

MESSAGE FROM THE LOK SABHA**The Shipping Development Fund Committee (Abolition) Amendment Bill, 1987**

SECRETARY-GENERAL : Sir, in accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Shipping Development Fund Committee (Abolition) Amendment Bill, 1987, as passed by Lok Sabha at its sitting held on the 16th November, 1987.

Sir, I lay a copy of the Bill on the Table.

THE METRO RAILWAYS (CONSTRUCTION OF WORKS) AMENDMENT BILL, 1987—Contd.

MR CHAIRMAN : We will now take up the Metro Railways

SHRI NAGEN SAIKIA (Assam) : Mr. Chairman, Sir, the situation in Assam ...

SHRIMATI BIJOYA CHAKRAVARTY (Assam) : Mr. Chairman, Sir, ...

MR. CHAIRMAN : (Construction of Works) Amendment Bill, 1987 moved by Shri Madhavrao Scindia.

SHRIMATI BIJOYA CHAKRAVARTY : Sir, the election in Assam ...

MR. CHAIRMAN : No election commission will be brought here. Election is there tomorrow.

SHRIMATI BIJOYA CHAKRAVARTY : Sir, ...

MR. CHAIRMAN : No, nothing will go on record. I have not permitted and if I have not permitted, nothing will go on record.

SHRIMATI BIJOYA CHAKRAVARTY : Sir, ...

If you are not permitting me, then I will leave the House.

(At his stage, the Hon. Member left the Chamber)

MR. CHAIRMAN : Yes, Mr. Dipen Ghosh, are you also exercising your right to leave the House ?

SHRI DIPEN GHOSH (West Bengal) : No, Sir. I am exercising my right to speak on the Metro Railways (Construction of Works) Amendment Bill, 1987, which was introduced by our hon. Minister of State for the Railways yesterday.

Sir, as I understand, in the urge of the Government for expediting the construction work of metro railways, the Central Government has brought forward this amending Bill so that they could circumvent some of the people taking dilatory tactics by going to court and obtaining stay orders and thereby obstructing the works, the construction work for metro railways. But, Sir, I am sorry that the Railway Minister has not come forward with the instances of cases for which ... Let the Hon. Railway Minister not be disturbed please.

MR. CHAIRMAN : When the hon. Member is speaking, I do not think one should distract the Minister.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh) : The Minister is derailed.

SHRI DIPEN GHOSH : In his endeavour for expediting construction work of Metro Railway, the Minister of State for Railways, on behalf of the Central Government, seems to have put forth this amending Bill so that any dilatory tactics taken by anyone to circumvent the construction work, can be thwarted at an appropriate time.

[The Deputy Chairman in the Chair]

But I am sorry that while piloting this amending Bill, the Railway Minister did not come forward with specific instances, or the instances of specific cases in which actually construction work of Metro Railway was delayed. You are aware, Madam, that this Metro Railway was to be completed, when it was first conceived of, by the year 1978 and now the target for completion of the construction of Metro Railway has been taken to 1991 or 1992; may be, 1991 and the hon. Minister will

correct me, if I am wrong. But it is not the case that only because certain persons have gone to the court of law and got stay orders with the object of making declaration or publication under section 10(1) impossible; this is not the case as such. It is true that for construction of Metro Railway, certain buildings, certain lands, have to be acquired by the Metro Railway authorities, and for that purpose, acquisition procedures have to be initiated as per Metro Railway (Construction of Works) Act, 1978. But, Madam, as a consequence of acquisition of these lands or buildings or certain other properties, three groups of people are normally affected. One group of people is the land-owners or the building-owners; the other group of people affected as a consequence of this acquisition process is the small traders or shopkeepers who run their business by taking some space on rental basis in such buildings or on such lands sought to be acquired and the third group of people affected is the tenants in those buildings who are living there or using a part of that building for residential purposes. These are the three types of people who are affected for acquiring these lands or buildings. But, Madam, under the law or the rules which have been framed for this purpose, these land-owners or building-owners who bought the land or constructed buildings say 100 years ago or 70 or 80 or even 50 years ago, are getting adequate compensation, if not more than what they invested on the land or the building.

But Madam, the tenants who have been using it for residential purposes or for running small business, according to the law, or, according to the rules framed under such law, are given a very paltry compensation. In the case of small shopkeepers, the compensation is on account of loss of income, loss of income which they used to earn from such business. In the case of tenants who have been using it for residential purposes, they are given compensation in the shape of shifting expenditure. That is, from one place to another they have to shift when they are required to shift and they are given shifting expenditure. Naturally, you will appreciate that the small shopkeepers or the residents are affected due to the acquisition of the land or the building required for the purpose

of construction of metro railways. You will also appreciate that with this kind of compensation, they cannot get any place either for residential purposes or for running their business. But when they go to the railway authorities or to certain other authorities for adequate compensation or for their rehabilitation or resettlement, they are told that according to the law of acquisition or the rules made under such law of acquisition, they cannot get more than what they were given or were proposed to be given. In the face of such a situation, these affected people are forced to go to the court of law in certain cases. If it is taken, as it is mentioned in the Statement of Objects and Reasons, as dilatory tactics, I think, it will be harsh on those who go to the court of law against the acquisition of the land or the building.

Madam, so far as this piece of legislation is concerned, I have no dispute with the Railway Minister. But in regard to overcoming the situation as such, I would like the Railway Minister to be a little more sympathetic to the cause or the interest of the people who are affected as a result of such acquisition of land etc. which are required for the purpose of construction of metro railways. The hon. Minister of State for Railways is well aware that I had the opportunity to take up the cases of certain affected persons. It is not that they had gone to the court. Yet, we could settle the problem amicably without going to the court and the affected persons could be given a little more relief. It is true that in certain parts of the city, people have gone to the court. I would like to take this opportunity to draw the attention of the hon. Minister to the actual reasons for which these people had to go to the court. In certain parts of the city, small traders and businessmen had to go to the court. Not the land-owners or the building-owners because they are getting much more than what they invested at the time when they bought the land or constructed the building but the small shopkeepers or the businessmen who are housed in those areas or in those buildings. They are going to lose, they are going to suffer, as a result of which they had gone to the court. So, I think the Railway Department will take care of the real problem behind the reason of these people going to the court.

[Shri Dipen Ghosh]

Thirdly, Madam, I am inclined to allow this Bill to be passed because I am interested, as all other Calcuttans are, to see that the construction of metro railways is completed

श्री हत्य प्रकाश मालवीय (उत्तर प्रदेश) :
जाम खत्म करने के लिये ।

श्री बोरेन घोष : जाम खत्म होगा या नहीं
कोई नहीं कह सकता ।

I am inclined to support this Bill because I am interested to see that the construction of metro railways is completed expeditiously. But the question is, will the passing of this piece of legislation enable the Railway Department or the Railway Ministry to complete the construction of metro railway within the stipulated time, as declared by the railway authorities, by 1991? Can the Railway Minister give this assurance that it would at all be completed by that year?

There are certain other inherent problems which are delaying expeditious completion of the metro railway work or project. I would request the hon. Minister to take care of those problems and settle them immediately so that the construction work could be expeditiously completed.

SHRI VEERSHETTY MOGLAPPA KUSHNOOR (Karnataka) : Madam Deputy Chairman, I wholeheartedly support this Bill. It is a small amendment but at the same time I am sorry to mention one thing. This Act had been passed in 1978. In 1983 several amendments were brought in and again this amendment has come up in the year 1987. During these 9 years so many amendments have been brought forward. This reflects upon those who are drafting the piece of legislation. They do not understand the implications of the law. They just draft the legislation hurriedly. Therefore, my submission is that whenever a Bill is drafted, it should be complete in all respects so that when it becomes an Act, it should not come every time before the Parliament for small amendments.

Madam, while welcoming this Bill I would like to put forth my views about the

metro railways. In England when the population of any city was nearly 30 lakhs they introduced this metro railway. When the population of London city was 2.80 million, they constructed the first metro railway in 1863. In America and in other countries of Europe also the metro railways was started in the year 1935. Today nearly 75 cities all over the world are having the metro railways. In our country it started in 1973. It started in Calcutta but even after about 15 years it has not been completed. With the delay every time we have to revise the budget allocation because every year there is an increase of 20 per cent in the escalation of price of material and other things. So, whenever we take up any project, we must complete the same within the scheduled time. This is not happening in Calcutta. Just now my learned friend asked whether it would be completed by 1991. A lot of opinion has been expressed even by the Ministry and other engineers also. Somebody says 1990; somebody says 1991; somebody says 1987 also; March 1987 was also given. We should avoid these things in future.

What is the present position in our country? I am giving some statistics. Now Calcutta's population is 9.16 million, according to the 1981 census; Bombay's population is 8.20 million and Delhi's is 6.4 million, according to the 1981 census. The reason why I am bringing these facts to the notice of the hon. Minister is that he must also think over constructing the metro railway in these cities where the population is growing like anything. According to the Act, the metropolitan cities are—Calcutta, Bombay, Delhi and Madras. Anyhow they will have to start construction of metro railway in these cities. But at the same time, I would also mention that from 1971 to 1981, the highest growth of population is in Bangalore. Bangalore is first and then comes Delhi. Delhi's growth is 70 per cent, whereas Bangalore's growth is 76.17 per cent in the last ten years. Unless we think about these railways, it is going to be very difficult to cope up with transportation problem in those particular cities.

Madam, I will give the example of Bombay. In 1960, it used to take half an hour to go from Taj Mahal Hotel to air-

1970, it took nearly 45-50 minutes. Now it will take, in the peak hours, at least two hours and sometimes more than that. So we will have to think about some method by which we can reach our destination as early as possible. Even in foreign countries like Tokyo, nowadays they do not go by cars even. To reach their destination or the shopping centres, it is taking two to three hours. So they are preferring to go by tube trains rather than going by automobiles.

It has been told that Calcutta has the lowest road surface for the population of the city. It is the lowest among the cities of our country. In some other cities also the road surfaces are the lowest. You have to think of such kind of railways to go to the commercial centres or places of work. In one lane, private automobiles can transport 1000—1500 persons per hour; the buses can transport 4000—4500 persons; whereas the metro railway can transport 60,000—67,000 persons within an hour. If we do not anticipate, if we do not provide this kind of method, I think it will be difficult to transport people when our cities are going to grow so rapidly. It has been stated that by the turn of the century, population of Delhi will be 13 million. We will have to think over that.

