

referred to a Select Committee consisting of 21 Members, namely Shri S. A. Agadi, Shri Frank Anthony, Shri M. Ayyakkannu, Shri Pulin Behari Banerji, Shri Naushir Bharucha, Shri Laxman-rao Shrawanji Bhaikar, Shri Ranbir Singh Chaudhuri, Shri N. R. Ghosh, Shri Yadav Narayan Jadhav, Shri Banarsi Prasad Jhunjhunwala, Shri Liladhar Kotoki, Dr. Sushila Nayar, Shri Sarjoo Pandey, Shri Nanubhai Nichhabhai Patel, Shri Balasaheb Patil, Shri Ram Garib, Shri Vutukuru Rami Reddy, Shri Radha Charan Sharma, Shri Shobha Ram, Shri Simhasan Singh and Shri Jagjivan Ram, with instructions to report by the first day of the next session."

प्रलय से विचार होगा। इस के सम्बन्ध में क्या कोई निर्णय किया गया है ?

अध्यक्ष महोदय : आज सुक्रवार है इस लिये फुर्सत नहीं मिलेगी।

The Committee was appointed on the advice of the Minister. Has that Report been placed on the Table of the House?

Some Hon Members: Yes.

Mr. Speaker: I am sure that in all such cases where matters are referred by Government to a Committee for report, they will themselves move the House. If they do not, the hon. Member may certainly give notice and it will come up next time. There is little time today. We cannot get along with it today.

12.52 hrs.

INDIAN RAILWAYS (AMENDMENT) BILL—contd.

Shri T. B. Vittal Rao (Khammam): While I support the motion for reference to the Select Committee the Indian Railways (Amendment) Bill, I admit that I have not given sufficient thought to this Bill at all as I should have done, because I thought it would not be coming up during this Session. But I am glad that Government have decided to take it up this time so that by the time we meet next, we can have the Select Committee's Report.

The railways are going to assume a great responsibility on themselves. For instance, the annual goods traffic earnings of the railways are to the tune of Rs. 250 crores. As regards these goods which are going to be transported, the common carrier liability will be assumed by the railways, and as regards the goods which have not been taken delivery of at the respective stations after they have been transported to their destinations.

12:50 hrs.

RE: REPORT OF THE ALIGARH MUSLIM UNIVERSITY ENQUIRY COMMITTEE

श्री प्रकाशचौर शास्त्री (गुड़गांव) : अध्यक्ष महोदय, एक जानकारी मैं लेना चाहता हूँ। पिछले दिनों अलीगढ़ विश्वविद्यालय के सम्बन्ध में एक प्रस्ताव आया था तब आपने कहा था कि रिपोर्ट आने पर इसी अधिवेशन में हम उस पर विचार करेंगे, शिक्षा मंत्रालय के अनुदानों पर जब चर्चा हुई थी तब भी इस के लिये यह कहा गया था कि इस प्रश्न को न छोड़ा जाये क्योंकि इस प्रश्न पर सेपरेट बहस होगी। आज जब यह अधिवेशन समाप्त हो रहा है, तो मैं एक व्यवस्था चाहता हूँ कि अगले अधिवेशन में जब यूनिवर्सिटी ग्रांट्स कमिशन की रिपोर्ट पर बहस होगी तो इस विषय को भी उस के साथ लिया जायेगा या

[Shri T. B. Vittal Rao]

the railways will act as bailee for 30 days. This is a very good provision and everyone should welcome it. This is also in accordance with the recommendations of the Railways Freight Structure Inquiry Committee. What I want is that while the railways assume this responsibility, they should also create a machinery by which they can discharge this responsibility successfully.

Only a few days ago I showed the House how the figure of compensation due to claims preferred on account of goods lost or damaged during transit has been increasing. From Rs 3 crores and odd it has risen to Rs. 3.29 crores in 1958-59. I think in 1959-60, it was a little more. Therefore, unless we set up adequate machinery to see that these goods which are to be transported are properly attended to at the various places, we will not be in a position to discharge this responsibility.

Mr. Speaker: Why not give a portion of that amount to the trade unions and ask them to advise the workers to see that no theft is committed?

