

**ANNOUNCEMENT BY CHAIR REGARDING PRIVATE MEMBERS'
RESOLUTION**

MR. DEPUTY CHAIRMAN: Hon. Members would recall that discussion on a Private Members' Resolution on relationship between Legislature and Judiciary moved by Shri Ramdas Agarwal on the 24th July, 2009 had remained inconclusive. The Resolution was carried forward to the next day allotted for Private Members' Resolutions *i.e.* today. Since it was earlier decided to cancel the Private Members' Resolutions scheduled for today, if the House agrees, the partly discussed Private Member's Resolution scheduled for today may be taken up as the first item on the first day allotted for Private Members' Resolution in the next Session.

SOME HON. MEMBERS: Yes, Sir, we all agree.

SHRI RAMDAS AGARWAL (Rajasthan): Sir, I am thankful to you.

MR. DEPUTY CHAIRMAN: We shall now take up the Metro Railways (Amendment) Bill, 2009.

GOVERNMENT BILL

The Metro Railways (Amendment) Bill, 2009

THE MINISTER OF URBAN DEVELOPMENT (SHRI S. JAIPAL REDDY): Sir, with your permission I beg to move that the Bill further to amend the Metro Railways (Construction of Works) Act, 1978 and to amend the Delhi Metro Railway (Operation and Maintenance) Act, 2002, as passed by Lok Sabha, be taken into consideration.

Sir, presently, there are three Acts governing development, construction, operation and maintenance of Metro Railways namely, 1. The Metro Railway (Construction of Works) Act, 1978 for governing construction of Metro Railway in the metropolitan city of Kolkata and Delhi, with provisions for extension to metropolitan cities of Mumbai and Chennai through notification. 2. The Kolkata Metro Railway (Operation and Maintenance) Temporary Provision Act, 1985 for governing operation and maintenance of Metro Railway in the metropolitan city of Kolkata. 3. The Delhi Metro Railway (Operation and Maintenance) Act, 2002 for governing operation and maintenance of Metro Railway in the National Capital Territory of Delhi. The Central Government proposed to extend the Delhi Metro area under the Control of New Okhla Industrial Development Area (NOIDA) in the State of Uttar Pradesh and to Gurgaon in the City of Haryana. The construction work has already begun by the Delhi Metro Rail Corporation Limited. In view of the Commonwealth Games being held in October 2010, these extensions are required to be completed before that period. In fact, Metro extension to NOIDA is scheduled for commissioning by 30.9.2009. The Metro Rail System has been approved by the Central Government for Bangalore and Chennai and the construction work has already begun at these places. The other cities where such system is under different stages of construction and implementation are: Chandigarh, Hyderabad, Kochi and Mumbai. There are no statutory provisions at present which may provide a legal cover for development, construction, operation

and maintenance of Metro Railway in the cities. Therefore, it has become necessary to make suitable amendment to the Metro Railway (Construction of Works) Act, 1978, and to the Delhi Metro Railway (Operation and Maintenance) Act, 2002, so as to make provisions of both these Acts applicable to the Metro Railway in the NCR, metropolitan cities and other metropolitan areas for development, construction, operation and maintenance of Metro Railway. The provisions of the Delhi Metro Railway (Operation and Maintenance) Act, 2002, are not being made applicable to the metropolitan city of Kolkata, because the operation and maintenance of Kolkata Metro Railway is, at present, being regulated in accordance with the provisions of the Calcutta Metro Railway (Operation and Maintenance) (Temporary Provisions) Act, 1985.

The Bill seeks to achieve the above objectives. Thank you.

The question was proposed.