Now there are lots of differences between experts. Some say, we must have metro railway; some say, no, it should be ring railway. Now the ring railway in Delhi has flopped already. We cannot do that. We must think over it. I know there are financial constraints. It requires a huge amount. We will have to find that out, otherwise it will be difficult to live in the cities and after some time we will have to migrate to some other place. It is difficult to walk on the roads also. We will have to anticipate that difficulty. Madam, here in this country, there are nearly 12 cities where the population is more than 1 million. So, in those cities also we will have to think of some transport, which is railways only, because no other transport is feasible in those cities.

I have already stated about the position of Bangalore. At present it has a population of 2.87 million and it will be nearly doubled by the end of this century. So, there also we will have to think of and

introduce the metro railway system. Unless we do that, the problem of transportation will not be solved.

With these words, Madam, I support the Bill.

SHRI M. VINCENT (Tamil Nadu) : I thank the honourable Chair for the opportunity given to me. Madam, on behalf of the Anna DMK Party I rise to support the present Bill to amend the Metro Railways (Construction of Works) Act, 1978, which was enacted by the Central Government to implement the important transportation projects in metropolitan cities to help relieve the increasing congestion on roads.

The present provision deals mainly with certain problems being experienced in the Calcutta Metro Project, where the acquisition of land, etc., in West Bengal is hindering it on its way of progress.

I would like to mention here that as far as the Madras Rapid Transit System is concerned, the State Government has completed their part of acquiring land. The delay is on the part of the Centre in executing the project. The State Government of Tamil Nadu has taken all steps to provide, free of cost, the entire land needed for this project as their contribution. The value of these lands, at the current market rates, would be about Rs. 50 crores. The Government of India had assured us that during the Seventh Plan period this project would be given special preference and would be completed by 1989-90 as envisaged in the original report.

Madam, it is the declared policy of the Government to modernize and speed up the urban transportation system in view of the ever-increasing commuter traffic. For the Metro Rapid Transit System in Madras, the project sanctioned in 1983-84 was estimated at Rs. 54 crores and revised to Rs. 107 crores in 1986. Unfortunately, the funds sanctioned are so low as three or four crores of rupees, year by year, from 1984. This is against the annual requirement of Rs. 20 to 25 crores. Madam, for the last four-year period an amount of only Rs. 17.95 crores has been spent on this work. If the Government is allotting

Amdt. Bill, 1987

[Shri M. Vincent]

only three or four crores in a year against a total estimate of Rs. 107 crores, that means it is just like interest or escalation cost.

To ensure that the project is completed before 1990, several letters, at the level of the Chief Minister of Tamil Nadu, Puratchi Thalaivar Dr. M.G.R., to the Prime Minister and to the Railway Minister, have also been sent. The response from the Government of India is not encouraging.

Madam, I thank the Government for making a Plan allotment of Rs. 5 crores this year besides the budget provision of Rs. 4 crores. But, Madam, meanwhile some fun and frolic is going on. There has been a suggestion from the Centre that the State Government should also share the expenditure on the Metro Railways. How does this arise? Who is going to run the Metro Rail? Is it the State or the Centre? Is the income going to be shared with the State? Our Tamil Nadu Government has already contributed its share in the acquisition of land worth about Rs. 50 crores. There ends the matter and the State's role. The understanding was that the Government of India would fully fund the Madras Rapid Transport System as is being done now in the case of the Calcutta Metro Project.

Sir, the Centre is aware that Tamil Nadu stands first in the road transport system in India. The Centre and the World Bank have complimented and presented mementoes for this. When such is the case, Tamil Nadu Government is competent to construct and run the metro railway. If there are constraints of funds, may I request the Centre to come forward to hand over the Metro Railways to the concerned State Governments for construction and operation or take steps to formulate a corporation for Metro Railways? Otherwise, there is no way for the Centre to allot a minimum of Rs. 25 crores in a year to complete this project.

Madam, there has been a repeated slogan that constraints of funds are the reasons for poor allotment. In reply to my Unstarred Question No. 228 on the 5th of November, 1986, the Railway Minister stated that the project completion would

depend upon availability of funds in the coming years. But in the Railway Budget, 1987-88, a surplus of Rs. 69 crores was presented. This surplus could have been allotted to the M.R.T.S. to a good extent.

Madam, it needs mention that the project was conceived at Rs. 54 crores in 1983-84 and revised for Rs. 107 crores in 1986, and may be completed within Rs. 200 crores only when the annual funds are substantial.

When the hon. Minister moved the Bill for discussion, he claimed that the Calcutta Metro Railways is a prestigious project. The Minister must take the Madras Rapid Transit System also as a prestigious project. I wish the same honour and pride he must feel in regard to the M.R.T.S.

I plead with the Government to be fast, so as not to waste the national reserves by the delay in the allotment.

Sir, our Railway Minister is going at jet speed in all developments regarding the Calcutta Metro. I am appreciating, whereas our Railway Minister seems to move at snail's pace for allotment of funds for the M.R.T.S.

I request the Minister to come forward to move at least at the speed of a good train to complete this project. Then only will the promise of the Seventh Plan be completed at least in the Eighth Plan.

With this, I conclude.

Thank you.

श्री केशव प्रसाद शुक्ल (मध्य प्रदेश) :
माननीय उपसभापति जी, मैं माननीय रेल मंत्री जी द्वारा प्रस्तुत भूमिगत रेल (संकर्म-सन्मार्ग) संशोधन, विधेयक, 1987 का समर्थन करता हूँ।

मैं रेल मंत्री जी को इस विधेयक के लाने के लिए धन्यवाद देता हूँ। वास्तव में, रेल मंत्री जी की लगनशीलता, कार्यकुशलता एवं प्रशासनिक क्षमता के कारण ही रेल व्यवस्था, निर्माण आदि कार्यों में अत्यधिक गतिशीलता आई है।

भू-अर्जन की जटिलता तथा कानूनी प्रावधानों की खामियों के कारण कलकत्ता महानगर की भूमिगत रेल का निर्माण कार्य काफी असीं से रुका हुआ पड़ा है और भविष्य में वर्तमान खामियों के रहते हुए अन्य निर्माण कार्यों में भी इसी तरह की रुकावट हो सकती है। यह दूर करना राष्ट्रहित में और देश के सर्वांगीण विकास के लिए अत्यंत आवश्यक है। इसी दृष्टि से यह भूमिगत रेल (संकर्म-सन्निर्माण) सशोधन, विधेयक, 1987 सदन में स्वीकृति हेतु प्रस्तुत किया गया है, जो स्वागत योग्य कदम है।

इस विधेयक के लाने में काफी देरी की गई है। सन् 1973 में यह कलकत्ता भूमिगत रेल निर्माण का कार्य प्रारम्भ किया गया था। उस समय ही यह सब चीज देख ली जानी चाहिए थी, जैसा कि मेरे मित्र ने सुझाव दिया था, इसको पहले ही देख लेना चाहिए था। इससे मालूम होता है कि हमारे यहां जो ला बनाने की प्रक्रिया है, उसमें कहीं गड़बड़ी है। इसलिए ऐसे कार्यों के लिए देखना चाहिए था कि यह लैंड एक्वीजेशन एक्ट पहले से ही यहां पर है। इसमें न मालूम कितनी, दसों अमंडमेंट हो चुकी है और वह अब भी पूरा नहीं हुआ है।

महोदया, सरकारी प्रयोजन या जनहित में किसी भी नागरिक या संस्था अथवा अन्य व्यक्ति की भूमि सरकार द्वारा अधिग्रहण करने के लिए अंग्रेजी शासनकाल में सन् 1894 में भूमिअर्जन अधिनियम बनाया गया था जिसमें भू-अर्जन की प्रक्रिया में काफी समय लगता था। सन् 1947 में स्वतंत्रता प्राप्ति के पश्चात् देश का सर्वांगीण विकास करने की दृष्टि से विभिन्न योजनाओं को क्रियान्वित करने के लिए भूमि तथा अन्य सम्पत्ति तथा उपयोग, उपभोग एवं सुखाधि के अधिकारों का जनहित में अधिग्रहण करने में बिलम्ब को दूर करने के लिए 1894 के अधिनियम में कई सशोधन किये गये। मान्यवर, देश के विकास में रेलों का प्रमुख स्थान है। रेल यात्रियों की सुख-सुविधा को ध्यान में रखते हुए भूमिगत रेलों के निर्माण के उद्देश्य से सन् 1978 में भू-अर्जन अधिनियम 1894 से अलग एक स्वतंत्र अधिनियम "भूमिगत रेल (संकर्म-सन्निर्माण)

अधिनियम, 1978" बनाया गया जिसमें भूमि मकान तथा उनके उपयोग उपभोग सुखाधिकार आदि के अधिकारों के अधिग्रहण एवं आधिपत्य ग्रहण करने संबंधी प्रक्रिया तथा प्रावधान रखे गये। भूमिगत रेल (संकर्म-सन्निर्माण) अधिनियम 1978 की धारा 7, 9 और 10 के अंतर्गत अर्जन की प्रक्रिया पूरी किए जाने का प्रावधान किया गया। इस 1978 के अधिनियम की धारा 7 की उपधारा 1 के अंतर्गत भूमि भवन तथा उनके उपयोग सुखाधिकार आदि के अर्जन के लिए सरकार को भारत के राजपत्र में अधिसूचना प्रकाशित करने के साथ ही स्थानीय समाचार-पत्रों में भी सूचना प्रकाशित करने का प्रावधान है जिसके पश्चात् 21 दिन के भीतर अधिग्रहीत की जाने वाली भूमि भवन या अन्य सम्पत्ति में हित रखने वाले व्यक्ति को अपनी आपत्ति सक्षम प्राधिकारी के समक्ष प्रस्तुत करने का अधिकार दिया गया है। निर्धारित अवधि के अन्दर आपत्ति प्रस्तुत होने पर सक्षम प्राधिकारी द्वारा सुनवाई किए जाने के पश्चात् उक्त 1978 के अधिनियम की धारा 10 की उपधारा 1 के अधीन केन्द्रीय सरकार द्वारा भूमि भवन आदि के अधिकारों को, भूमिगत रेल निर्माण कार्य के लिए अर्जित करने की घोषणा करने का प्रावधान है।