The Minister of Railways (Shri Jagjivan Ram): We are always prepared to welcome their co-operation.

Mr. Speaker: Instead of Rs. 5 crore being paid by way of compensation for goods lost in transit, if during, say, a period of five years, the trade unions are asked to see that nothing is lost, a portion of the amount saved may be given to them. That is the only other method.

Shri Aurobindo Ghosal (Uluberia): Workers are not always responsible for the losses.

Shri T. B. Vittal Rao: They are never responsible for these things. Anyway, if they detect such thefts they should be rewarded for that.

Shri Jagjivan Ram: We are giving rewards.

Shri T. B. Vittal Rao: In some cases it is given. I will readily point out some cases.

I am only concerned with the machinery that is to be created all along. For example, even today in stations, I find so many parcels and other things being kept on the platform or yard itself without being removed. They are uncared for. There is no separate shed or any such thing. In some stations, they are kept on the station platform for a number of hours without being removed, anybody can steal anything. Therefore, there should be proper arrangements to take care of them.

Secondly, our administration will also have to be very careful with regard to the disposal of those claims. One should be very careful in computing the cost of these things. There should be quick disposal of the claims preferred. But comparing the figures for the last few years, I find it is the other way about. In 1957-58, the average number of days taken for the settlement of a claim was 49. In 1958-59, it took 52 days for the settlement of a claim. In 1959-60, it is the same figure of 52 days. So there does not seem to be any improvement, in spite of the fact that every time during the Budget speech, the Railway Minister makes a special mention of this. We will have to create confidence in those who want to transport their goods by the railways.

I will just point out one instance. You were pleased to refer to the railway employees and trade unions. Once there was a parcel booked from Secunderabad to Belampalli. It was highly saturated concentrated alcohol. It was booked as 'medicine'. It was received originally from Pandura a station between Nagpur and Itarsi. It was received at Secunderabad, that is, after Nagpur. As I said, the declaration as to the contents was 'medicine'. On the the same day it was

received in Secunderabad, it was re-booked. I do not know how it could be rebooked. It could only be booked because delivery was to be taken at Belampalli. It arrived there after two days. After it was received there, the very next day, the person came and tried to send it by parcel to Nagpur—by parcel or goods I do not know: He wanted to book it to Nagpur. It had come from Pandura to Secunderabd and then to Belampalli. The parcel clerk there got suspicious about it, as to why this man was offering it for booking immediately, within 24 hours. Then he told the Station Master about it. The Station Master advised him to open it. So it was opened and it contained alcohol. The man who took delivery at Belampalli is an excise contractor. So it was taken charge of and 'to all concerned' messages were sent to the Magistrate, District Collector and others. Afterwards, it was seized.

When we asked the Railway Administration as to what action had been taken against the party who first booked this under a mis-declaration of the contents, and why such a highly inflammable thing was allowed to be booked, the Railway Administration said that since the parcel charges on medicine were higher than those on alcohol, they need not take any action. Later on, we find that the excise department had registered a case. But the railways absolutely freed themselves from all their responsibility.

An Hon. Member: How could they do it?

Shri T. B. Vittal Rao: Nothing was done. In such a case, there should be prosecution of the consignor and consignee for mis-declaration. This might be intended to be taken to a prohibited area also. When we asked them, they said that they were not concerned with it. I contacted the Divisional Headquarters. I went to the General Manager. I met one of the highest officials there. I asked them and they

said they were not concerned. I put questions in Parliament. They do not seem to have that responsibility. The talk that is going on in my State is that some high officials are involved in this smuggling activity. Therefore, I suggest that the Railways should have some responsibility for taking some drastic action against those people for misdeclaration of the contents of the parcels.

13 hrs.

While I welcome this motion, I want the Railways should take care to see that the tax payers' money which is simply wasted at the rate of Rs. 3.5 crores every year is reduced further and further so that we may reach a stage when we may have to pay only an insignificant amount. If this Bill is enacted, they should not come next year or the year after and say that because carrier responsibility had been assumed, more claims had to settled and so they had to pay more. With these words, I support the motion.

