Education and Propaganda in Mines. [Placed in Library. See No. LT-2922/61.]

12-35 hrs.

INDIAN RAILWAYS (AMENDMENT) BILL\*

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** On behalf of Shri Jagjivan Ram, I beg to move for leave to introduce a Bill further to amend the Indian Railways Act, 1890.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Indian Railways Act, 1890."

*The motion was adopted.*

**Shri S. V. Ramaswamy:** I introduce the Bill.

12.36 hrs.

DELHI (URBAN AREAS) TENANTS RELIEF BILL—contd.

**Mr. Speaker:** The House will now proceed with the further clause-by-clause consideration of the Bill to provide relief to the tenants of land in the urban areas of the Union Territory of Delhi.

The time allotted for this Bill was 3 hours. The time already taken is 3 hours. How long more is it likely to take?

**The Minister in the Ministry of Home Affairs (Shri Datar):** It will not take more than two or three minutes.

\*Published in the Gazette of India Extraordinary Part II Section 2, dated 2nd April, 1961.

†Introduced with the recommendation of the President.

**Shri Braj Raj Singh (Firozabad):** What? Two or three minutes?

**Shri Datar:** So far as this matter is concerned, yesterday I had moved an amendment. My hon. friend Shri Tyagi said that that was not clear enough. Therefore, I have given notice of a very clear amendment in this respect to leave no scope for doubt. My amendments are as follows:

I beg to move:

Page 3, line 14—

after the words "is instituted" insert "during the period when he is under disability or". (10)

Page 3, line 15—

omit "a person". (11)

So, these amendments cover the whole thing

**Shri Tyagi (Dehra Dun):** I thank my hon. friend. I am grateful to him for these amendments.

**Shri Datar:** At page 3, line 15, the word 'person' is to be omitted, because it is not necessary there.

**Shri Braj Raj Singh:** Are these amendments which are being moved just now, or have they been circulated?

**Shri Tyagi:** I withdraw my amendment in the light of the amendments now moved by the hon. Minister.

**Shri Datar:** These are only by way of clarification.

**Shri Braj Raj Singh:** It is not a case of clarification, but it is a substantial amendment which has now been moved by the hon. Minister.

**Shri Datar:** I had moved an amendment yesterday. Shri Tyagi thought that that was not clear enough. That is the reason why I have now moved a substitute clarificatory amendment.

**Shri A. P. Jain (Saharanpur):** It is a good amendment, and it must come in.

**Shri Braj Raj Singh:** May I be provided with a copy of the amendments, because they have not been circulated?

**Shri Tyagi:** It was only when I raised the objection and said that I wanted to move an amendment to the amendment that the Chairman adjourned the House yesterday. Now, after the change of these words, I do not feel that there is any need to move my amendment. The Government amendment is more than enough, and I am fully satisfied. Therefore, you may proceed with the voting.

**Mr. Speaker:** I shall place the amendments before the House. The hon. Member will have an opportunity to speak on them. Amendments moved:

Page 3, line 14—

after the words "is instituted" insert "during the period when he is under disability or". (10)

Page 3 line 15—

omit "a person". (11)

These are the two amendments which the hon. Minister has moved, evidently in pursuance of what Shri Tyagi tried to move by way of an amendment to the amendment.

**Shri Braj Raj Singh:** I only want to look into the amendment. My only point was this. I felt perhaps that the amendment which the hon. Minister is now moving might mean that the disabled person, even during the pendency of disability, will be entitled to construct a shed, a business-house and so on. Is that the intention?

**Shri Datar:** Yes, that was the intention.

**Shri Braj Raj Singh:** If that is the intention, then it goes against the spirit of this provision.

**Shri Datar:** It does not go against the spirit. In fact, a longer period is allowed, namely 'either during disability' or 'within two years thereafter'. For, the underlying idea is that when he is under conditions of disability, he might or might not be in a position to carry out these works. Now, what has been done is this. In answer to Shri Tyagi's desire, which is quite correct, it has been provided that either during the disability or within two years thereafter, he can do so.