आगे चलकर इस अधिनियम 1978 की धारा 10 की उपधारा 3 के प्रावधान के अनुसार अधिनियम की धारा 7 के अधीन जारी की गई अधिसूचना के 1 वर्ष के भीतर धारा 10(1) के अधीन अधिग्रहण करने की अधिसूचना जारी किया जाना आवश्यक है अन्यथा अधिसूचना निष्प्रभावी हो जायेगी। इस अधिनियम 1978 की धारा 10 की उपधारा 3 को मैं उद्धृत करता हूँ : "जहां किसी भूमि भवन सड़क मार्ग या पथ के बारे में धारा 7 की उपधारा 1 के अधीन कोई अधिसूचना उससे अर्जन या उसके उपयोग के अधिकार या उसमें सुखाधार की प्रकृति के किसी अधिकार के अर्जन के लिए निकाल ली गई है। किन्तु इस धारा के अधीन कोई घोषणा उस अधिसूचना की तारीख से एक वर्ष की अवधि के अन्दर प्रकाशित नहीं की गई है वहां उक्त अधिसूचना निष्प्रभावी हो जायेगी।"

महोदया, इस प्रावधान के कारण भूमि भवन सड़क पथ तथा इनके उपयोग सुखाधि-

[केशव प्रसाद शुक्ल]

सम्मत कुमार जॉब नं. 677 आर.एस.एस. कार आदि में प्रभावित व्यक्तियों द्वारा धारा 10(1) के अधीन घोषणा न होने देने के लिए समर्थ न्यायालय में बाद उपस्थित कर स्थगन आदेश प्राप्त कर अर्जन की कार्रवाई स्थगित करा कर अर्जन में विलम्ब पैदा कर दिया जाता है। इससे निर्माण कार्य प्रारम्भ नहीं होने अथवा प्रारम्भ होने के बाद बन्द करने पड़ते हैं। इस कठिनाई को दूर करने के लिए सन् 1978 के उपरोक्त अधिनियम में यह संशोधन प्रस्तुत किया जा रहा है। इस संशोधन विधेयक को द्वारा भूमिगत रेल (सकर्म-सन्निर्माण) अधिनियम 1978 की धारा 10 की उपधारा 3 में एक परन्तुक जोड़ा जा रहा है जिसमें धारा 10 की उप-धारक की एक वर्ष की अवधि के भीतर जब तक न्यायालय का स्थगन आदेश जारी रहेगा और अर्जन की कार्रवाई बंद रहेगी तब तक के समय की गणना न किए जाने का प्रावधान रखा जा रहा है जो बहुत ही उपयुक्त एवं उचित है। भूमिगत रेल (सकर्म-सन्निर्माण) अधिनियम 1978 की धारा 10 की उप-धारा 3 जो परन्तुक इस संशोधन के द्वारा जोड़ा जा रहा है वह मैं उद्धृत करता हूँ : “परन्तु एक वर्ष की उक्त अवधि की गणना में वह अवधि या अवधियाँ अपर्याप्त कर दी जायेंगी या जाएँगी जिसके या जिनके दौरान धारा 7 की उपधारा 1 के अधीन जारी की गई अधिसूचना के अनुसरण में की जाने वाली कोई कार्रवाई जिसके अन्तर्गत भूमिगत रेल (सकर्म-सन्निर्माण) संशोधन अधिनियम 1978 के प्रारम्भ के ठीक पूर्व लिखित कोई कार्रवाई या कार्यवाही हो न्यायालय के आदेश से चाहे वह ऐसे प्रारम्भ के पूर्व या पश्चात् मंजूर किया गया है, रोक दी गई है।”

महोदया, इस संशोधन अधिनियम से निश्चय ही कलकत्ता के भूमिगत रेल निर्माण का कार्य शीघ्र पूरा करने में मदद मिलेगी और भविष्य में भी इस प्रकार के कार्यों में बाधा उपस्थित न हो सकेगी।

मैं माननीय रेल मंत्री जी से निवेदन करना चाहता हूँ कि महानगरों के निवासियों या रेल यात्रियों की सुख-सुविधा के साथ ही देश के अविकासित क्षेत्रों के करोड़ों निवासियों की सुख-सुविधा एवं विकास के लिए रेल निर्माण कार्यों को भी प्राथमिकता देने की कृपा करें,

क्योंकि ऐसा देखा जा रहा है कि शहरों की, महानगरों की आबादी ज्यों-ज्यों बढ़ती जा रही है उसका एकमात्र कारण है कि शहरों के विकास में हमने जितना धन लगाया है, वह ग्रामों के विकास की अपेक्षा अधिक लगाया है। हमारे देश में बहुत से ऐसे क्षेत्र हैं, जहाँ रेल की सुविधा कतई नहीं है। अगर हम अपने यहाँ के पूर्वांचल को लं आगाम, पाड़ीचोरी, मिर्जोरम, नागालैण्ड और यह जो ऊपर के क्षेत्र हैं त्रिपुरा, मणिपुर वगैरह इसी तरह हमारे यहाँ बस्तर और दूसरे क्षेत्र हैं, जो इतने अनुसूचित क्षेत्र हैं, जहाँ रेलवे यातायात की बहुत जरूरत है। इसलिए मेरा निवेदन है कि हम इन महानगरों की सुविधा कुछ समय के लिए न देखें, अगर थोड़ी देर के लिए इनको स्थगित कर दें और यह सुविधा उन क्षेत्रों में दें तो इससे करोड़ों देशवासियों का भला होगा और इससे हमारे देश की एकता और अखण्डता मजबूत करने में भी सहायता मिलेगी। रहमि जी ने भी कुछ ऐसा ही बांहा कहा है :—

रहमन देखें बड़न को लघु न दीजिए डारि जहाँ काम आव सृई, कहा करे तलवारि।

तो आज बड़े-बड़े महानगरों की समस्याएँ बढ़ रही हैं, वहाँ आबादी बढ़ती जा रही है और उसका कारण यही है कि वहाँ सुख-सुविधाओं का ढेर लगा दिया है। जितना पैसा वहाँ को सुख-सुविधाओं के लिए खर्च किया है, उतना ग्रामीण विकास में खर्च किया होता तो हिन्दुस्तान का नक्शा ही आज दूसरा होता।

मैं अपने गतिशील, लगनशील और प्रशासनिक अनुभव रखने वाले रेल मंत्री जी से निवेदन करूँगा कि मेट्रो-रेलवे जो कलकत्ता की आपने ली है, उसको तो आप पूरा करें। लेकिन जैसा मरे दास्त ने अभी सझाव दिया कि बंगलौर, बंबई तथा दूसरे महानगरों में भी इसी तरह की भूमिगत रेलवे लाइन बनाएँ, तो मैं तो यही कहूँगा कि उसको कुछ देर के लिए स्थगित रखें और फंड का उपयोग ग्रामीण विकास की तरफ करें, इससे हमारे देश की अखण्डता और एकता की रक्षा भी होगी और उन पिछड़े क्षेत्रों का विकास भी होगा। इन्हीं शब्दों के साथ मैं इस संशोधन विधेयक का समर्थन करता हूँ

Amdt. Bill, 1987

SHRI PARVATHANENI UPENDRA : Madam Deputy Chairman, I support this Bill introduced by my friend, Mr. Madhavrao Scindia. I ordinarily support him except when he raises the fare and freights rates. This Bill is long overdue...

THE DEPUTY CHAIRMAN : Rather you belong to one fraternity.

SHRI PARVATHANENI UPENDRA : And the construction of the Metro Railways in certain parts of Calcutta city has been hampered because of frequent litigations. We cannot pass any remarks on the functioning of the judiciary but in Calcutta at least, it appears, getting a stay order is so easy from the courts and a large number of stay orders were being issued by the courts on the petitions filed by the people affected or those who think they are affected. Why do I say this thing—that those who feel they are affected—because there were instances when even for minor cracks to a building during the construction work, they have been magnifying the losses and claiming enormous amounts, almost the cost of construction of a new house. Those instances were also there and it became very difficult for the Railways to settle these claims and particularly in the vital central part of Calcutta. In Chitranjan avenue, the work has been hampered because of this problem. (Interruption).

AN HON MEMBER : They did not go to the court.

SHRI PARVATHANENI UPENDRA : Yes, they did not go to the court but there has been resistance from the beginning and ultimately that work is yet to be finished. The construction of the Metro itself has long been delayed though the project was conceived in the early seventies and the work was started sometime in 1972 technically but nothing was done for about five years until the Janata Government gave the first massive allocation for the construction of Metro Railways in 1977-78 and 1978-79. No Figures speak, Mr. Minister. As a result, the project which was originally scheduled to cost about Rs 140 crores is now estimated to cost about Rs. 864 crores. May be, it will cost a thousand crores by the time

it is finished. Rs. 464 crores have already been spent on this project. The Minister assures us that by December 1990 the whole 16.5 km section will be completed and commissioned. I hope he will keep the word. I and a large number of Members of Parliament had the opportunity of seeing the Metro functioning recently. I must compliment the Metro Railway Administration for maintaining it so well. It is a pleasant surprise because at the earlier stages when the project was contemplated, when it was first conceived and the construction started, there were doubts expressed by many people that with the situation in Calcutta being as it is—a large number of people living outside on pavements, etc.—this Metro Railway would serve only as a public urinal ultimately and maintenance would become a problem as the people of Calcutta would not be able to maintain it properly. That was the apprehension. That is why I am pleasantly surprised now. We must compliment the rail-users of the city of Calcutta that it is being maintained so well. We do not find even panspitting anywhere and I hope that this will be so when the entire section is opened. That standard must be maintained. But the exteriors, the approaches to the stations, require to be improved. At several places, we find, that the approach is merged with the surroundings and nobody could make out whether a station exists there. I particularly refer to the Park Street station because it is almost impossible to locate it unless you go near the entrance. Maybe, the difficulty is there because of lack of space there, but yet some improvement can be made at the approach by cutting one or two trees, improving the pavements and putting up some sign-boards etc. That has to be improved.

Having said these, I briefly refer and draw the attention of the Minister to the problems in other metropolitan cities. We have to plan ahead. Bombay, Madras and Delhi are all growing cities and though the suburban service is catering to the needs of the people at the moment, a time will come when there will be saturation and I do not know what will happen then to the surface transport, particularly in Bombay. Delhi surface transport is also becoming saturated.

THE MINISTER OF STATE OF THE MINISTRY OF RAILWAYS (SHRI MADHAVRAO SCINDIA) : What about Hyderabad ?

SHRI PARVATHANENI UPENDRA : I am coming to Hyderabad later. I am not parochial. We are national in our outlook. We become regional only at the end.

SHRI JAGDISH DESAI (Maharashtra) : You are talking about expansion. What about the Railway finance ?