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I am extremely sorry that I forget to introduce the Bill. With your permission, shall I introduce it now?

Mr. Speaker: Shall I interrupt the proceedings like this? I will find out how long this will take. Who are all the persons who want to speak on this Bill? I find that Pandit Munishwar Dutta Upadhyay and Shri Aurobindo Ghosal want to speak. It will take another half an hour. I will allow Shri Jagjivan Ram himself to make the motion on behalf of Shri Datar. Otherwise, if we do like that, the proceedings could not be understood.

Shri Datar: I have no objection, Sir.

Mr. Speaker: Or, he can entrust it to any other hon. Minister.

Shri Jagjivan Ram: We will go together, Sir. He will be here.

Pandit Munishwar Dutt Upadhyay (Pratapgarh): Mr. Speaker, Sir, this Bill should have come much earlier. There was a committee appointed by the Government for enquiring into the case of corruption by the Railway Administration and in that connection, a number of recommendations had been made. I find that some of those recommendations are now being implemented in this Bill. One of the badly wanted provisions has been made in clause 6— disposal of perishable goods in certain circumstances. Where it becomes impossible on account of some dereliction or accidents and the perishable goods perish, no action could be taken under the old set of conditions. Now, provision has been made that such goods could be sold by auction and the proceeds could be given over to the owner of the property.

Of course the most important provision of this Bill is the responsibility that the Railway proposes to undertake for the losses incurred in the transit of goods on the Railways. In other countries this responsibility is undertaken. This point was no doubt raised a number of times and certain recommendations had been made earlier also in the reports but the Government did not think it proper to undertake the responsibility earlier. Now, they say that they would not only function as bailees but they would function as common carriers. I think it is a very welcome change and they would pay proper attention towards the loss that is incurred by people in respect of their goods in railway transit. The Railway Corruption Enquiry Committee found that sometimes very heavy losses were incurred and it was somehow or other not possible to fix the responsibility on the railways and the people had to suffer a lot. I think this, to a certain extent, solves that problem. I do not know how far it will go to offer a complete solution because even now it is possible that certain kinds of losses may not be covered by the common carrier responsibility. Provision has been

made for exonerating the Railways in certain circumstances. I was looking into that and I find that if certain losses are incurred, if there is any loss, destruction, damage, deteriorating or non-delivery of goods carried by railways within a period of thirty days after the termination of transit the railways would not be responsible in certain circumstances. If there is a riot, civil commotion, strike, lock-out, stoppage or restraint of labour from whatever cause, then they are not responsible. Riots and civil commotion may be serious grounds but restraint of labour from whatever cause, whether partial or general, is not so serious. This sort of an exemption might leave a very undesirable loophole. So, I think this point may be considered by the Select Committee.

I would welcome one very fine provision here. On page 12 of the Bill, it says:

"In any suit against a railway administration for compensation for any delay, loss, destruction, damage, deterioration or non-delivery, the burden of proving in the case of any parcel or package, the value of which has been declared under section 77B or any article mentioned in the Second Schedule not contained in any parcel or package, that the value so declared is its true value, shall lie on the person claiming compensation, but subject to the other provisions contained in this Act, it shall not be necessary for him to prove how the delay, loss, destruction, damage, deterioration or non-delivery was caused."

This was a very serious point. It could not be proved by the owner of the property. Now, there is this provision and it shall not be necessary for him to prove. This saves a lot of trouble and botheration and I am sure the difficulty will be very much reduced, in getting the claims decreed by the owners of the goods.

I think there is a little objection to another provision made in this connection. On page 8, section 77(1) reads:

"A railway administration shall be responsible as a bailee under sections 151, 152, and 161 of the Indian Contract Act, 1872 for the loss, destruction, damage, deterioration or non-delivery of goods carried by railway within a period of thirty days after the termination of transit:...."

But it is said under sub-section (2):

"The railway administration shall not be responsible in any case for the loss, destruction, damage, deterioration or non-delivery of goods carried by railway, arising after the expiry of the period of thirty days after the termination of transit."