**Dr. M. S. Aney (Nagpur):** May I suggest that the hon. Minister may read out the clause as proposed to be amended?

**Shri Datar:** Yes.

**Mr. Speaker:** He can file a suit both during the disability and after the disability.

**Shri Datar:** Yes.

**Shri Braj Raj Singh:** What is the relief being given to the tenant? My point is that this Bill was going to give certain reliefs to the tenant. If that is accepted, this proposed amendment will mean that the 'disabled' person can eject the tenant.

**Shri Datar:** The hon. Member is not correct because circumstances have been pointed out where it would be open to a landholder to resume possession also. That has also been included.

**Shri A. P. Jain:** I think the proposal made by Shri Tyagi is a very sound proposal, because this is not the only law where this provision is being made, but there are a large number of laws where certain persons under disability, although they are not deprived of seeking remedy during the period of disability, are given an additional right, that is, when they

are freed from disability, they can exercise that right within a certain period. This is because a minor may not be in a position to exercise the right during minority. So the Limitation Act and certain other Acts give him the additional right of exercising that right within a certain period of attaining majority. But that does not mean that during his minority, he or she is deprived of that right.

Therefore, the amendment is in itself an enabling amendment. It is very sound and is in consonance with the corresponding provision in a large number of laws that have been passed by this House and by other legislatures.

**Shri Braj Raj Singh:** It is in contravention of the spirit of this Bill.

**Some Hon. Members:** No, no.

**Shri Braj Raj Singh:** This Bill says that it is going to confer certain reliefs on the tenants in the urban territory of Delhi. This particular amendment will go against the tenant who will be in possession of the landholding. That is my point.

**Mr. Speaker:** It is a question of balance of convenience between a minor on the one side and the tenant on the other. Hon. Members must make up their mind on this. If they say that the tenant ought not to be evicted, notwithstanding the fact that the minor himself requires the house, that is one thing. It is for them to decide. As the Bill stands, it appears—I am not certain—that the interpretation may be that his right to file a suit to evict a tenant becomes exercisable only after he attains majority. He must do so within a couple of years of attaining majority. That is the kind of interpretation that may be given to the existing clause.

**Shri Datar:** That was given yesterday.

**Mr. Speaker:** Shri Braj Raj Singh's view is that the minor ought not to exercise the right of ejecting the tenant so long as he is a minor. No doubt, he is in favour of the tenant. That is one view. The question is whether a minor ought to be prevented from exercising that right during minority. Are we trying to put a disability on him in the process of trying to help the tenant? The choice is between a tenant and a minor who is the landlord. It is for the House to decide. I will put the amendments to the vote of the House.

**Shri Braj Raj Singh:** May I make a submission? The spirit of this Bill which we are going to enact was to award certain reliefs to the tenants who are situated in the urban areas of Delhi. While moving for consideration of the Bill, the Minister said that these tenants who are in the urban territory of Delhi are in a special category by themselves, because the areas shall be coming under jurisdiction of the Central Government and so on. My point is this: after this Bill is passed into law, if a disabled person decides that he will construct a business premises as mentioned in this sub-clause, he will be entitled to eject the tenant. This Bill is meant for giving reliefs to the tenant. We are not at present concerned with the minor as such. We are presently concerned with the relief to be given to the tenant. The avowed intention of this law is to give relief to the tenant. But this will go against that intention.

**Shri Tyagi:** I had argued this yesterday. I would repeat it in two words with your indulgence. Widows are disabled persons, and their disability is removed as soon as they remarry. So if it were to be kept as it is, then widows during their widowhood could not take any advantage of the land left by their husbands, but immediately they remarry they can eject the tenants. Is that a reward for remarriage?

My submission is that factually speaking, originally this concession

was sought to be given to the widows during her widowhood because she could put up some house, earn some rental, bring up her children and could just live. It was a concession originally meant to be given to the widow. Only the wordings were wrong. Therefore, these are being put right by the Minister.

**Shri Warior (Trichur):** We know what is the relief given to the minor and widow. But what is the relief being given to the tenant?