श्री एस.एस. अहलुवालिया (झारखंड) : उपसभापति महोदय, मैं मेट्रो रेलवेज (अमेंडमेंट) बिल, 2009 पर बोलने के लिए खड़ा हुआ हूँ। महोदय, यह बिल Metro Railways (Construction of Works) Act, 1978 और Delhi Metro Railway (Operation and Maintenance) Act, 2002 में संशोधन करने के लिए लाया गया है। सबसे पहले तो मैं मेट्रो रेल बनाने वाले मिस्टर श्रीधरन को धन्यवाद देना चाहूंगा, जिन्होंने अपनी कमाल की काबिलियत दिखाते हुए, मेट्रो रेल का एक सक्सेसफुल सिस्टम डेवलेप करके दिखाया। वर्ष 2002 में इसकी पहली बार शुरुआत हुई और वर्ष 2005 में मेट्रो का दूसरा फेज भी चालू कर दिया गया। मुझे याद है कि उस वक्त बिजनेस वीक में मेट्रो रेलवेज के बारे में एक लेख लिखा गया था। उसमें मेट्रो का सारा क्रेडिट श्रीधरन जी को दिया गया कि श्रीधरन जी ने टाइम शेड्यूल के पहले ही प्रोजेक्ट को पूरा किया। एक बहुत अच्छा सिस्टम जो मेट्रो रैपिड ट्रांसपोर्टेशन सिस्टम के नाम पर हमने कोलकाता में देखा और उसी को यहां पर लेकर आए। अरबन डेवलेपमेंट मिनिस्ट्री ने जितने भी मेट्रो सिटीज हैं, वहां पर इसको लगाने की कोशिश की है, इसकी पहल की है, इसके बारे में बहुत बार विचार-विमर्श हुआ है। दिल्ली में जो मेट्रो रेलवे बनकर खड़ा हुआ है, उसमें अब कुछ अड़चनें आने लगी हैं। रोज करीब साढ़े आठ लाख पैसेंजर्स इसमें ट्रेवल करते हैं। सर, राखी के दिन दस लाख पैसेंजर्स ने मेट्रो में ट्रेवल किया। हमने और पार्लियामेंट्री कमेटीज ने कई बार इसकी विजिट की और इसको देखा है, as a होम कमेटी के मेम्बर के रूप में मुझे भी, इसके टोटल सिक्वोरिटी आसपेक्ट को देखने का मौका मिला है। वहां पर उन्होंने हमें हर तरह की चीज बताई कि मैन मेड क्लेमिटीज और नेचुरल क्लेमिटीज को फेस करने के लिए, उनके पास क्या-क्या सिस्टम हैं, किन्तु अभी 2010 के पहले, कॉमनवैल्थ गैम्स के पहले जो यह मांग उठी कि मेट्रो नोएडा तक जाए और इधर गुडगांव तक जाए, तो इनके एक्ट में कुछ अड़चनें थीं, जिसको शायद पूरा करने के लिए ये सारी चीजें लाई गई हैं।...(व्यवधान)... काम तो शुरू करना ही था, क्योंकि मांग बहुत थी और जनवरी, 2009 में कैबिनेट ने डिजीजन लिया था और इस बिल में संशोधन करने की बात सोची गई। उसके बाद लोक सभा भंग हो गई, लोक सभा डिजाल्व हो जाने के बाद यह बिल वहां नहीं आ सका, इसलिए अब यहां लेकर आए हैं। मुख्यतः जो उसमें सब्सिट्यूशन करना है, वह National Capital Territory of Delhi की जगह National Capital Region करना है। As per the National Capital Region Planning Board Act, 1985 के तहत लाना है। National Capital Region Planning Board Act, 1985 की जो-जो क्लॉजेज हैं, उनको दिल्ली मेट्रो रेलवे कारपोरेशन एक्ट के तहत भी कवर करना है, इसीलिए यह बिल लाया गया है। सिर्फ यही नहीं, इसमें For deeming the Commissioner as a Civil Court

for the purpose of section 121 of the Evidence Act को भी कवर करना है, इसलिए भी यह जरूरी है। मेरा इतना ही कहना है कि इतिहास से आप ही Urban Development Minister हैं और आप ही इसके इंचार्ज हैं। जब आप National Capital Region का कांसेप्ट लाए, उसमें National Capital Territory of Delhi और National Capital Region ये दोनों हैं, National Capital Region के अंदर Territory of Delhi आता है। Some part of which is controlled by the MCD and some part is controlled by the NDMC and the law and order is controlled by the Ministry of Home Affairs. But when you are extending it to three States, all those States will be involved, as far as law and order is concerned. In Gurgaon, the Haryana Police will be involved. In Noida, the U.P. Police will be involved. आप इसमें इसके लिए कोई प्रावधान नहीं लाए। इसका क्या करेंगे? क्योंकि Apart from other things, जैसे आप Construction of works, operation and maintenance लाए। जैसे कोई terrorist Act. है, कोई sabotage है, कोई लॉ एंड आर्डर प्रॉब्लम है, Employees are same, commuters are different, the area is different. यह एक ट्राइंगल बन गया, दिल्ली, यूपी और हरियाणा। अभी यहां तक आप जाएंगे, तो और भी बोलेंगे कि गुडगांव से नोएडा को भी जोड़ो और ट्राइंगल बनाओ। गुडगांव से नोएडा को जोड़ो, तो उधर से यह ट्राइंगल पूरा रहेगा। यह मांग इसलिए आएगी क्योंकि यह अच्छी तरह से चल रही है। आज इसके प्रावधान में आज जो चीज लेकर आए हैं, आप इसमें सिर्फ numerical change करने की जगह और प्रावधानों में भी परिवर्तन लाते और बृहद रूप में देखते कि National Capital Region के क्या-क्या consequences हैं। यह सवाल किसका है, क्या यह Inter-State Council का है या यह National Capital Region के अधीन है और National Capital Region का असली मालिक कौन है? होम मिनिस्टर हैं या तीनों स्टेट के चीफ मिनिस्टर्स हैं, दिल्ली के, यूपी के और हरियाणा के। क्या आपने मेट्रो को आगे बढ़ाने के लिए कोई बात की है कि आगे आने वाले समय में जो लॉ एंड आर्डर के नाम पर मुसीबतें आने वाली हैं या आएंगी, उनको कवर करने के लिए कोई एक फोरम होना चाहिए, जहां इन इश्यूज को एड्रेस किया जा सके। मैं इतनी बात कहकर, इस बिल का समर्थन करता हूँ और मैं समझता हूँ कि इस बिल को एक दिन भी लेट करना मेट्रो के कंस्ट्रक्शन वर्क को रोकना होगा। इस बिल को जल्दी से पास करके लागू किया जाए, ताकि हम कॉमन वेल्थ गेम्स से पहले इसको लागू कर सकें।