My submission in this connection is that sometimes the serving of notice or the information to the persons concerned is very much delayed, and therefore, to fix the time as 30 days, may not be enough. If these 30 days are allowed after the notice has been served on the persons concerned, I think that would be the proper method. Otherwise, if the person is not informed in time, and if the loss is incurred, I think the person concerned should not be held responsible for it; the responsibility should be with the railways in that connection.

Shri Jagjivan Ram: It is too long a period.

Pandit Munishwar Dutt Upadhyay: You may reduce that period. I have no objection.

Mr. Speaker: What is the period of free time?

Pandit Munishwar Dutt Upadhyay: It might be a few days only.

Shri Shah Nawaz Khan: Five hours for unloading.

Mr. Speaker: In the Statement of Objects and Reasons, it is mentioned thus:

"that in respect of articles which are not removed from railway premises at destination within the free time allowed therefor,...."

The free time cannot be five hours. If somebody lives somewhere, how can he be expected to remove the goods so soon?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): We have assumed the common carrier liability.

Mr. Speaker: Is there some free time allowed before the 30 days?

Shri Warrior (Trichur): Usually, three days are given, and after that, demurrage is enforced.

Mr. Speaker: Obviously, three days is the free time. How much is the free time?

Shri Shah Nawaz Khan: It is 24 hours for all kinds of goods.

Pandit Munishwar Dutt Upadhyay: My submission is that after the notice has been served, after the person has been informed of it, some time may be given to him. May be that some times he does not get any information and the loss is incurred by him. The other sub-clause is sub-clause (3) of clause 77, which reads as follows: •

"Notwithstanding anything contained in the foregoing provisions of this section, a railway administration shall not be responsible for the loss, destruction, damage, deterioration or non-delivery of the goods mentioned in the Second Schedule, animals and explosives and other dangerous goods carried by railway, after the termination of transit."

So, as soon as the transit is terminated, the responsibility is shifted to the

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owner. In my submission, that is a very short period, and sometimes he may not have any information and for no fault on his part, he may be put to a loss. So, I request that the hon. Minister or the Select Committee should consider this aspect of the question, and see, if possible, whether the period could be fixed after the notice is served. They may reduce the period, and I have no objection to it. But the period should be after notice has been served and after the information is sent.

Mr. Speaker: How is the person to know of it? Nobody can be sure when the parcel would be reaching the destination, or when the wagon will arrive.

Shri Shahnawaz Khan: The railway receipt is there.

Mr. Speaker: Yes; but then, when we enquire, they say that the parcel has not yet come. We do not know when it comes. After it has arrived, we do not know whether it has arrived. It is not a question of penalty. The people who are dealing with this—this is a carrier system which is the monopoly of theirs—must know when it will arrive. There are so many delays.

Pandit Munishwar Dutt Upadhyay: The people are going to the railway goods office every day to make enquiries.

Shri Shahnawaz Khan: If they have telephones in their premises, they are informed by telephone. Many parties have their *dalals*. The information is passed on to them.

Mr. Speaker: Every measure seems to be a penal measure. But they must attend to the convenience of the people also. If they are in an out-of-the-way station, how are they to know of it?

Shri Jagjivan Ram: Those who are carrying on their business on a large scale have their own arrangements,

free time of five hours' has been introduced. They regularly keep themselves in touch as to when the wagon or the goods arrive. So, on that score, there is not much complaint that they do not get proper information. If the parties have telephones, they are informed on the telephone.

As regards parcels, sometimes even without receipts, the goods are received. The RR does not come in.

Mr. Speaker: True; but even when they arrive long after, we do not know. Both occurs.

Mr. Jagjivan Ram: Both occurs. But sometimes, it so happens; and it may be your experience also. For instance, take mangoes, which are perishable articles. Even if the railway receipt does not arrive, parcels are sent to parties. The railways charge, for home delivery say, Re. 1 or so, in such cases; it is something like that.

Mr. Speaker: I have a bad experience. Instead of mangoes what I got was a kind of root which we call Khandagedda.

Shri Jagjivan Ram Zaminkand:

Mr. Speaker: If we put into the mouth, it is not only bitter but it corrodes, or does something like that. That vegetable basket was given to me; the railway receipt was not there. And when it was opened, my people thought that somebody had sent vegetables and they had been cut into pieces, etc.!