SHRI PARVATHANENI UPENDRA : I am coming to that. I am happy you are anticipating my point. But with the experience of Calcutta, I do not want to get any underground railway in these cities.

THE DEPUTY CHAIRMAN : Please come to my point also

SHRI PARVATHANENI UPENDRA : I am finishing. Your point is the last point.

THE DEPUTY CHAIRMAN : That should be the first point now.

SHRI PARVATHANENI UPENDRA : But there are other projects there like extra corridors for improving the transport. The suburban train services should be improved. And there is the problem of congestion in the twin cities of Hyderabad and Secunderabad. The Railway Minister repeatedly says that the intracity transport is not the responsibility of the Railways. Madam I partially agree. But railroads being the monopoly of the Railway Administration here, you cannot completely wash away your responsibility and say that somebody else will run it. Nobody has got that expertise or experience either to build or to run a railway system except the Ministry of Railways here. But you can have or take the cooperation of other agencies and you can seek the co-operation of the other agencies. But the primary responsibility must be that of the Railways which should be the co-ordinating authority. As I told you in one of the Consultative Committee meetings, you must co-ordinate the efforts of the various agencies to improve the intra-city transport. Particularly in Hyderabad, Madam, there is a demand for a circular railway. The survey has been done and, as you are

aware, the survey report has been sent to you. The State Government also has agreed to pay 25 per cent of the cost and now it is your duty to bear the remaining part of the expenditure or to involve the other public sector undertakings or the private sector agencies in the vicinity and other agencies also....(Time bell rings)
like the State Road Transport Corporation, the Urban Development Authority and other such agencies so that this circular railway is constructed as quickly as possible and the problems of the twin cities are also solved

I hope that by the time the Minister comes up with his Budget Speech, he will include a para on the circular railway system in Hyderabad and give me another opportunity to congratulate him at that time also. Thank you, Madam.

THE DEPUTY CHAIRMAN : Now, Mr. Narayanasamy

SHRI V. NARAYANASAMY (Pondicherry) : Thank you very much, Madam, for having given me this opportunity. Madam, the honourable Minister wants a proviso to be added under section 10(3) of the Act. The amendment which is sought to be made now is according to the prevailing circumstances because the persons moving the court want to stop further activities being carried on in the Metro Railway System. Whenever any person gets a stay order from a court, we know full well that it takes three or five or seven or even ten years to get that stay order vacated. But it is being made quite clear in the provision or under section 10(3) that the next notification should be issued within one year. If this proviso is added, then it will give benefit to the railway authorities and will enable them to take further steps after the stay order is vacated. Therefore, I support this amendment which has been moved by the honourable Minister.

Now, Madam, the other problem that is being faced by the Railways is the cost escalation in the construction works in the Metro. In spite of the efforts put in by the Railways by adding even up-to-date technology, we find that there is cost escalation because of various factors like labour and the cost of construction and

other materials which is going up. Madam, in Paris, we have seen that the construction is being done underground without disturbing the existing traffic overground. The people who are travelling and passing through that road do not feel that there is work going on underground. That kind of a system can be adopted here also so that it would not be a hindrance to the present traffic.

Then, Madam, I would like to congratulate the honourable Minister since he has taken up the Herculean task of adhering to the time-schedule of the trains and the trains are now starting and reaching their destinations according to their timings. Efficient services are provided by the Railways. I have to congratulate the honourable Minister for one more thing. It is only because of him—I can very much say this—that the Railways are keeping up the time-schedule and, apart from that, the Minister is moving with the workmen because he thinks that the workers are the pillars of the system. I came to know that when he visited Perambur, he dined with the workers in the canteen. This will give an impetus to the workers to work better and, ultimately, the Railways will improve.

There is another aspect which I would like to touch upon now. I visited the construction site at Samawa where construction was going on by the IRCON. I found it to be a landmark in the history of the Indian Railways because they have done a remarkable work and the construction work which has been done there has been appreciated by the Government of Iraq. Apart from the foreigners who came and saw it, within the time-schedule it was over. The railway track was laid. Several railway stations have been built. For this I congratulate the Minister and the railway officials responsible for it.

1 00 P.M.

Then, I would like to mention another aspect, Madam. The Railways have decided that they will not fund intra-urban traffic. I would like to mention three aspects of it. In Calcutta they are bearing the entire cost. In Bombay they are bearing one-third of the cost. In Madras they have given very little amount. The Railways is spending the entire amount of Rs. 900 crores for the Calcutta metro.

They said that it is a commitment. I agree. But for Bombay they said they will give only one-third for the purpose of metro system. But in Tamil Nadu the amount which they have provided is very meagre. There should be a consensus between the Governments. The policy which they would like to adopt should be agreeable to the State Governments and the Railways. In dialogue things are prolonged and the cost escalation is more. From Rs. 54 crores in Madras it has exceeded Rs. 105 crores.

Therefore, I would request the hon. Minister to have a dialogue with the State Governments concerned and put a full stop on it. I do not say, Madam, that the Railways should bear the entire cost. The State Government has also a duty to provide facilities in their State.

Then, Madam, the corporate plan was drafted in 1986. It was approved in 1987. In the earlier draft, I came to know that there were clauses for the setting up of public enterprises under the Railway Ministry for manufacture of locomotives and coaches, management of large chunks of railway surplus land, catering management of inland container depots, etc. Subsequently, in 1987, when it was approved this was deleted. In the 1987 report it reads. The public sector undertakings where found useful would be created under the Ministry of Railways for handling ancillary activities. In the original plan manufacture of main items was thought of. Now they have just gone beyond that and said that only on ancillary items the Railways will concentrate, because it is being felt that the administration will go out of the hands of the Ministry.

Secondly, I would like to say that the units wanted to have a modernisation scheme. But in the revised plan the old system of *status quo* has been maintained and the new look and thrust which had been given was completely taken away. Therefore, I would like to urge upon the Minister to consider that when we are going to the 21st century we should have a new look and thrust. Science and technology should be absolutely made use of and the entire infrastructure, including the manufacture of locomotives and allied items, should also be involved so that the Railways need not depend upon other

[Shri V. Narayanasamy]

industries and other service industries for their requirements.

With these words, I urge upon the Railway Minister to consider that, and I support the Bill.

Thank you.

श्री अश्विनी कुमार (बिहार) : उपसभापती महोदया, यह जो सशोधन लाया गया है यह इस दृष्टिकोण से लाया गया है कि कलकत्ता की मेट्रो-रेलवे जिसमें भूमि अधिग्रहण के कारण विलम्ब हो रहा है उसमें शीघ्रता की जायेगी और उसको जल्दी बनाया जा सके। जैसा मंत्री मित्रों ने कहा मैं भी इस बात का समर्थन करता हूँ कि इस प्रकार की कठिनाइयों की पहल से कल्पना न करना यह क्या हमारे वरिष्ठ अधिकारी जो इस काम में परम्परागत से लगे हुए हैं उनका अयोग्यता का परिचय नहीं है। हर साल, दूसरे या तीसरे साल एक शब्द या एक वाक्य का संशोधन इससे निपटने के लिए आ जाता है। यह, मुझे लगता है कि हमारे अधिकारियों की योग्यता पर प्रश्नवाचक चिन्ह है। उनको पूर्ण विचार करके एक बार विधेयक को लाना चाहिए और जब बहुत आवश्यक हो तभी संशोधन लाने चाहिए। इस बिल के संबंध में मैं इतना ही कहूँगा कि यह एक स्वागत योग्य कदम उठाया गया है, जो सशोधन आप कर रहे हैं यह उचित है और इसका मैं समर्थन करता हूँ।

परन्तु साथ ही साथ मैं कुछ बातें भी आपके सामने रखना चाहता हूँ कलकत्ता मेट्रो-रेलवे के लिये जो भी निर्धारित लक्ष्य रखा गया था, जो समयावधि रखी गयी थी उसमें विलम्ब हो रहा है, अत्यधिक विलम्ब हो रहा है। हम मंत्री महोदय से आश्वासन चाहेंगे कि अब इसकी अंतिम तिथि वे कौनसी दे रहे हैं, कब-कब यह मेट्रो-रेल का कार्य पूर्ण होगा? अंतिम तिथि के साथ-साथ जो अत्यन्त महत्वपूर्ण विषय जुड़ा हुआ है वह यह है कि इसकी लागत कितनी आयेगी। अगर एक वर्ष भी अविधि बढ़ती है तो उसकी लागत बढ़ जाती है और अगर लागत बढ़ती है तो हमारे पास जो अल्प धन है उससे वह काम नहीं हो पाता और इससे जो योजनायें कार्यान्वित की जानी हैं उनमें कटौती हो जाती है। इसलिये जो काम हाथ में है उसको शीघ्रतिशीघ्र पूर्ण किया

जाये अगर ऐसा नहीं होता तो योजनायें खटाई में पड़ जाती हैं।

दूसरी बात जो मेट्रो-रेलवे के बारे में मुझे कहनी है वह यह है कि जहाँ तक मुझे जानकारी मिली है 1991 में आपने इसकी पूर्ण करने का लक्ष्य रखा हुआ है। इस समय अनुमान यह है कि प्रति वर्ष 12 करोड़ रुपये का घाटा होगा। यह जो घाटे की स्थिति है इसका कैसे आप पूर्ण करेंगे और आगे चलकर मेट्रो-रेल का क्या भविष्य होगा इस पर विचार करने की आवश्यकता है। अगर प्रति वर्ष घाटा होता रहेगा तो उसके रख-रखाव और उसको चलाने में भिन्न-भिन्न प्रकार की जो समस्याएँ आयाँगी, उसमें जो गिरावट आयेगी और जो वाद में इस तरह की समस्या खड़ी होगी उसका मुकाबला कैसे करेंगे? मैं रेलवे मंत्री से इस बारे में जानना चाहूँगा कि वे इस बारे में हमारा मार्गदर्शन करें और बतायें उनकी योजना क्या है जिससे इस कटौती के बावजूद शहर के नागरिकों को यातायात की सुविधा मिले। यातायात के मामले में एक प्रकार से रेलवे विभाग सब्सिडाइज्ड करता है तो इसमें कौनसी व्यवस्था होगी। इसके लिये पहले से व्यवस्था करनी चाहिए अन्यथा वाद में समस्या खड़ी होती है।