SHRI RAMA CHANDRA KHUNTIA (Orissa): Sir, I rise to support the Metro Railways (Amendment) Bill, 2009. I also support further amendment to the Metro Railways (Construction of Works) Act, 1978 and to amend the Delhi Metro Railway (Operation and Maintenance) Act, 2002. Sir, as we are discussing this Bill, we all know that construction is a sign of development and progress. And, especially, Metro Railways construction is also a sign of further development and progress. By this amendment, Delhi Metro will be extended to Noida and Gurgaon. Starting this facility in other metropolitan cities like Chennai, Bangalore, Mumbai and other places which have been stated by the hon. Minister is, definitely, a sign of progress. We support the Bill. As has been said by Ahluwaliaji, this amendment is being made, mainly, to replace the words "metropolitan city of Delhi" by the words "National Capital Region" and the words "National Capital Territory of Delhi" by the words "National Capital Region". If you look at the whole amendment, be it amendment no. 2, 6, 7, 13, 23, 26, 34, you will find that everywhere those words have been substituted to enhance the purview of the Bill excepting one

area, that is, the Annual Report, whereby the Chief Commissioner of Railway Safety shall, for each financial year, prepare in such form, and within such time, as may be prescribed, an annual report giving full account of the activities of the Commissioners during the financial year immediately preceding the financial year in which such report is prepared and forward copies thereof to the Central Government. This is a very important area by which activities could be reviewed and this will give further scope to the Central Government to review the activities of the Commissioner. Sir, while supporting the Bill, I just want to mention here that, as has been said by Shri Ahluwaliaji, Shri Sreedharan, who is the chief of the Metro Railways, has, definitely, done a good job. His work, definitely, needs to be appreciated. Not only he but also all his team comprising of engineers, officers, workers who have contributed to the completion of the Metro Railways, Delhi and Konkan area, wherever it may be, need to be appreciated, because it is a team work. While saying so, I would like to draw the attention of this House to the Starred Question No. 463, and the incidents occurred in the Metro Railways. While appreciating their good work, we cannot also ignore the accidents which have happened at the construction sites of Metro Railways. In reply to the Starred Question No. 463, it was said by the hon. Minister that the number of accidents is 130; out of which 102 were fatal accidents and 94 people were injured. From 2005-2009, these accidents occurred, killing 102 persons, mainly, the workers and the general public, or Delhiites. Now, the point is, while we are doing more construction works, expanding the Metro Rail activities, we should not forget and ignore the healthcare and safety standards of the workers. You may construct the Golden Quadrilateral roads, or, Metro railways and make progress but for whom is this development meant? We should not be complacent with our work. As the work is in progress, could you imagine that the workers working in Delhi are not getting the minimum wages? They are getting less than Rs.100/-. Could you imagine that the persons who are working in Metro Railways have no standard life? They do not have houses to live in. They are not getting BPL-standard wheat, rice, whatever is needed. They are working for more than 12 to 13 hours. So, while appreciating the work of the Department and the Chief of the Metro Railways, I would also like to tell the House, to the Government and to the hon. Minister that we should expedite the work. It must be completed before the commencement of Commonwealth Games. All the general public of this country is with you. But, side by side, we must not also compromise with the health standards, safety standards; we must not also compromise with corruption, nepotism and we must not also compromise with the interest of our country. Sir, I would also like to make a mention of the point, which has been replied by the hon. Minister here. Sir, the Comptroller and Auditor General's Performance Audit Report on the Implementation of the Phase I of Delhi ...

SHRI M. VENKAI AH NAIDU (Karnataka): Khuntiaji, you have gone on record. Are you sure that the workers are not getting even hundred rupees?

SHRI RAMA CHANDRA KHUNTIA: Yes, they are not getting. That is on record. I am telling you. ...*(Interruptions)*... I said, there is complaint that they are getting less than hundred rupees; and there are no safety standards, no houses in Delhi for them. It is happening.

SHRI S. JAIPAL REDDY: Sir, can I intervene?

MR. DEPUTY CHAIRMAN: Khuntiaji, the Minister wants to intervene.

SHRI S. JAIPAL REDDY: Sir, to the best of my knowledge, the point made by the hon. Member is not founded in fact. They are governed by the Workmen's Compensation Act and many other Acts. Therefore, I would like to place it on record that these allegations are not founded in reality. ...*(Interruptions)*...

SHRI TAPAN KUMAR SEN (West Bengal): Sir, I would like to make a small submission. ...*(Interruptions)*...

श्री रुद्रनारायण पाणि (उड़ीसा): सर, उन्हें न्यूनतम मज़दूरी भी नहीं दी जाती है।

MR. DEPUTY CHAIRMAN: No; no.