Pandit Munishwar Dutt Upadhyay: There may be exceptional cases where without the railway receipt the article may be sent. But generally speaking, the people have to pay demurrage. They do not pay it unless of course they are forced to pay by circumstances.

Shri Jagjivan Ram: Do they pay because they do not know?

Pandit Munishwar Dutt Upadhyay: Sometimes on that account also.

Shri Jagjivan Ram: Sometimes. But we do not legislate for 'sometimes'.

Pandit Munishwar Dutt Upadhyay: There should be some time given after they get definite information. There should be some arrangement in this regard. Otherwise, without supplying any information to them, it is wrong to make them suffer any loss as it generally happens in many cases. I think this matter should be considered by the Select Committee and if any provision could be made to avoid such losses to the people, that would be welcome.

As I said, I welcome the Bill and the provisions that have been made. I was not in a position to study the Bill very thoroughly as I was not sure that it would come today before the House. But even on a cursory glance of it, I found that that the Bill is welcome. I hope that the Select Committee will go into the drawbacks which are there in the Bill.

Shri Aurobindo Ghosal (Uluberia): Mr. Speaker, Sir, the main purpose of the Bill is to extend or increase the responsibility of the railways; as against their present position of a bailee, they are now assuming the common carrier responsibility. At the present moment, the goods which are carried by the railways are subject to three kinds of damages which happen to the goods. One is, complete non-delivery; the next is short delivery and the last is damage. On these three grounds claims are made by the consignors or the consignees. If we want to check the shortage or damage that occurs in transit, I should like to point out that we should emphasise on streamlining the machinery that is working now. In that respect, I support what Shri Vittal Rao said. A machinery should be created in order to check the wastage that occurs in transit. The wastage and damage are the result of the existence of certain rings of corrupt or convicted persons who are sometimes in touch with both

the railway employees and also the consignees and consignors. Such rings operate in separate zones in separate railways.

I know of many cases of short delivery. Short delivery was previously used to be so repudiated on the ground of RTT, that is, running train theft. It is difficult to prove that there was no theft or damage in a running train. Most of the cases of short delivery were decided by the railways on the ground of RTT. But there are plauge-spots in regard to this RTT practically in every zone. Especially in the South Eastern Railway, I know there are plauge-spots near Kharagpur, Chengail, Deulti, etc., where there is regular business in such activities going on. There is seal-breaking; they maintain some contacts with the drivers, the guards and a few small railway employees and some businessmen. The mis-description and short weight generally occurs especially when the goods are loaded by the consignors themselves. When the delivery is taken, the consignees say that there is short weight, or underweight though the goods are loaded by the consignors themselves. This is one of the reasons why we sometimes get short deliveries. Damage is done generally when the goods are transhipped from one railway to another railway. We have found this in several cases of ghee and butter tins. When we open a tin, we find that in every tin there is a shortage of 1 or 2 seers. There was a complaint by the ghee merchants of Calcutta that after opening the sealed tins, it is found that each tin is short by two or three seers. These are done by the businessmen. How is it possible to take out two seers of ghee from a sealed tin? They take short deliveries from the railways by signing their claims in the delivery book. That is also happening.

I inspected a claims agency office. I found that out of 300 damage cases which have been settled, 80 per cent. of cases have been settled at 50 per cent. of the claims. Suppose their claim is Rs. 500. It is always settled at Rs. 200. They say, they deliberately

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increase their claims by 50 per cent. because they want to include the expenses of filing the case in the court, the court fees, etc. "We know that the railways never settle the claims within two years. Naturally we shall have to go to the courts and incur so much of expenditure. So, we increase it by 50 per cent."—this is what they say. There is another peculiar thing. As soon as they go to the court, settlements are made, but before going to the court, no settlement is made. I want to know why railways spend more time in dealing with the matter, compelling the consignor to go to the court for small things.