**Mr. Speaker:** We cannot have both. That is what they said. I have absolutely no say in this matter. I am trying to explain to the House before they vote what exactly they are voting for. As the Bill stands at present, there is a further disability on a disabled person who is a minor from evicting a tenant. Now that disability is sought to be removed. Even when he is a minor, he can do so. Shri Tyagi says that if a widow is the holder and if she remarries, *sui juris* she can exercise that right, even though originally the intention was to give this right to her even during her widowhood. Now it is asked: why should a minor be put under a greater disability? So it is for the House to decide as they choose.

**Shri Warior:** But it is not the minor who is determining it but somebody else.

**Mr. Speaker:** That is true.

**Shri Warior:** It may or may not be in the interest of the minor. He is not competent to determine.

**Mr. Speaker:** True. After the father dies, we leave the minor to the care of somebody who gives him food. So far as his food, education and other things are concerned, they must determine. But so far as the property is concerned, nobody should take care of it—is that the idea? Much can be said on both sides.

**Shri Braj Raj Singh** rose—

**Mr. Speaker:** I am not arguing. I have no vote.

The question is:

Page 3, line 14,—

after the words "is instituted", insert "during the period when he is under disability or" (10)

Page 3, line 15,—

omit "a person". (11).

I will explain this for the benefit of the Members. Originally a minor was not allowed to file a suit to evict a tenant until he attained majority—within a period of two years after he had attained majority. By this amendment power is sought to be given to him even during his disability if he so chooses to file the suit.

The question is:

Page 3, line 14—

after the words "is instituted" insert "during the period when he is under disability or." (10).

Page 3, line 15—

omit "a person". (11).

*The House divided.*

**Shri Dasappa** (Bangalore): I am very sorry. There is a slight mistake. I have pressed the wrong button. I

wanted to vote for the 'Ayes'. (Interruptions).

**Mr. Speaker:** So, I must add one to the 'Ayes' and subtract one from the 'Noes'.

**Some Hon. Members** rose—

**Mr. Speaker:** I will consider one by one. Shri Bajaj. Did he vote?

**Shri Kamalnayan Bajaj** (Wardha): I pressed the button; but it is not working. I wanted to vote for the 'Ayes'.

**Shri Bakliwal** (Durg): Sir, I voted but it has not come out.

**Mr. Speaker:** Did he vote at all?

**Shri Bakliwal:** Yes, Sir; I wanted to vote for the 'Ayes'.

**Mr. Speaker:** What about the other hon. Member? Did he vote?

**Shri Hanmanth Rao** (Medak): Yes, Sir. I voted for the 'Ayes', but it has not come.

श्री भवानी प्रसाद (सीतापुर-रक्षित अनुसूचित जातियां) : मैं ने दबाया था लेकिन वह आया नहीं ।

**Shri D. Ering** (North East Frontier Tract): Sir, I pressed the button but it has not been recorded.

**Mr. Speaker:** Did he vote?

**Shri D. Ering:** Yes, Sir. I voted for the 'Ayes'.

Division No. 4]

AYES

[12.55 hrs.

Abdul Latif, Shri  
Agadi, Shri  
Aney, Dr. M. S.  
Asthana, Shri Lila Dhar  
Atchamamba, Dr.  
Babunath Singh, Shri  
Bajaj, Shri Kamalnayan  
Bakliwal, Shri  
Banerji, Shri P. B.  
Banerji, Dr. R.  
Barupal, Shri P. L.  
Basappa, Shri  
Basumatari, Shri.  
Bhagat, Shri B.R.  
Bhakt Darshan, Shri  
Bhawani Prasad, Shri  
Birbal Singh, Shri  
Birendra Bahadur Singhji, Shri  
Braham Prakash. Ch.