SHRI TAPAN KUMAR SEN: I think, it will help. Sir, he is not telling about the direct employees of the Company; not about the DMRC direct employees. But there are a lot of contract workers whose working hours are more than 12 hours. They are not being paid minimum wages and other problems are also there. So, definitely about the DMRC employees, we cannot even dream that they are not being paid. They are a part of the Government employees. ...*(Interruptions)*... But the contract workers are also there. They are a part of your Metro network and they are also contributing in fast completion of the project. So, please take a note of it. ...*(Interruptions)*...

SHRI RAMA CHANDRA KHUNTIA: Sir, I also mentioned that they are not the Metro workers. The Metro is engaging several contractors and sub-contractors. But as the principal employer, the Metro also has some responsibility. If some allegation is there, the Metro should also take that into consideration and try to rectify that. They are definitely not the Metro workers. They are the contract labourers who are engaged directly or indirectly by the contractors and sub-contractors.

Sir, however, in this case, the Comptroller and Auditor General's Performance Report also should be taken into consideration. We do appreciate the work done by the Metro; we do appreciate the initiative taken by the Central Government to expand the Metro Rail facility to Gurgaon, Noida and some parts of the country. But we also want that while making this progress, we must also take care of the other people who are involved in the completion of the

construction work and they should not be just left at the mercy of the contractors, employed directly or indirectly. Sir, since I belong to a particular State, in addition to all these activities, as has been mentioned by the hon. Minister, I request him, if it is possible, to include Bhubaneswar-Cuttack, the twin city, in the Metro Railway activity. That is very important for our state Orissa.

With these words, I once again support and appreciate(Interruptions)...

श्री रामदास अग्रवाल (राजस्थान): सर, मैं इस बिल का समर्थन करता हूँ।

श्री जय प्रकाश नारायण सिंह (झारखंड): सर, मैं भी इस बिल को सपोर्ट करता हूँ।

श्री रुद्रनारायण पाणि: सर, मैं ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Not from here; you have to go to your seat to support it. ... (Interruptions)... पाणि जी, ऐसे नहीं, आप अपनी सीट पर जाकर सपोर्ट कीजिए। Don't support it casually. Go to your seat and support. ... (Interruptions)...

श्री रुद्रनारायण पाणि: सर, मैं भी इस बिल को सपोर्ट करता हूँ।

SHRI RAMA CHANDRA KHUNTIA: So, Sir, I once again support and appreciate the Central Government's initiative for expanding the Metro Rail activity to Gurgaon, Noida and to other cities of the country. We do expect that we will be able to complete this work as per the target fixed by the Government.

SHRI PRASANTA CHATTERJEE (West Bengal): Sir, we welcome this Bill and we welcome the extension of Metro facilities to the National Capital Region. Actually, I want to know from the Minister — this point was also raised by Shri Ahluwaliaji — how is the coordination chapter between the State and the Urban Development Ministry will be maintained in this Bill. At the outset, I would like to say that, in Kolkata, it is run by the Railways and it comes under the jurisdiction of the Railways, whereas, some Metro facilities are under the Ministry of Urban Development. Why don't you follow a — I urge the Government, not your Department alone — a uniform policy? There should be a uniform policy. In this Bill, there is a provision that the Fare Fixation Committee will be jointly shared by the State Government and the Central Government. That is mentioned in this Bill. There is mention of Fare Fixation Committee. But, Sir, in Kolkata, I know even some important decisions are being taken unilaterally.

The Kolkata Metro is being extended now up to Gorla. The State Government has shared 33 per cent of the cost but even the date of opening ceremony has been unilaterally announced by the Railway Ministry. There must be coordination between the State and Central Governments and there must be a uniform policy. I remember — it has just now crept into my mind -- that I was a Mayor at that time; Dr. Sisir Bose approached me to name a station after Netaji. I wrote a letter as the Mayor; got a reply. They said that the opinion of the State Government is necessary. I asked the Chief Minister. He wrote a letter and the Government sanctioned it. But now, the railway stations' names are being announced unilaterally, without consulting the State Governments. So, there must be a uniform policy.

Then, Sir, safety is very important point. Here, in Delhi Metro, there is monitoring done by Close Circuit TV. How is that being monitored? You may watch an incident over that but how do

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you detect that thing? The hon. Minister must throw some light on this. Then, Sir, in the Delhi Metro, why does the staff not have the right to form their associations or unions? I think this right is being denied. The Minister must kindly look into this matter.

Lastly, Sir, about accidents in Delhi Metro, we discussed it here. The hon. Minister was kind enough to bring the report here. I would only request you to look into this chapter, Sir, because I am afraid, when you said that inadequate strength due to lack of concrete. Are there such deficiencies elsewhere also, other than that area? Do you go in for random testing? Another point is whether ISO number was specified while indenting cement. Kindly look into the matter. Are there discrepancies in the hours of curing, as recorded in the measurement books? I would not expect the Minister to reply here but kindly check it up with your engineers and officials, because we are afraid; if such discrepancies occur in other stretches also, what would be the method to detect them? With these words, I support and welcome this extended facility.