अभी हमारे एक मित्र ने कहा कि जिस प्रकार से हमारे देश की योजनायें चल रही हैं उनमें गांवों की ओर कम ध्यान दिया गया है और शहरों को अधिक सुविधायें प्राप्त हुई हैं। इसीलिये गांवों से लोग शहरों की ओर भागें चले जा रहे हैं। कुछ लोग शहरों में आकर बस जाते हैं और कुछ लोग प्रतिदिन शहर से 50 मील दूर 60 मील दूर और 80 मील दूर से प्रतिदिन शहरों में अपनी रोजी-रोटी कमाने के लिये आते हैं और शाम को घर जाकर सो जाते हैं। इसलिये मैं मंत्री महोदय का ध्यान इस तरफ आकर्षित करना चाहूँगा कि जहाँ मंत्री महोदय ने बड़े-बड़े शहरों में सुविधायें दी हैं कुछ सुविधाएँ अन्य क्षेत्रों को भी दी जायें। बिहार एक ऐसा राज्य है जहाँ रेलवे की सुविधायें अत्यन्त अल्प हैं। उत्तरी बिहार में रेल सेवा अल्प मात्रा में है। पटना जो बिहार का सबसे बड़ा केन्द्र बिन्दु है यहाँ बस्तर-मुकामा से प्रतिदिन लाखों लोग आते हैं। उनके लिये आज तक रेल की कोई समुचित व्यवस्था नहीं की गई है। हमने

बहुत आग्रह किया है बक्सर-मुकामा में सब-रवन ट्रेन चलाई जाये। ऐसी व्यवस्था न होने का परिणाम क्या है कि जो लम्बी दूरी की गाड़िया बिहार में जाती है तो जिन लोगों को पटना अपनी रोजी-रोटी के लिये जाना होता है, अपनी पढ़ाई के लिये जाना होता है वे इन गाड़ियों के डब्बों में चढ़ जाते हैं और जो लम्बी दूरी के यात्री उन ट्रेनों में यात्रा करते हैं उनको परेशानी का सामना करना पड़ता है। ऐसा होने पर वे यात्री यह कहते हैं कि ऐसा लगता है कि बिहार आ गया है। इससे बिहार, की बदनामी होती है। इसलिये मैं पुनः मंत्री महोदय का ध्यान इस तरफ आकर्षित करना चाहूंगा और उनसे निवेदन करना चाहूंगा कि लाखों लोग प्रतिदिन बस्तर से यहां आते हैं। उनको जगह नहीं मिलती इसलिए वे खड़े रहते हैं, तीन-तीन घंटे, चार-चार घंटे रात को 9 बजे, 10 बजे, 11 बजे तक खड़े-खड़े यात्रा करते हैं और घर पहुंचते हैं और फिर सवेरे 4 बजे घर से काम के लिये निकलते हैं। इसलिये क्या मंत्री महोदय इन लोगों के लिये कोई शीघ्र चलने वाली लोकल ट्रेन के बारे में सोचेंगे? पटना बिहार की राजधानी है और जनसंख्या की दृष्टि से यह राज्य नम्बर दो पर है और यह प्रदेश धन-धान्य से परिपूर्ण है, मिनिस्टर की बहुत खदानें यहां पर हैं और वहां पर बहुत से लोग काम करते हैं तो क्या इन लोगों को आप यह सुविधा प्रदान करेंगे? इस बारे में जब सुझाव दिये गये तो कहा गया कि पैसे की कमी है परन्तु यह तय किया गया है इसको करना है और इसके लिये बस्तर-मूगलसराय-आसनसोल सेक्शन को इलेक्ट्रिफाई करेंगे और इस सेक्शन पर ज्यादा से ज्यादा गाड़िया चलाने की व्यवस्था करेंगे। मैं माननीय मंत्री जी का ध्यान दो बातों की ओर दिलाना चाहता हूं। जब आप बड़े बड़े शहरों के यातायात की सुविधा की दृष्टि में बम्बई की ओर ध्यान दे रहे हैं, कलकत्ता की ओर ध्यान दे रहे हैं तो पटना की ओर भी आप ध्यान दीजिये। मैं आपके माध्यम से इतना आग्रह करते हुए अपनी बात समाप्त करता हूं।

SHRI SANTOSH BAGRODIA (Rajasthan) : Madam Deputy Chairman, I thank you for giving me this opportunity and I wholeheartedly support this Metro Railways (Construction of works) Amendment Bill, 1987.

Madam, this is a prestigious project to help the movement of masses with the least cost possible so that the poor people can move faster and at a very little cost. I compliment the Railway Minister and our Government who have conceived this idea long before. Madam, they tried to implement it faster but it is a very sorry state of affairs that it has taken a much longer time. Here is no doubt about it. Madam, everybody says about the cost constraint, but I would like to draw the attention of the Railway Minister to the point that more you delay the more will be the cost, the cost is only going to increase. Leaving aside the immense problem which is being created for the Calcuttans, when he himself visited Calcutta recently, I am sure, he has visited different areas and he must have seen that for the last 15 years, the people travelling by cars or by tramways or by buses have been so much inconvenienced in anticipation that probably their children after generation will be happy travelling more comfortably. I do agree that it does take a long time to create this kind of facility. But as some hon. Members have said, I am sure, it is a possibility that if proper care is taken, if proper arrangements are made, the inconvenience to the other public who are using the cars and buses, etc. will be much lesser. I would like the hon. Railway Minister to look into it and he should also ensure that the remaining portion is really completed in time. I know there is a great problem because a lot of co-operation is also required from the State Government like the Electricity Department and the Public Works Department. The co-operation is not as much as it should have been. It is very unfortunate. The entire benefit is going to the city ruled by a non-Congress Government. In spite of that, they have given a political outlook. And as a result they feel proud in not helping the Railway Ministry in completing the project faster. I appeal to the West Bengal Government that they should fully co-operate with our Railway Ministry so that this work can be really completed much faster. Madam, this particular Amendment to the Act is definitely necessary because our democratic system, our judiciary system, without any reflection on the system as such, does delay many litigation proceedings and as a result acquisition of land becomes very

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[Shri Santosh Bagrodia]

difficult. No doubt, in this process some land-owners or shopkeepers or businessmen or tenants will be inconvenienced. But in the interest of the over-all community, I am sure they will have to accept this inconvenience so that more people can be helped. This Bill will go a long way in getting the acquisitions faster. But the Minister will not have any way out now to further delay the project. He should be very careful when he has introduced this Bill that once it is passed, he will have no reason to delay this project any further. One important point to which I would like to draw the attention of the Minister is about corruption. The Minister of course, is proud of the fact that corruption is very low. I agree, maybe, corruption is very low, but still corruption is there. A number of contracts are awarded on personal grounds. Smaller people are not given enough help or enough support, as a result of which only those people who can really influence officers can get their contracts and they can also delay the projects to their convenience. I am sure, the Minister will look into this aspect also.

Another important point, Madam, is the losses. No doubt, this is a project which requires subsidy. No doubt this requires help from the Government but it is very true that if the project goes on making losses year after year, the maintenance will be very poor.

Then, Madam, I must compliment the Ministry and the users that this particular project, though Calcutta is supposed to be one of the dirtiest cities in the world, if you go underground Calcutta, it is very clean. I understand it is one of the cleanest railways in the world as far as underground railways is concerned. I compliment all those people who are concerned with this and who are responsible for this.

Then, Madam, I would also like to draw the attention of the Hon. Minister to the problem that Rajasthan is facing because of the inadequate railway system there. The railway system in the state of Rajasthan is very poor. We are talking of crores and crores of rupees for underground railways, but what is happening,

Madam, to the over-ground railways. We still have to carry on with this 100 or 150 year old railway system which has meter gauge lines and narrow-gauge lines. We have not yet been able to convert them into broad-gauge lines. Rajasthan is full of deserts and as you know there are still many areas where even construction of road is not very easy. The air services to Rajasthan are not very many because the people of Rajasthan, being poor, cannot afford them. The result is that development is also very poor. If the railways which are meant for the poor, if that is not extended to the different corners of the State, it will be impossible for the poor people of Rajasthan to survive without proper communication. I draw his attention particularly to border areas, where the railway system needs to be extended.

Now, coming to one point which our hon. colleague Upendra mentioned, namely, that the Janata Government opposed this project. At least he agrees that it was conceived by the Congress Government, I do not understand how the Janata Government could have supported it because during the Janata regime the entire country came to a stand still. It came to a complete stop and a complete halt. Having stopped, nothing moved. I do not know how these poor railways could have moved, including the Calcutta Metro, and that is why two to three years were completely lost. During this period, although the money was allotted, as he says ... (Interruptions). Even the money was not allocated. Even that statement is wrong. So the real progress has taken place only in the last five years.

As regards the entrance, he mentioned that it is not visible. I would like to tell him, but since he is not there, I hope he will know about it, that entrances to underground railways are not very clear anywhere in the world. Overground you cannot see anything. You have to go underground to see these stations. So, I do not think entrances are anyway poor or worse.

With these words, Madam, I thank you for giving me the opportunity to speak on this Bill and I would once again draw the attention of the Minister for removal

of corruption on the one hand and extension of railway lines to the border areas of Rajasthan; on the other. Thank you.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir) : Madam Deputy Chairman, I rise to support the Metro Railways (Construction of Works) Amendment Bill, 1987, as introduced by my friend. The objectives of the Bill are clearly stated in the Statement of Objects and Reasons.

Madam, it is a fact that a lot of obstructions come in the way of acquisition of land and property for purposes of construction of railways. I also happen to have gone to Calcutta twice or thrice during the last one year and I find that the portion between Chittaranjan Avenue and beyond is still the same as it was six months ago. The Metro Railways is supposed to go to Shyam Bazar and it is quite a herculean task so far as acquisition of land and buildings is concerned for this purpose.

As has been pointed out, there is no doubt that on a flimsy thing, people go to courts and get stay orders. I know of a case recently in Kashmere. We had to take a road from Srinagar City . .

श्री जगन्नाथ प्रसाद यादव (बिहार) :
श्रीनगर में तो रेलवे है ही नहीं, भूतल रेलवे कहाँ से आ गया ?