Another point is, in different railways, different procedures of settlement are followed. There is one procedure in the South-Eastern Railway and there is another procedure in the Eastern Railway. I approached both the railways and the General Managers admitted that different procedures are followed, though the procedure directed by the Railway Board is one. That procedure is not being followed by any railway. This sort of anomaly should not be there and the procedure in different railways should be identical, for the benefit of the people who book their consignments through railways.

The Shalimar godowns are centres of corruption. For example, there is damage to biri leaves. Suppose about 500 maunds of biri leaves are there and if the damage is 5 per cent., by paying something, they get 15 per cent. damage. By writing 15 per cent. damage in the delivery book, they claim 15 per cent. damage. The assessments of damage in these cases are not made on the spot and final settlement is not made within a few days. After a long period, naturally it will be difficult to assess the damage in the case of these perishable goods, because there is no trace of proving what was the percentage of damage. These things should be taken into consideration in order to eliminate the payment of damages by the railways.

With these words, I welcome the Bill. I hope the Select Committee will consider the points I have mentioned.

Shri Warior: I may also be allowed to voice my agreement along with Shri Ghosal and others, welcoming this Bill. This is a very big problem now. Actually the railways are losing much of their revenue due to competition from private motor transport. Formerly big consignees were using the railways to send goods to very distant places like Bombay and Calcutta. Now, they are resorting more and more to road transport, though the cost is much higher.

For instance, I understand that it is cheaper to send goods from Bombay to Cochin port by road transport than by railway transport, because not only there is more security but also the consignee gets the goods punctually at regular hours of the day in particular stations. They feel there is more security by road transport. Apart from that, the responsibility is also fixed in road transport. In the railways, the difficulty is, if we have a claim for pilferage or loss or destruction of material, there is nobody responsible. The responsibility is shifted from one to the other. We go on corresponding with them and we do not get anywhere. Finally, the litigation is so costly and we have to withdraw that.

One friend told me that some 200 bags of rice were sent from Tadepalle-gudem to Trichur. Only 198 bags were received. For how long can they carry on the litigation for the sake of 2 bags? It is very costly. Naturally, we may leave it; we do not want to claim anything. A claim already made with the railways in Madras takes so long. All sorts of impediments are placed in the way of settling those claims. After all, a merchant who is importing so much of rice from other places will not care to look into this loss of two bags and prolong the controversy between the railways and himself. During that time, he may look into his business and get more profits.

This is a welcome measure. The responsibility may be fixed on somebody and somebody will have to shell out from his own pocket, if it comes to that. The railways will not be the losers. Otherwise, if all the consignors are asked to consign only at their risk, many will not be willing to take that risk, because goods are consigned to distant places.

There are many other articles which are being consigned. It is not like the old days. The pattern is changing. We have our experience of fish being consigned from our place. By the time it reaches Madras, it will be all rotten, unless it is transported by faster methods. It should not be detained, for instance, for a number of days at Shoranur junction, because it cannot be sold in the other market, as it will become rotten. It is necessary that there must be responsible people who will make quick transit of goods which are declared as perishable. Sir, you will have your experience about mangoes and we have our experience about bananas, the particular variety we have in Kerala. When we get it from there, it is either rotten or only the basket remains and the bananas disappear. So, people prefer to send such things by road transport. Even heavy material like tiles which cost Rs. 100 per thousand in Kerala tile factories are consigned to places like Salem, Erode, etc. in Tamil Nad by L-tries. Upto Madhya Pradesh, they are being consigned. In spite of the fact that motor transport will cost Rs. 200, whereas rail transport will cost only Rs. 100 or so, they think it is more profitable to send it by road because they know the things will reach surely and certainly without much damage. If it is sent by rail, a good percentage of breakage is assured. Like that, the railways are losing revenue. If we change the pattern, if speedier methods are evolved and bottlenecks are removed, I think the railways can cope with the traffic and it will be of help to the public also. Not only that, the revenues of the Railways will also be increased. Therefore, Sir, it is a welcome measure.

Shri Shah Nawaz Khan: Sir, I am very glad to observe that there is general appreciation in the House for this Bill. Some very useful suggestions have been made, and we shall take full benefit from those suggestions. The Select Committee to which this Bill is proposed to be referred will undoubtedly go into all the various aspects of the suggestions which have been made.