श्री बृजभूषण तिवारी (उत्तर प्रदेश): उपसभापति महोदय, Metro Railway (Amendment) Bill, 2009 का जो प्रावधान है, मैं उसका समर्थन करता हूँ। जैसा कि माननीय मंत्री जी ने अपने वक्तव्य में यह बताया कि जैसे-जैसे मेट्रो रेलवे का विकास हो रहा है, उसका क्षेत्र बदल रहा है, उसको देखते हुए इसके विकास, इसके संचालन तथा इसके रख-रखाव के लिए हमें एक statutory provision की जरूरत है, उसकी व्यवस्था की जरूरत है। इस दृष्टि से यह सही है कि अगर आप इस प्रकार के अधिकार नहीं देते हैं, इस प्रकार से उसका कार्य-क्षेत्र नहीं बढ़ाते हैं, तो उसे काम करने में दिक्कत आएगी। आज मेट्रो बहुत ही ज्यादा लोकप्रिय है, परन्तु उसी के साथ-साथ हमें इस पर भी ध्यान देना होगा कि अगर यह mode of transport बहुत महँगा हो जाएगा, तो यह आम लोगों की पहुँच के बाहर हो जाएगा। यह एक बहुत अच्छी सुविधा है, मगर क्योंकि इसमें पूँजी ज्यादा लगती है, पैसा ज्यादा लगता है, इसलिए हम लोगों को इसके साथ-ही-साथ यह भी ध्यान में रखना चाहिए कि यह आम लोगों की पहुँच के बाहर न होने पाए।

सर, दूसरी बात यह है कि जो सुविधाएँ हैं, उनका भी ध्यान रखना चाहिए, उसकी सुरक्षा का भी ध्यान रखना चाहिए और उसी के साथ-साथ क्योंकि अभी तक तो लोगों का मेट्रो के बारे में बड़ा विश्वास था, परन्तु उसमें इधर जो घटनाएँ या दुर्घटनाएँ हुई हैं, उनसे लोग थोड़ा चिन्तित होने लगे हैं। उनके क्या कारण हैं, इन पर तो इस सदन में भी चर्चा हुई है।

इस बारे में इस सदन में भी चर्चा हुई है। अब क्योंकि यह प्रोजेक्ट हमें जल्दी पूरा करना है, इसलिए दिन-रात काम होते हैं, लेकिन जो मजदूर वहां काम करते हैं, उन्हें जो सुविधाएं मिलनी चाहिए, जो उन्हें वेतन मिलना चाहिए, उन के स्वास्थ्य को ध्यान में रखकर जिस प्रकार की उन्हें स्वास्थ्य सुविधा मिलनी चाहिए, वह सुविधा उन्हें नहीं मिल पा रही है। इसलिए हमें अगर सचमुच इस प्रतिष्ठित प्रोजेक्ट को, जिस का कि बहुत ही मान है, पूरा करना है तो इसे हमें समग्रता में देखना होगा और सभी चीजों का बहुत ही ध्यान रखना होगा क्योंकि अगर इस कार्य में कहीं कोई कमी रह गयी तो वह बहुत ही नुकसानदेह साबित हो सकती है। महोदय, आप जानते हैं कि अगर पिलर जल्दबाजी में बनाए गए और उन की गुणवत्ता में कमी रह गयी, उस की डिजाइन में कमी आ गयी तो एक भीषण दुर्घटना हो सकती है और वह बहुत ही दुखद और नुकसानदेह साबित होगी। महोदय, मैं समझता हूँ कि इन सब चीजों का ध्यान रखना चाहिए क्योंकि अब दिनों-दिन चारों तरफ मेट्रो का विस्तार होना है। अभी उड़ीसा से इस की मांग आ रही है और देश के दूसरे क्षेत्रों से भी मेट्रो की मांग

आएगी और वहां भी मेट्रो का विकास होगा। इसलिए इस के विकास को दृष्टि में रखकर हमें इस विधेयक को पारित करना चाहिए।

इन्हीं शब्दों के साथ मैं इस विधेयक का समर्थन करते हुए अपनी बात समाप्त करता हूँ। धन्यवाद।

SHRI N. BALAGANGA (Tamil Nadu): Thank you, Sir, for allowing me to speak on the Metro Railways (Amendment) Bill, 2009. As Chennai metropolitan city is covered under this Bill, I am very much happy to participate in this discussion. Sir, Chennai metropolis has been growing rapidly and the traffic volumes on the roads have also been increasing enormously. Hence, a need for a new rail based rapid transport system has been felt, and towards this objective, the Chennai Metro Rail Project is being implemented. This project is divided into two parts. One is Corridor-I and the other is Corridor-II. The Corridor-I covers areas of Washermenpet - Broadway - Chennai Central Station - Rippon Building along Coum River - Government Estate - Tarapur Towers - Spencers - Gemini - Anna Saalai - Saidapet - Guindy - Chennai Airport.