Brajeshwar Prasad, Shri  
Chandak, Shri  
Dasappa Shri  
Datar, Shri  
Dwivedi, Shri M. L.  
Ering, Shri D.  
Ganga Devi, Shrimati  
Guha, Shri A. C.  
Hajarnavis, Shri  
Harvani, Shri Anwar  
Hathi, Shri  
Jain, Shri A. P.  
Jangde, Shri  
Jinachandran, Shri  
Joshi, Shri A. C.  
Kamble, Dr.  
Karmarkar, Shri  
Kasi Ram, Shri V.  
Khawaja, Shri Jamal

Kistiaya, Shri  
Lahiri, Shri  
Laxmi Bai, Shrimati  
Mafida Ahmed, Shrimati  
Majithia, Sardar  
Malhotra, Shri Inder J.  
Mandal, Shri J.  
Maniyangadan, Shri  
Manjula Devi, Shrimati  
Mehta, Shri B. G.  
Mehta, Shri J. R.  
Mehta, Shrimati Krishan  
Melkote, Dr.  
Minimata, Shrimati  
Mishra, Shri Bibhuti  
Mishra, Shri M. P.  
Mishra, Shri R. R.  
Mishra, Shri S. N.  
Misra, Shri B. D.

Misra, Shri R. D.  
 Mohiuddin, Shri  
 Morarka, Shri  
 Nasir, Shri C.K.  
 Nallakoya, Shri  
 Naskar, Shri P.S.  
 Nayar, Dr. Sushila  
 Nehru, Shri Jawaharlal  
 Nehru, Shrimati Uma  
 Oza, Shri  
 Padam Dev, Shri  
 Pande, Shri C. D.  
 Pandey, Shri K. N.  
 Pnagarkar, Shri  
 Patel, Sushri Maniben  
 Patel, Shri P. R.  
 Patel, Shri Rajeshwar  
 Prabhakar, Shri Naval  
 Raghunath Singh, Shri  
 Rai, Shrimati Sahodrabai  
 Raj Bhadur, Shri  
 Ram Subhag Singh, Dr.

Ramaul, Shri S. N.  
 Ranbir Singh, Ch.  
 Rane, Shri  
 Rangarao, Shri  
 Rao, Shri Hanmanth  
 Rao, Shri Jaganatha  
 Rao, Shri Thirumala  
 Ray, Shrimati Renuka  
 Reddy, Shri Narapa  
 Reddy, Shri Ramakrishna  
 Reddy, Shri Rami  
 Reddy, Shri Viswanatha  
 Rao, Shri Bishwanath  
 Sadhu Ram, Shri  
 Saigal, Sardar A. S.  
 Samanta, Shri S. C.  
 Satyanarayana, Shri  
 Shah, Shrimati Jayaben  
 Shah, Shri Manabendra  
 Shah, Shri Manubhai  
 Shankaraiya, Shri

### Tenants' Relief Bill

Sharama, Shri D. C.  
 Shree Narayan Das, Shri  
 Siddananjappa, Shri  
 Singh, Shri D. N.  
 Singh, Shri H. P.  
 Singh, Shri K. N.  
 Sinha, Shri Anirudh  
 Sinha, Shri K. P.  
 Sinha, Shri Satya Narayan  
 Snatak, Shri Nardeo  
 Sonavane, Shri  
 Subramanyam, Shri T.  
 Sultan, Shrimati Maimoona  
 Tariq, Shri A. M.  
 Thimmalah, Shri  
 Tiwari, Pandit D. N.  
 Tyagi, Shri  
 Uike, Shri  
 Verma, Shri B. B.  
 Viswanath Prasad, Shri  
 Wodeyar, Shri

### NOES

Banerjee, Shri S. M.  
 Barua, Shri Hem  
 Bharucha, Shri Naushir  
 Braj Raj Singh, Shri  
 Dharmalingam, Shri

Gaikwad, Shri B. K.  
 Ghose, Shri Bimal  
 Kar, Shri Prabhat  
 Matin, Qazi  
 Menon, Shri Narsyanankutty

Panigrahi, Shri Chintamani  
 Parvathi Krishnan, Shrimati  
 Rao, Shri T. B. Vittal  
 Suganchi, Shri  
 Warior, Shri

**Mr. Speaker:** The result of the Division is: Ayes 121—Noes—15.

*The motion was adopted.*

**Mr. Speaker:** There were two amendments moved yesterday by the Home Minister out of which, I think, he does not press amendment No. 8.