SHRI GHULAM RASOOL MATTO : And in between, there was one house which stood there. The house-owner got a stay order from the High Court. I tried to probe into the matter and I came to know—it is a queer instance—that that particular person whose house it was and who really wanted that he should get more money for the house that comes in the road, got one of his distant cousins to sue him in the court saying that he is also a share-holder in this ancestral property and as a result of that, he got a stay order. So, what is needed is, really an amendment to the Land Acquisition Act in various States. I do not know whether the Railway who always have been undertaking such works, could consider, in consultation with the Law Minis-

try, whether such an amendment could be brought about in case of national projects at least, so that such stay orders are not entertained. I know the Land Acquisition Act is a State subject. It must be amended in public interest. For instance, a road is to be constructed. If construction of a school building is involved and somebody gets a stay order against acquisition it is understandable. It is not as important as construction of a highway. In case of such important national projects, whether it is in the State sector or the Central sector, some amendment has to be made in the Act under which stay orders should not be entertained.

I would draw the attention of the Minister to points raised by Shri Dipen Ghosh. I quite agree with him when he said that three types of people are affected at the time of land acquisition, the only remedy is that you should first undertake the rehabilitation of those people who are going to be affected as a result of that displacement, and for that purpose, cooperation of the State Governments is essential. The Centre can tell the State Government that it will reimburse the money on rehabilitation of persons who are displaced in the process. Once the Central Government gives such an assurance to the State Government on reimbursement of money spent on rehabilitation, the State Government should have no difficulty in rehabilitating those people. This is my reply to the points raised by Shri Dipen Gosh and this should be considered and I hope the Minister will consider this suggestion. Madam, the metro railway system has come to stay in the entire world. In the case of India also, big cities with a population of 80—100 lakhs should have an underground system. The Government should, therefore have a long-term perspective and a long-term policy right now for the metropolitan cities in the initial stages and, later on, for other cities as well.

Incidentally, I would like the hon. Minister to tell me about the position in regard to the Udhampur—Srinagar line. He had earmarked some amount for the survey of this line. I would like to know whether any contract has been given to any person to survey this line so that we could also see, the Kashmir Valley could also see, the light of railways.

THE DEPUTY CHAIRMAN : Shri Satya Prakash Malaviya will speak now and then we will break for lunch.

श्री सत्य प्रकाश मालवीय : माननीय उप-सभापति जी, जिन परिस्थितियों में यह संशोधन विधेयक लाया गया है मैं समझता हूँ कि वह विभाग की मजबूरी थी, लेकिन फिर भी केवल कुछ मुद्दों की ओर ध्यान आकर्षित करते हुए मैं इसका समर्थन करना चाहूंगा। जैसे कि अनेक माननीय सदस्यों ने ध्यान आकर्षित किया इस देश में कानून भी पास होंगे और जब कानून से लोगों की हकतलफी होगी तो वे न्यायालय में भी जायेंगे और न्यायालय उनको स्थगन आदेश भी देगा। इसलिए निश्चित रूप से बार-बार जिस विधेयक में संशोधन लाया जाए वह एक अच्छा विधेयक नहीं होता और यह विभाग की अदूरदर्शिता का परिणाम है कि बार-बार वर्तमान विधेयक में संशोधन लाना पड़ता है। महोदया, जैसा कि उद्देश्यों और कारणों में बताया गया है कि चूँकि लोग अदालतों में चले जाते हैं और वहाँ से स्थगन आदेश प्राप्त कर लेते हैं और इसलिए निर्माण कार्य में विलम्ब होता है, चूँकि यह एक निश्चित समय दिया गया था जो घोषणा होती है, इसलिए संशोधन लाना पड़ा। एक तो मैं यह जानना चाहता हूँ कि कितने ऐसे मामले थे जिनमें कि लोग अदालत में गए और वहाँ उनको स्थगन आदेश मिला? दूसरे मैं यह भी जानना चाहता हूँ कि जब यह योजना शुरू हुई थी तो उस समय योजना के पूरे होने तक कितने रुपये के खर्च का अनुमान था और अब वर्तमान स्थिति में वह अनुमान जब तक यह योजना पूरी होगी तब तक इसमें कल कितने रुपये लागत आने की उम्मीद है? तीसरे, मैं यह जानना चाहता हूँ कि अब तक यह जो योजना है कल कितने किलोमीटर की है और अब तक कितने किलोमीटर का इसमें पूरा निर्माण हो चुका है? मेरा चौथा प्रश्न यह है कि जिस वक्त यह विधेयक लाया गया था उस समय निश्चित रूप से विभाग के जो अधिकारी थे विभाग के जो लोग थे उनको यह जानकारी रही होगी कि इस योजना के पूरा होने में क्या-क्या कठिनाइयाँ आ सकती हैं, क्या-क्या दिक्कतें आ सकती हैं? तो इस बीच में मैं यह भी जानना चाहूंगा कि इतने दिनों के अंदर अदालत में जाने की वजह से कहाँ-कहाँ और किन कारणों

से निर्माण को रोकना पड़ा? मैं इस ओर ध्यान आकर्षित करना चाहता हूँ कि यह कलकत्ता में या जो बड़-बड़े मैट्रो सिटीज हैं वहाँ पर लोगों की सुविधाओं के लिए इस प्रकार रेल लाइनों का निर्माण होना चाहिए और इस विधेयक के पीछे जो उद्देश्य है जो मकसद है उसका मैं समर्थन करता हूँ, लेकिन मैं उत्तर प्रदेश के पूर्वी जिलों की ओर भी ध्यान आकर्षित करना चाहता हूँ। उत्तर प्रदेश के पूर्वी जिले जो पिछड़े हुए हैं जहाँ पर आवागमन के साधन नहीं हैं, सड़कें नहीं हैं, वहाँ के लिए रेल विभाग की विशेष जिम्मेदारी है। लेकिन बहुत से ऐसे स्थान हैं जहाँ पर कि 60-70 किलोमीटर जाने के लिए 6-6, 7-7 छोटी लाइन होने के कारण लग जाते हैं। जैसे मैं उदाहरण देना चाहता हूँ, इलाहाबाद से भटनी की दूरी 125 या 130-140 किलोमीटर होगी, लेकिन इसके लिए गाड़ी में 10-11 घंटे लग जाते हैं। इसी प्रकार इलाहाबाद से बनारस की दूरी छोटी लाइन से केवल 110 किलोमीटर की है, लेकिन ऐसी भी गाड़ियाँ हैं जहाँ कि 110 किलोमीटर जाने के लिए कम से कम 6-7 घंटे लग जाते हैं। इस मामले में सर्वे भी कराया जा चुका है क्योंकि विभाग के पास मांग की गई और विभाग ने योजना भी बनाई है इलाहाबाद से लेकर बनारस तक और बनारस से लेकर भटनी तक की जो छोटी लाइन है उसको दड़ी लाइन में परिवर्तित किया जाए। तो मैं इस ओर भी ध्यान आकर्षित करना चाहता हूँ कि मंत्री जी इस ओर ध्यान दें क्योंकि कई बार जब सर्वे कराया जा चुका है और इसके बाद विभाग मंत्रालय को या सरकार को यह राय देता है कि इससे कोई लाभ नहीं होगा। लेकिन मैं इस ओर ध्यान आकर्षित करना चाहूंगा कि अगर आपकी योजना पूरी हो जायेगी, सर्वे कराइये उसका और फिर पुनः सर्वे कराइये और योजना को पूरी करिए। तो निश्चित रूप से विभाग को लाभ होगा। इन्हीं शब्दों के साथ जो यह विधेयक लाया गया है, मैं इसका और इसके पीछे जो उद्देश्य है उसका समर्थन करता हूँ।

उपसभापति : यादव जी, अगर आपने कुछ कहना है तो मिनिस्टर साहब ने कहा है वह आपको सुनना चाहते हैं। संक्षेप में अगर आप कहें तो थोड़ा दो मिनिट में कह लें।

श्री जगदम्बी प्रसाद यादव : मेरा तो बिल्कुल संक्षेप वाला ही है।

श्री गुलाम रसूल मंटू : यह क्या कहते हैं जी, कि एलडर्स को चाहिए कि एलडर्स की तरफ से डील करें।

श्री जगदम्बी प्रसाद यादव : उपसभापति महोदया, मैं यही कहने के लिए खड़ा हुआ हूँ कि अभी चार किलोमीटर बनने पर एक संशोधन उपस्थित हुआ, जब पूरा बनेगा तो माननीय मंत्री जी को, इनके विभाग को कितना संशोधन और किस-किस तथ्य पर लाना पड़ेगा, यह पता नहीं है। यह सदन जो वरिष्ठ लोगों का है, अगर कुछ अपनी दूरिष्ठतम सलाह न दे तो सदन की मर्यादा के अन्तर्गत नहीं होगा। इसलिए मेरा यह कहना था कि अत्यावश्यक होंते हुए भी इस मंटू पर दुनिया के अनुभव को लेते हुए और अपना जो कलकत्ता में हुआ है इसको बनाने में चाहे एक विधेयक का संशोधन हो या पैसे आवंटन का हो या इसके बनाने में खर्च कम करने का हो, इस तरह की अनेक बातें आ सकती हैं। इसलिए मैंने माननीय मंत्री महोदय से कहा है कि इसको प्रवर-समिति के संपर्क किया जाये। मैं जानता हूँ कि जितनी जल्दी मैं मंत्री जी है, प्रवर-समिति की बात वह नहीं मानेंगे। लेकिन अगर यह सदन इस बात को न कहें तो यह सदन की भी अपनी कमजोरी होगी कि सही बात सही समय पर सही व्यक्ति को नहीं कही। इसलिए मैं मंत्री जी से निवेदन करूंगा कि आप देखें अनुभव करके कि इतने दिन मैं कितने प्रकार का अनुभव हुआ है।

मैं एक बात और कहना चाहता हूँ कि साउथ कोरिया ने कुछ जापान की सहायता से अपनी भूमिगत रेल बनाई, उसमें अपना इंजीनियर और कार्यकर्ता डाला और जब देख लिया कि हमारे इंजीनियर, कार्यकर्ता टूंड हो गए तो बाकी भूमिगत रेल अपने से बनाई। तो आज दुनिया में ऐसी बात नहीं है कि हम पहली बार भूमिगत रेल बना रहे हैं, लेकिन जो खर्चा है, जो काम करने में विलंब की विडंबना है, वह दुनिया के किसी रेलवे में नहीं लगी, जो प्राथमिक अवस्था में बताते हैं, उसकी नहीं कह सकता, लेकिन जो आज बना रहे हैं, जैसे जनरल रेल बनती है दैम

ही भूमिगत रेल दूसरी रेल दूसरी जगह बनती है। तो क्या कारण है कि हमारे यहां इतना विलंब, इतना अधिक खर्चा, इतनी परेशानी हो रही है। इसलिए मैं पुनः निवेदन करूंगा कि इस पर मंत्री जी विचार करें और अगर प्रवर-समिति स्वीकार्य न हो तो मंचोर थिंकिंग, प्रबुद्ध विचार करें कि किस प्रकार से इसमें गतिशीलता ला सकते हैं।