The target of completion is tentatively fixed at 2014 and the budget estimated is Rs.14,600 crores. Sir, in this regard, I would like to present my request that Thiruvotriyur is a fast-developing town where major industries and cottage industries are located in thousands. The distance between Washermenpet and Thiruvotriyur is only five kilometres. The business people, educational institutions have been demanding...

SHRI S. JAIPAL REDDY: What is the population of the town?

SHRI N. BALAGANGA: Nearly three lakhs. Thiruvotriyur is an assembly segment. It comes under the North Chennai Parliamentary constituency. One Assembly constituency consists of minimum population of two lakh voters. I personally know that 2.5 lakh voters are there. Even adjacent to Thiruvotriyur, there are also many small villages, small industrial units.

SHRI S. JAIPAL REDDY: I would like to intervene and clarify that the Bill is intended to provide legal cover to all such Metro projects which may be proposed or found viable in all such cities and agglomerations that may have more than one million population. Therefore, wherever there is a population of more than one million, if the initiative is taken by the State Government, the Central Government will respond to it. However, it is all subject to the fact that the project is found commercially viable.

SHRI N. BALAGANGA: Thank you, Sir. My second request is wherever there are terminal metro stations, they are very well being integrated with the railway stations. Sir, the MRTS project, which was started in 1980, is still to be completed. The escalator machines fixed at many of the MRTS railway stations for example in Chepauk and Velachery are not functioning well. In this regard, CBI has also registered a case, and it is under investigation. Finally, I urge upon the Minister to complete this project within a time-schedule. Thank you.

SHRI SYED AZEEZ PASHA (Andhra Pradesh): Sir, I rise here to support the Metro Railways (Amendment) Bill, 2009. While participating in this discussion, I want to raise certain

issues because of the ghastly incident of July 12 at South Delhi, which has taken a toll of six lives, and, another twenty people got injured. After this incident, we saw some sort of controversy between the Minister in charge of transport, and, the Chief Minister. They were not sure as to where the mistake lies. One is blaming the DMRC. Another is saying that DMRC is not directly involved into it.

The most surprising thing is that when the concerned construction workers were complaining about the cracks and other things, it was not properly looked into. Sir, had that complaint been taken seriously, perhaps, this casualty would not have occurred.

Sir, we are having the report of the Comptroller and Auditor General of India, which came on July 18. It has criticized the DMRC for not following certain parameters like soil-testing mechanism and violating several safety parameters. They have also pointed out certain shortcomings and lapses in certain quality control things, and, then it is also pointed out that the DMRC has been conducting several tests in non-accredited laboratories, and, violating noise pollution levels.

Another more serious lapse that we have found is about the contractors. Sir, the entire thing is handed over to Gammon India. We are very surprised. The same contractor was held responsible when two years ago in September, 2007 in Hyderabad, a flyover, work on which was being undertaken, got collapsed and there were some casualties. The Government of Andhra Pradesh appointed a Committee which found the negligence on the part of Gammon India. I am only surprised that despite knowing all these lapses and shortcomings, once again, how this contract was handed over to Gammon India.

Sir, what we have observed is that when we give certain work to some big contractors, they hand it over to sub-contractors, and, in turn, they also handover the work to some petty contractors. In this process, safety parameters are getting violated. We must see to it that while selecting the contractors, we should be very much over-cautious.

Now, there is a target is to meet the deadline of Commonwealth Games. Sir, just to finish and complete the work in the stipulated time, whether we are violating certain procedures and norms; I do not know. These are certain shortcomings which, I think, we have to take into consideration.

Finally, I just want to say about Hyderabad Metro Rail Project. Certain controversies have come there. I think, we have finally sorted them out. But I would like to know from the hon. Minister when you are going to ground it and when you are going to finish it. Seeing the growing traffic in Hyderabad, we feel that it is really the need of the hour that we start and ground the work at the earliest. So, with this, I support the Metro Railways (Amendment) Bill 2009.

SHRI P.R. RAJAN (Kerala): Thank you, Mr. Deputy Chairman, Sir for giving me this opportunity to speak on this Bill. First of all, I support the Metro Railways (Amendment) Bill,

2009 which intends to make 80 per cent functioning of the Metro rail system in the country. In these circumstances, the Delhi Metro Railway Act 2002 and the Metro Railway Construction Act 1978 received amendment. Hence the present Amendment Bill of 2009. The intention of the Government behind amending the Act is to remove obsolete provisions and add new provisions in the Act. I welcome the provisions of the Act.

As the hon. Prime Minister always emphasises on the inclusive growth, the function of the Metro has to be extended so that the poor man can also realise the development of the country. The Metro Railway Corporation is planning to extend the functioning of its activities to other cities and places also. In Kerala, the Government has decided to start metro services at Kochi city. Preliminary discussions were conducted with the authorities concerned. The State Government has requested the Government of India to accord sanction for the project. I request the hon. Minister to take up the issue, consider it favourably and take a decision in the matter and also give necessary financial assistance to the State to complete this project.