Shri Vittal Rao wanted that a proper machinery should be set up to deal with this increased responsibility which the Railways are proposing to undertake. We shall certainly have to do that, and we will take every care to see that we are able to serve our customers to the best of our ability and to bring down the number of claims.

Sir, the problems are very well-known to all the hon. Members here. In some cases, it may be due to the negligence on the part of the Railways, but in many cases it is due to some sort of a fraud practised by various unscrupulous parties. We will have to take proper precaution against all such things.

Shri Vittal Rao referred to one particular case of booking of some consignment which was alleged to be that of alcohol. The Railways are concerned primarily with the recovery of the fare or freight, and it is our responsibility to see that we do not lose that freight. For actual prosecution to be launched in case of alcohol and things like that, it is the responsibility of the Excise Department. In this particular case, we did associate the excise Department with it, and I remember a question was answered in this House previously also about it. As far as I remember, the whole question was gone into and it was held by the competent medical authority that this consignment was that of medicine and not of alcohol.

Mr. Speaker: The only point that he suggested was, once you know that a false declaration has been made, why don't you prosecute the party?

Shri S. V. Ramaswamy: There is a higher rate for it.

Mr. Speaker: Apart from that, why don't you prosecute him for making a wrong declaration?

Shri Shah Nawaz Khan: As I said, Sir, prosecution is to be done by the police and we associated the Excise Department with this. If any prosecution was necessary, it was up to them to prosecute the party.

Shri Jagjivan Ram: There is already a provision in the Railways Act about wrong declaration, and if there is any wrong declaration the Railways can take action.

Mr. Speaker: That is all that he wants. He only wants more prompt action and nothing more.

Shri Warior: But if the freight charges are higher?

Mr. Speaker: He only wants that you should not keep quiet saying that you have got your money.

Shri Shah Nawaz Khan: Shri Upadhyay referred to the responsibility of the bailee at the destination station for 30 days. I think 30 days is quite a long time and there is no need to increase the time.

With these remarks, Sir, I am grateful to all the hon. Members who have made useful suggestions, and I commend this motion for reference of the Bill to the Select Committee for acceptance of the House.

Mr. Speaker: The question is:

"That the Bill further to amend the Indian Railways Act, 1890, be referred to a Select Committee consisting of 21 Members, namely: Shri S. A. Agadi, Shri Frank Anthony, Shri M. Ayyakkannu, Shri Pulin Behari Banerji, Shri Naushir Bharucha, Shri Laxmanrao Shrawanji Bhatkar, Shri Ranbir Singh Chaudhuri, Shri N. R. Ghosh, Shri Yadav Narayan Jad-

hav, Shri Banarsi Prasad Jhunjhunwala, Shri Liladhar Kotoki, Dr. Shushila Nayar, Shri Sarjoo Pandey, Shri Nanubhai Nichhabhai Patel, Shri Balasaheb Patil, Shri Ram Garb, Shri Vutukuru Rami Reddy, Shri Radha Charan Sharma, Shri Shobha Ram, Shri Sinhasan Singh and Shri Jagjivan Ram with instructions to report by the first day of the next session."

The motion was adopted.

13.35 hrs.

UNION TERRITORIES (STAMP AND COURT FEES LAWS) BILL,* 1961

The Minister of State in the Ministry of Home Affairs (Shri Datar): Mr. Speaker, Sir, on behalf of Shri Lal Bahadur Shastri, I beg to move for leave to introduce a Bill to provide for the amendment and repeal of certain laws relating to stamp duties and court-fees as in force in certain Union territories.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the amendment and repeal of certain laws relating to stamp duties and court-fees as in force in certain Union territories."

The motion was adopted.

Shri Datar: Sir, I introduce† the Bill.

13.36 hrs.

REPORT OF THE UNIVERSITY GRANTS COMMISSION—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Dr. K. L. Shrimali on the 4th May, 1961, namely:—

"That this House takes note of the Report of the University

*Published in the Gazette of India Extraordinary, Part II-Section 2, dated 5-5-1961.

†Introduced with the recommendation of the President.