**Shri Datar:** But, I press the other amendment No. 7, Sir.

**Mr. Speaker:** I think the hon. Minister has the leave of the House to withdraw amendment No. 8.

*(The amendment was, by leave, withdrawn).*

**Mr. Speaker:** The question is:

Page 2, lines 34 and 35—

omit "in the manner or to the extent customary in the locality in which the land is situated". (7)

*The motion was adopted.*

**Mr. Speaker:** The question is:

"That clause 3 as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 3, as amended, was added to the Bill.*

### Clauses 4 to 9

**Mr. Speaker:** There are no amendments to clauses 4 to 9. I will put them together.

The question is:

"That clauses 4 to 9 stand part of the Bill."

*The motion was adopted.*

*Clauses 4 to 9 were added to the Bill.*

**Mr. Speaker:** The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

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

**Shri Datar:** Sir, I beg to move:

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

**Mr. Speaker:** Motion moved:

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

**श्री बजराल सिंह :** अध्यक्ष महोदय, मुझे दुःख है कि कांग्रेस सरकार ने यह देखने की कोशिश नहीं की कि जो संशोधन वह पास करने जा रही है उसका क्या अर्थ होगा। साफ तौर से यह बिल काश्तकारों के भले के लिए लाया गया है, उनको कुछ सुविधाएँ देने के लिए यह कानून बनाया जा रहा है। लेकिन जो संशोधन अभी सदन ने स्वीकार किया है उसके मुताबिक काश्तकार को बेदखल करने का अधिकार जमींदार को आप दे रहे हैं और अधिकारहीन नहीं दे रहे हैं बल्कि आप उसको यह अधिकार दे रहे हैं कि अगर वह चाहे तो उसको कल से ही बेदखल कर सकता है।

13 hrs.

दिल्ली का नगरीकरण अधिकाधिक हो रहा है और अधिकाधिक वे जमीनें जिनको काश्तकार जोतते थे वे मकानों के नीचे आ रही हैं या उनका व्यापारिक क्षेत्र के लिए इस्तेमाल किया जा रहा है। ऐसी हालत में ऐसा संशोधन स्वीकार करना जिससे काश्तकार को अपनी जमीन से बेदखल होने का खतरा तुरन्त पैदा हो जाता है, मैं समझता हूँ कि इस बिल की भावनाओं के खिलाफ जाता है। अच्छा होता कि सरकार इस तरह का संशोधन पेश न करती और ऐसा प्रयत्न करती जिससे काश्तकारों के अधिकारों व हितों की रक्षा की अधिकाधिक सम्भावना होती। आप कहते तो हैं कि हम काश्तकार के हित में कानून बनाने जा रहे हैं लेकिन

काश्तकार के बजाए आप जमींदार को अधिक अधिकार दे रहे हैं। आप उसको अधिकार दे रहे हैं; कि वह चाहे तो उस जमीन को जिसे काश्तकार जोत रहा है, मकान बनाने के लिए, बिजनेस प्रेमिसेज के लिए, कैंटिल-शैंड बनाने के लिए या जोतने के लिए काश्तकार को बेदखल करके ले सकता है। मैं समझता हूँ कि यह सरकार की उसी नीति का द्योतक है, जिसके मुताबिक उसने दिल्ली में अब भी लैंडलाडिज्म और जमींदारी कायम रखी हुई है। इस विधेयक में जो व्यवस्था की गई है, उससे किसानों और काश्तकारों के हितों और अधिकारों की रक्षा और उनको संरक्षण देने का जो हमारा उद्देश्य है, वह पूरा नहीं हो सकेगा।

**परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राज बहादुर) :** गलत है।

**श्री बजराल सिंह :** गलत कह देने मात्र से यह उद्देश्य पूरा नहीं हो जायेगा। अगर इस पूरे कानून को पढ़ा जाये, तो यही प्रकट होगा कि काश्तकार को बेदखल करने के अधिकार को इस कानून के द्वारा बढ़ा दिया गया है, जो कि सरकार का इन्टेंशन और उसका मंशा नहीं होना चाहिए। मैं समझता था कि इस कानून में ऐसी व्यवस्था की जायेगी, जिससे काश्तकारों को अपनी रक्षा के लिये और अधिकार मिलेंगे, लेकिन और अधिकार देने के बजाय, उनके अधिकारों की रक्षा करने के बजाय, जो कुछ भी अधिकार इस संबंध में हो सकते हैं, उनको इस कानून के द्वारा छीनने की कोशिश की जा रही है। मैं चाहूँगा कि यदि मंत्री महोदय ने इसके उद्देश्य और अर्थ को अच्छी तरह न समझ पाया हो, तो वह इस बारे में फिर से गम्भीरतापूर्वक विचार करें और यदि वह समझें कि वास्तव में इस बिल के द्वारा काश्तकारों के हितों की हानि हो रही है, तो इसमें परिवर्तन करके उनके हितों की रक्षा करने की व्यवस्था करें। मैं समझता हूँ कि हम सब का यह

लक्ष्य है कि जो जमीन को जोतता है, जो बोता है, जिसके हल की फाल के नीचे जमीन रहती है, वही जमीन का मालिक हो और वह व्यक्ति मालिक न हो, जो अलग रह कर दूसरों से काम करवाये। अगर सरकार का भी यही लक्ष्य है, तो मैं आशा करता हूँ कि वह जरूर ऐसी कार्यवाही करेगी, जिससे इस उद्देश्य की पूर्ति हो सके।

आप जानते हैं कि दिल्ली का नगरीकरण अधिकाधिक हो रहा है। ऐसी सूरत में अब समय आ गया है कि सरकार को कोई ऐसे सिद्धान्त प्रतिपादित करने चाहिए, जिनके मुताबिक किसानों को उनकी जमीन का उचित मुआवजा बाजार भाव से मिले। इस दिशा में अभी तक कोई प्रयत्न नहीं हुआ है। किसानों से बहुत कम पैसे में जमीन ली गई है। उन को बर्बाद किया गया है, उन्हें भिखारी बनाया गया है। उनकी जमीनों पर बड़े-बड़े भवन और महल बनाये गये हैं, लेकिन उन्हें उचित मुआवजा नहीं मिल पाया है। मैं निवेदन करना चाहता हूँ कि जब हम यह कानून पास कर रहे हैं, तो सरकार इस बात पर विचार करे। १८६२ के लैंड एक्वीजीशन एक्ट में दिये गये मुआवजे सम्बन्धी प्रतिक्रिया वादी सिद्धान्त को खत्म करके ऐसा सिद्धान्त लागू करें, जिससे किसान को अपनी जमीन का उचित मुआवजा मिले सके और उसको देश में दूसरे नागरिकों के समान रहने का अधिकार हो।

**Shri Datar:** Sir, it is true that certain valuable rights or reliefs had been given to the tenants; along with them there are certain obligations and in the present context, Sir, you will kindly see that clause 3(2) states that a tenant may be ejected from the land held by him by a landlord under certain circumstances. It is only here that a change has been made. Therefore, along with the rights or reliefs given to them, there

are certain obligations and these have only been clarified.

**Mr. Speaker:** The question is:

"That the Bill as amended, be passed".

*The motion was adopted.*

13.04 hrs.

#### MARKING OF HEAVY PACKAGES (AMENDMENT) BILL

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** Sir, I beg to move:

"That the Bill to amend the Marking of Heavy Packages Act, 1951 be taken into consideration."

The International Labour Conference at its 12th session held at Geneva in May-June 1929 adopted a convention concerning the marking of weight on heavy packages transported by vessels by sea or inland waterways. This convention was ratified by India in 1931 and in order to give effect to the provisions of the convention an Act called the Marking of Heavy Packages Act, 1951 was enacted by the Indian Parliament. It came into force with effect from 1st November 1951.

13.05 hrs.

[SHRI JAGANATHA RAO in the Chair]

Section 3 of the Act lays down that every person consigning a heavy package for transport by sea or inland waterway from any place in India is obliged to mark thereon plainly, durably and conspicuously the gross weight on the package, etc. and section 4 prescribes the penalty for the contravention of the provisions of section 3 of the Act. Subsequently, it has turned out that there is no authority provided in this enactment for the enforcement of the provisions of this Act or for the administration thereof. It has, therefore, been found necessary to do so