From the reports, it is seen that there are accidents in the past. In the last 11 years, 130 accidents have taken place and 102 persons died. This is an alarming situation. Therefore, Sir, we have to look into certain observations in the audit report by the CAG. The observations of the Standing Committee have also to be looked into. Anyway, the functioning of the metro railway system is going on well. I, on behalf of my party, support this Bill wholeheartedly. Thank you.

SHRI S. JAIPAL REDDY: Sir, at the outset, I must place on record my deep sense of gratitude to all the Opposition parties because it were they who agreed to get this Bill taken up today and that too in an out of the way fashion. I am very happy to see a rare gesture of unison and unanimity on this Bill.

Sir, it is a historic step, because, for the first time, we are providing an enabling legal framework for metro construction in all million-plus urban agglomerations. Not that these metro projects will be taken up immediately in all these areas, we are providing the legal framework. To begin with, apart from the National Capital Region, all major cities are offering themselves and State Governments have taken initiative. In all other cities where projects may be proposed by State Governments, we will certainly respond positively.

This august House does not need to be told about the urgent and ubiquitous need for mass transport in urban areas. In a country like India, the need is far more acute than elsewhere. Even in a country like America, the need for mass transportation is being felt for a variety of reasons, for reasons of environment, for reasons of fuel cost, and for reasons of traffic jam.

Mr. Ahluwalia has showered generous praise on Sreedharan who is truly the chief architect of the DMRC. It gives me pleasure to agree with Mr. Ahluwalia in regard to the quality of work rendered by Sreedharan.

Sir, he raised one substantive question as to who will look after the law and order issue that may arise outside Delhi, in Uttar Pradesh, and in Haryana.

So far as the security of metro train system is concerned, the CISF is there. However, the extension to all the States from the DMRC will never succeed unless meaningful cooperation is procured from State Governments. For the sake of Metro, I cannot deprive State Governments of their function to look after law and order. At the end of the day, we are one nation, we are one union. I do not think such problems will arise.

Rama Chandra Khuntiaji referred to accidents while, of course, supporting the Bill. I made this point before. Perhaps it bears repetition, reiteration. All the accidents have taken place during the construction phase. We need to distinguish between accidents that take place during the construction time and accidents that take place during operation time. It is not that these took place during the last five years. During the last 11 years of construction phase, 130 accidents have taken place. These are no doubt unfortunate. All in all, 102 people have died. In this also, I must tell you that 15 people died elsewhere. This includes the deaths of both phases. But, there are some global benchmarks. There are international indices to judge for ourselves whether we, as a nation, are doing well. Sir, in terms of recognised global indicators, we are well ahead of Singapore; we are slightly behind London. I am not saying, in accidents also, we should compete. I am not saying that. But, I am mentioning this only to enable the House to have a sense of proportion, to develop proper comprehensive perception on this entire issue of accidents. As for DMRC workers, we have taken care of their interests, their salaries and so many other things. Even in regard to the workers employed by contractors, the DMRC told me that they are doing their best to see that all the provisions of all the labour laws are adhered to. There could be violations. I can't say that there have been no violations. I will further request the DMRC to see that the working conditions of contract labour employed by the contractors and private companies are properly looked into.

Sir, I would like to assure the House as I did earlier also. No doubt, we want to complete certain projects before the Commonwealth Games in Delhi. The Commonwealth Games are only a big peg on which we hang the targets of major civic projects. Heavens will not fall if we don't complete these things. But, whether the Commonwealth Games happen here or not, we need to do these things. Therefore, we will not, under any circumstances, sacrifice the quality or safety of construction of projects for the sake of speed.

Sir, references have been made to some observations of CAG. Sir, I am not able to lay my hands immediately on the papers. (*Interruptions*) Sir, I have been able to lay my hands on the CAG Report. The CAG is an eminent Constitutional institution. We always attach high value to the findings of CAG. When CAG makes some observations, critical or otherwise, they are invariably looked into by our Parliamentary Committee and this Report of CAG will be looked into

by the Public Accounts Committee. As and when the Public Accounts Committee comes out with its findings, we will naturally act upon those findings to the extent found feasible. But, Sir, the CAG Report itself is a very interesting blend of generous compliments to DMRC and some critical observations of marginal kind. Sir, let me read from conclusions of CAG Report:

“The Delhi MRTS Phase-I project has been widely assessed as a success story in project implementation that is worth emulating in other projects. It is a unique project under the present administrative model. Some of the innovative practices that contributed to a successful implementation of the project as reported by the management, as also observed by the audit, are — sorry, Sir, I am taking some time — (1) All decisions were taken by participative discussions rather than through file Notings. This led to speedy decision-making. However, the Company needs to record the minutes of its discussion for future reference and guidance, to maintain continuity and to secure proper accountability. (2) The Company has adopted exemplary practices to minimise inconvenience caused to the public through construction project. (3) The Company has adopted international standards for fire, safety and environmental safeguards at work sites which are now being emulated by the other projects being executed in the country”.

Now, I come to the lapses which were referred to by our Members. The same Report says:

“The audit pointed out certain shortcomings and lapses in the systems and procedures, as highlighted below:”.

For what? I want this House to note it.