मैं कानून के ही संदर्भ में एक बात कहना चाहता हूँ। जहां तक भू-अर्जन की बात है, यह राज्य का विषय है। भू-अर्जन में, माननीय उपाध्यक्ष महोदया, यहां तक किया गया है, कि जहां पर सार्वजनिक शब्द लग जाये उसका ले लिया जा सकता है। लेकिन यहां पर न्यायपालिका भी स्वतंत्र है और वह अपना अधिकार हर शब्द पर बारीकी से करती है कि अगर उन्होंने यहां न्याय की पुकार की तो न्याय अगर बैठता है, वह न्याय देने के लिए बाध्य है और उस न्याय की काट करने के लिए संशोधन लेकर यहां आना पड़ता है। तो मैं निवेदन करूंगा कि इन सारी बातों पर एक बार विचार करें कि कम से कम आप सदन में इतना तो बता दें कि आगे अब संशोधन लाने की आवश्यकता नहीं आएगी। आपने इस पर प्रूडेंट थिंकिंग किया है, ढंग से सोच लिया है, आपका मंत्रालय और आपके जो विशेषज्ञ हैं उन्होंने सोच लिया है।

मैं एक बात के लिए मंटू-रेल की प्रशंसा करना चाहूंगा कि जितना बना है, वह जरूर प्रगतिशील है, उसकी यात्राएं बढ़िया हैं, उसकी व्यवस्था बढ़िया है, उसमें थोड़ी और जहां कमी रह गयी है, उसको आप पूरा करें। अगर रूस के मंटू-रेलवे की तरह ठीक कर सकें तो आपकी और भी प्रशंसा होगी, इसलिए कि जो पहले बना है, उसको देखकर और उससे अच्छा बना सकते हैं। धन्यवाद।

THE DEPUTY CHAIRMAN : The House stands adjourned to meet again at 2.35 P.M. when the Minister will give the reply.

The House then adjourned for lunch at thirty-five minutes past one of the clock.

The House reassembled after lunch at thirty-six minutes past two of the clock, The Vice-Chairman (Shri Jagesh Desai) in the Chair.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Shri Madhavrao Scindia.

SHRI PUTTAPAGA RADHA-KRISHNA (Andhra Pradesh) : One submission I want to make, Sir.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : No, nothing has happened here since the lunch recess Shri Madhavrao Scindia to reply.

SHRI PUTTAPAGA RADHA-KRISHNA : Sir, this is an important issue.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : No, I will not allow you. Please sit down

SHRI PUTTAPAGA RADHA-KRISHNA : You are not allowing me to speak. You are suppressing my speech.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : No, no, I will not allow you. Please sit down.

SHRI PUTTAPAGA RADHA-KRISHNA : Sir, in the other House

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : No, no, I am not going to hear anything. Please cooperate with me. I will not allow you to raise it. Mr. Madhavrao Scindia. (Interruptions) Nothing will go on record.

SHRI PUTTAPAGA RADHA-KRISHNA : Please allow me to speak at least.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : What is it? Is it a point of order?

SHRI PUTTAPAGA RADHA-KRISHNA : It is not a point of order. It is a question of ...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : You cannot raise it. I am not allowing it. Please sit down

SHRI PARVATHANENI UPENDRA : Just give me half a minute to make my submission. We know the rules of the House do not permit us to raise anything happening in the other House. That we are aware of. But the point we are trying to tell you is very important; it involves the prestige of Parliament as a whole. A Member being threatened with manhandling in the House itself and being called "scheduled caste", and so on...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Mr. Upendra what has happened in the other House cannot be taken cognizance of here.

SHRI PARVATHANENI UPENDRA : It involves the prestige of Parliament.

(Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : No, please Mr. Madhavrao Scindia to reply. I am not allowing you. Please sit down. Please cooperate with me. Mr. Dipen Ghosh you are a senior Member. You know what happens in the other House cannot be taken cognizance of here. (Interruptions) You can bring it on some other... (Interruptions) I will not allow you. Please sit down. Please cooperate with me. The convention of this House is... (Interruptions)... Please sit down. I am not allowing you. Nothing will go on record. ... (Interruptions)... Yes, Mr. Jacob, have you to say anything?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB) : Just one point. This House is an independent, sovereign, body. It is not part of the other House. So, there is no point...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : That is all right ... (Interruption)... Please sit down ... (Interruptions)... Shri Madhavrao Scindia. ... (Interruptions)... I am not allowing; I Expunged as ordered by the Chair

am not allowing; I have not allowed anybody. (Interruption). Nothing will go on record. (Interruptions). Order, please. I have given my ruling now. I have given my ruling now. I will not allow him. You cannot question my ruling.. (Interruptions) Please sit down, Mr. Bhardwaj. (Interruptions). I am not allowing anybody. Please sit down. I am not going to allow anybody.. (Interruptions). I have given my ruling and I am not allowing anybody. Please sit down; please cooperate. Yes, Mr. Dipen Ghosh..

SHRI DIPEN GHOSH : Mr. Vice-Chairman, when our colleague, Mr. Radhakrishna, wanted to draw your attention to a particular incident, it was with the concern that such an incident may not occur, in this august House. But here I have seen that even a Minister has indulged himself in creating such an incident. I, therefore, while sharing his concern that the dignity of this House at least be maintained, though a poor cousin of this House has allowed himself to indulge in such an incident.. (Interruptions) ... Naturally... (Interruptions). You have yourself noticed how a senior Parliament Member, Rajya Sabha Member holding a very important office, the Minister of State for Law, who is supposed to see that law is implemented everywhere, in every part of the country, not only inside this House, indulges himself in hurling abuses at other Members. It was not correct.

(Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Please sit down. Let him say I am not allowing you.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ) : Sir, with great respect, may I draw your kind attention. I said, "Those defectors who have no respect for democracy.."

(Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Please sit down now. He says, "I have not said that." They will not go on record.

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(Interruptions)

श्री लाल कृष्ण आडवाणी (मध्य प्रदेश) : उपसभाध्यक्ष महोदया, श्री दीपेन जी ने कहा कि दूसरे सदन की हम चर्चा नहीं कर सकते इससे मैं पूरी तरह सहमत हूँ और आपका निर्णय भी सही है, लेकिन इस सदन में जो कुछ हुआ है उसकी हम जरूर चर्चा कर सकते हैं और उस मामले में मैं अपने को पूरी तरह से दीपेन जी की भावना से सम्बद्ध करत हूँ आपका ध्यान दिलाना चाहता हूँ कि मैंने गुना राज्य मंत्री (विधि) का यह कहते हुए कि आप इस सदन में पहुँचे हैं। यह असंसीदीय है, अशोभनीय है। मैं समझता हूँ आप इसको रिकार्ड से निकाल ही सकते हैं (व्यवधान) लेकिन मैं इस बात का ज्यादा जरूरी समझता हूँ क्योंकि वह सम्मानित सदस्य हैं मंत्रिमंडल के तो उप-युक्त होगा कि केवल रिकार्ड से निकाला ही न जाये बल्कि स्वयं कह दें कि मैं उत्तेजना में कह गया हूँ, मैं वापस लेता हूँ। यह ज्यादा उपयुक्त होगा नहीं तो मैं अपील करूँगा कि आप असंसीदीय भाषा को रिकार्ड से निकाल दें।

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Mr. Bhardwaj, what do you want to say ?

श्री एच. आर. भारद्वाज : इसमें कोई गलत बात मैंने नहीं की है। इन्होंने सब मेरे टिकट लिये हैं।

(Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Those words of Mr. Bhardwaj will be expunged from the record.

(Interruptions)

Please give me a minute, .

Mr. Bhardwaj, I request you to withdraw those words, those words you should withdraw.

SHRI DIPEN GHOSH : He must be called to withdraw (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : I am very fair

SHRI MIRZA IRSHADBAIG (Gujarat) : Is it unparliamentary ? This is an idiom. (Interruptions).

Expunged as ordered by the Chair.

DR. (SHRIMATI) NAJMA HEPTUL-LA (Maharashtra) : Sir, give a chance to our Members also. You are giving a chance to speak only to the Members from the other side.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : No, I am giving chance to every Member.

श्री एच. आर. भारद्वाज : श्रीमान जी, जहाँ तक आपके आदेश का ताल्लुक है मैं उसकी इज्जत करता हूँ और उसको मानता हूँ। लेकिन अगर आप सबूत चाहेंगे तो मैं दे दूंगा। . . . (व्यवधान) . . .

श्रीमान जी, मैंने जैसा पहले आपसे अर्ज किया इसमें कोई इज्जत और बेईज्जती का सवाल नहीं है . . . (व्यवधान) . . . आडवाणी जी ने कहा, आपने भी कहा अगर यह अभद्र शब्द है तो मैं इसको वापस लेता हूँ। लेकिन अगर आप सबूत चाहें तो मैं इसको साबित भी कर सकता हूँ। . . (व्यवधान) . . .

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Let him complete. You give him a chance to complete.

SHRI PARVATHANENI UPENDRA : He must withdraw. (Interruptions) one minute. Sir.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : I have allowed Mr. Mirza.

SHRI PUTTAPAGA RADHAKRISHNA : I have raised the issue and you are not allowing me. I must be allowed and I am going to speak (Interruptions).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : You cannot speak. Please sit down.

SHRI PUTTAPAGA RADHAKRISHNA : I have raised the issue here

श्री मीर्जा इश्रादबाग : उपसभाध्यक्ष जी, संसदीय प्रोसीजर में अगर कोई भी भाषा असंसदीय है तो उसका इस्तेमाल करना किसी के लिये भी जायज नहीं है। मैं आपका ध्यान आकर्षित कराना चाहता हूँ, आप रिकार्ड देख लें, आनरबल मंत्री सत्यपाल मलिक जी ने भी असंसदीय शब्द का प्रयोग किया है। मैं चाहता हूँ कि आप उनको देख लें। ये शब्द असंसदीय हैं। उन्होंने यहाँ पर * शब्द का प्रयोग किया है।

श्री सत्यपाल मलिक : मैंने * भी कहा है।

श्री मीर्जा इश्रादबाग : दूसरा, जो इंडियम यहाँ पर इस्तेमाल किया गया है, मैं आपसे निवेदन करना चाहता हूँ कि इस इंडियम का मतलब हिन्दी में क्या होता है आप इसको दिखावाँ। *एक इंडियम है और इसको आप दिखावाँ ले कि यह असंसदीय है या नहीं। *कोई असंसदीय नहीं है।

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Nothing will go on record except Mr. Dipen Ghosh, Mr. Advanji and Mr. Bhardwaj.