“(1) To facilitate the management to further improve its systems and bring it at par with the best practices. (2) The innovative practices adoptable for a project need to be adequately documented for the benefit of similar and other infrastructure projects”.

Therefore, the CAG Report needs to be viewed in a holistic way. Some marginal critical observations are being played up. The CAG Report did not use the word “irregularity”. When the CAG looks into these things, apparently with the wisdom of hindsight, it would find certain things to be odd and they will all be attended to.

Sir, I don't know whether I have the time to refer to the points made by all the Members. But I want to make this point about the CAG and the CAG did not cast any aspersions and did not talk of irregularities. It did make some critical observations of the marginal kind while heaping very high praise on the entire project.

Sir, Brij Bhushan Tiwariji has talked of fare. I would like to say that the Metro Rail projects are almost forbiddingly capital intensive. Equity is provided by the State Government and the Central Government on fifty-fifty basis. We have been trying to obtain soft loans from foreign

countries. Japan has been very generous in providing soft loans with just 0.1 per cent interest to DMRC. It is prepared to give some loans for other projects in the country. In spite of that, they are allowing the land in and around the stations to be commercialised. We are doing all this so that the fares can be moderated. So, we are not going to allow the fares to spin out of control. We will see that all sections of the people can travel in these Metro projects.

Shri N. Balaganga said something about Chennai. I would like to tell him that Chennai is a model based on DMRC. It will be, in all probability, executed within the time schedule.

Hon. Member, Shri Azeez Pasha, referred to Gammon India. As I said in this House, a show-cause notice has already been issued to M/s Gammon India as to why it should not be blacklisted for two years. We have taken serious notice of what has happened.

Then there was some reference to the Hyderabad Metro. No proposal has been received, as yet, from the Andhra Pradesh Government. We learn that they are going in for PPP model as the Maharashtra Government went in for PPP model in Mumbai. As and when the Government of Andhra Pradesh approaches us for viability gap funding, which can be provided only up to 20 per cent of the total cost of the project, we will then look at the project. We, naturally, will help the Hyderabad Metro Project. But we will look at the proposals when they come to us.

Sir, at the end of my brief reply, I must, once again, thank all sections of the House for this unqualified support to the Bill, to DMRC in particular. We will all work together for the spread of the Metro Rail System in our growing urban areas. Thank you.

MR. DEPUTY CHAIRMAN: The question is:

That the Bill further to amend the Metro Railways (Construction of Works) Act, 1978 and to amend the Delhi Metro Railway (Operation and Maintenance) Act, 2002, as passed by Lok Sabha, be taken into consideration.

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 to 16 were added to the Bill.

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

SHRI S. JAIPAL REDDY: Sir, before I move the Bill, I would like to respond to one point made by the hon. Member Shri P.R. Rajan from Kerala. The processing of Metro project proposal at Cochin is at a very advanced stage. The Planning Commission has given the clearance. If everything goes well, we should be able to ground it.

I move:

That the Bill be passed.

The question was put and the motion was adopted.

MR. CHAIRMAN in the Chair

FAREWELL TO RETIRING NOMINATED MEMBERS

MR. CHAIRMAN: Hon. Members, today we bid farewell to six of our nominated colleagues, namely, Dr. Bimal Jalan, Shri Dara Singh, Shrimati Hema Malini, Dr. Chandan Mitra, Dr. Narayan Singh Manaklao and Shri Ram Jethmalani, who are retiring on the 26th August, 2009 on completion of their term of office.

I place on record my heartfelt appreciation of the valuable contributions made by the retiring nominated Members in the deliberations of the House and by making the debate of this House rich and lively. They would be missed by all of us in the House. I do hope that the retiring Members would carry with them happy memories of their association with this august House. I am confident that they would continue to serve the nation with the same vigour and earnestness as had been shown by them in the House. Wherever they may be, I wish them well and many more years of fruitful service to the nation.

DR. BIMAL JALAN (Nominated): Sir, with your permission, I would like to take a few minutes of this House to express my personal thanks to you, and through you, to Mr. Dy. Chairman, the Vice-Chairmen for the courtesy extended to us. I must say that for a non-political, non-Party, nominated Member, it has been a unique privilege to be a part of this House and I am most grateful for that.

Sir, as I look back over the last six years, which is a fairly long time, I must make a specific mention of the progress that has been made in making the proceedings in the House more orderly without disruption. I must express my personal appreciation, and, I am sure, I am speaking for our country, as a whole, when I say that the consensus that you have been able to bring about among the Members of this entire House in conducting a disruption-free House, mostly, is something about which we can all be very proud of.

Sir, while I speak, I must also say that the Secretariat of Rajya Sabha has performed a service which is unique in many ways. Among our outside colleagues, and I am sure — I have been a member of the Executive in my professional capacity for many years in different Ministries and the Reserve Bank — there is a lot of dissatisfaction with the working of, what you call, our bureaucracy or the Civil Service. But if you want to see exemplary behaviour, I would say it is that of the Secretariat. For example, I am surprised at the fact that the verbatim record of proceedings of the House can be recorded — we see Parliamentary Reporters coming in for