SHRI MIRZA IRSHADBAIG : Sir, my second point is (Interruptions) Sir, please listen to me (Interruptions)

SHRI PARVATHANENI UPENDRA : He is supporting. He should also withdraw again (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Please sit down

SHRI MIRZA IRSHADBAIG : It is an idiom.

SHRI PARVATHANENI UPENDRA : Only one minute, Sir. You have allowed me. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Please sit down. Please cooperate with me

SHRI PARVATHANENI UPENDRA : Sir, this House is grateful to you for giving your ruling. The hon. Minister of State of Law and Justice, in his good sense, has withdrawn the word but added some other thing. Please remove that additional thing from the record (Interruptions).

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra) : Why don't you allow me, Sir ?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Please sit down

SHRI PUTTAPAGA RADHAKRISHNA : Please allow me. I have raised the issue

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Your Leader already spoke. Now that topic is over. Shri Madhavrao Scindia

SHRI MADHAVRAO SCINDIA : Mr. Vice-Chairman, Sir, I do hope you have fully digested your meal by now. I was suffering under a great misconception. I was greatly encouraged by the presence of so many Members of Parliament in the House thinking that it was in support of the Metro Railways Bill. However, my misconception has been very rapidly cleared. I would like to thank the hon. Members for their suggestions and also for having generally supported the amendment and for also having said some laudatory words about the Metro which is functioning in Calcutta.

I would like to take this opportunity to also express my great appreciation to the people of Calcutta for the help, the co-operation and the support that we are getting from them in maintaining our underground stations, in maintaining cleanliness and I must praise the public spiritedness of the people of Calcutta as far as the Metro is concerned. I will just raise a few specific points because there was no real opposition to this amendment. So I will just deal with a few specific points that were raised by the hon. Members during the course of discussion. Mr. Dipen Ghosh talked about specific instances not having been given. There are about 22 plots yet to be handed over to the Railways and about 5 parties have gone to court and indulged in these dilatory tactics. I would like to mention that there have been several reasons for the delay in the construction of the Metro project but one of the principle reasons has been the sad lack of cooperation that we have received from the State Government as far as the acquisition and handing over of land is concerned. I have written specifically to the hon. Chief Minister on 13th July, 1986, on 3rd December, 1986, on 27th January, 1987, on 14th April, 1987, on 7th May, 1987, on 6th August, 1987 and lastly on 17th September, 1987 and yet there is such a great delay in handing over these plots. We have handed over the entire compensation money as calculated by the Land Acquisition Officer way-back in 1978-79 and yet these plots have not been handed over to us. A series of meetings have been held between the Chief Secretary, the Minister of Urban Development of West Bengal Government and the Railway

Ministry and specific targets have been set about the handing over of this land. I do agree that there has been some delay in the Metro meeting its targets but one of the main reasons for this delay has been the lack of success of the State Government to meet its targets laid down in these series of meetings, as far as handing over of land is concerned. I will continue writing to the hon. Chief Minister and other State authorities and I am sure, I would get the full support of Mr. Dipen Ghosh and his colleagues. (Interruption).

SHRI DIPEN GHOSH : I pointed out what were the reasons behind some people going to court and not exactly the dilatory tactics because of certain lacunae in the rules framed under the acquisition law and other things and because of the inadequate compensation being received by the small shopkeepers or the tenants for residential purpose and how the Railway authorities would take care of that should be considered. Acquisition is still according to law of acquisition but the compensation which is being paid to the landlords or the building-owners is much higher than the compensation given to the small shopkeepers because they had purchased land 100 years ago. Now you are paying compensation to them at today's market price, but in respect of the people living on rental basis for residential purposes, for them you are giving only the shifting expenses. That way, you must take care of them.

SHRI MADHAVRAO SCINDIA : Sir, as the hon. Member knows the Metro land compensation is decided by the State Government and by the Land Acquisition Officer. (Interruptions). As far as the shifting compensation is concerned, you cannot really calculate in concrete terms. You cannot exactly say what loss is incurred in shifting of business or business premises. This figure is decided after consultation and dialogue with several parties, several State Government agencies and ourselves.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Was it also discussed with those who are affected?

SHRI DIPEN GHOSH : No.

SHRI MADHAVRAO SCINDIA . They can give their representations which will be considered.

Mr. Kushnoor asked why it has taken so long for these amendments to have been brought to the House. A number of other hon. Members also mentioned that right at the time of inception in 1978 when the Metro Construction Bill was passed, these things could have been taken into account. Hon. Members will realise that this is the first time an attempt has been made to construct a Metro Railway. This is a new experience and we learn as we go along and that is why as the problems crop up, which were not entirely envisaged at the time of inception, we have to tackle them and see that amendments are made so that our work is not obstructed in any manner. We can pick up only from experience. Mr. Kushnoor also asked about the Bangalore Rapid Transit System. We have made a study which was financed by the State Government and the study report was forwarded to the State Government in July, 1983. I would suggest that the State Government take up this with the Nodal Ministry concerned which is the Ministry of Urban Development. We have also submitted a report to the Planning Commission and the Ministry of Urban Development and the Planning Commission have to decide on this and sanction this and give it to whichever agency has to implement it.

Mr. Vincent asked about the Madras Rapid Transit System. The present cost is Rs. 105 crores. We have spent Rs. 14.75 crores so far. The outlay for 1987-88 was fairly substantial—it was about Rs. 9 crores. We have had quite a long dialogue. I personally met the hon. Chief Minister and I have also written to him. We had a dialogue with the State Government on a consortium approach to the financing of suburban transport projects. Nowhere in the world is the suburban transport the sole responsibility of the railways of a particular country. Mr. Upendra mentioned that we could not wash our hands of the responsibility and put it all on the shoulders of the State Government or any other Central Ministry. I have never suggested it. All I have said is, the sole responsibility cannot be that of the Railways. We are prepared to participate, as I earlier said, with the Nodal Ministry and the

Urban Development Ministry. There is the Delhi Rapid Transport System which is being discussed. The Urban Development Ministry has received a report from the task force set up by the Urban Development Ministry which included us, the Delhi Administration and the Ministry concerned. They themselves have also given a positive response to this consortium approach. The Chief Minister also should desist from negating it completely. He feels it is the responsibility only of the Railways.

SHRI PARVATHANENI UPENDRA:
One minute

SHRI MADHAVRAO SCINDIA : I am talking about Tamil Nadu. Therefore, I would suggest to you to have another look at it if you really want the implementation of the project expeditiously. Keeping the tremendous financial constraints in view, I do feel that a positive approach, like that of Maharashtra or that evinced by the Delhi Administration, should be adopted in respect of every metropolitan city or fast growing town. The Chief Minister of Andhra Pradesh also talked about 25 per cent participation. At least, it is the beginning for a dialogue. I appreciate it. Similarly, Sir, I feel that if the Tamil Nadu Government could also have another look at it and give a positive response, it would be better. Otherwise, we would just be passing on the buck and putting the ball in the other person's court and, therefore, if really both of us, both the Tamil Nadu Government and we here, do want to do something, we must do it quickly because we know what the cost escalation would mean and we know the requirements of Madras and, therefore, we are very keen to try and complete this project as quickly as possible. But, unless a joint approach and a consortium approach is adopted, I cannot see this project being completed expeditiously because of the very severe constraint of resources.

He also mentioned, Mr. Vincent mentioned, that the surplus of Rs. 69 crores projected in the 1987-88 Budget could have been utilized for this. Again, Sir, there is a bit of confusion. This is a revenue surplus and the funding of these projects is done from the Plan allocation. So, they have no relationship as such. Actually, the

surplus goes to repay the deferred dividend liability which we have inherited through so many years and also it goes towards making contributions to the various funds that we have in the Railways.

SHRI V NARAYANASAMY Sir, I just want only one clarification. With regard to Tamil Nadu the honourable Minister said that the State Government has not given any green signal for a dialogue. I want to know what is the amount which you expect from them during the dialogue and what your share is. This is what I would like to know.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) That can be known only at the time of the dialogue.

SHRI V NARAYANASAMY : No, Sir. I would like to know what his stand is. What is your stand? You are talking about having a dialogue with Tamil Nadu. What is your stand?

SHRI MADHAVRAO SCINDIA : We have a very open mind. As you said, Sir, this will emerge only at the time of the dialogue. If somebody is not prepared to start the dialogue, then it becomes very difficult to enumerate our terms and our proposals. This will come only as a result of the dialogue.

Sir, Mr. Upendra mentioned about the tremendous funding that has been done, financing of the Metro Railways Project which has been done, during the Janata Party days. I would like to point out to him that it was only after the Government of Mrs. Indira Gandhi came to power in 1980 that this project started being financed in a substantial manner. In the Janata Party's three years, the total financing was only Rs. 42 crores which comes to an average of Rs. 14 crores per annum. If you would like to know, I will tell you that in the first year it was Rs. 9 crores, in the second year it was Rs. 14 crores and in the third year it was Rs. 19 crores. But I am happy to say that, understanding the urgency and the requirements of the people of Calcutta and fully sympathising with their aspirations and their expectations, the Railway Ministry, over the last three years, as against the Rs. 42 crores

in the three years of the Janata Party Government, has given Rs. 240 crores which comes to an average of about Rs. 80 crores per year and this amount also has been utilized fully and this year it is Rs. 79 crores.

SHRI PARVATHANENI UPENDRA : I only said that earlier, for about five years, nothing was done. Nothing had been done until the Janata Party Government came to power and gave substantial funds. Then only the work was started. I did not say that your Government did not give any money. Otherwise, how could the works be completed? How could the works be completed unless you allocated more funds afterwards?

SHRI MADHAVRAO SCINDIA : Again, Sir, I say that there is something wrong. Though Mr. Upendra has a very sharp intellect and has a sharp memory, may be because it is after lunch that his memory seems to be failing. He is giving the allocation during the Janata days. You had allocated in 1977-78 only Rs. 9 crores whereas, in 1974-75, the allocation was Rs. 12.59 crores and it is about thirty per cent more than what it was in the first year of the Janata Government. Anyway, let us not labour that point. I am sure about what is in his mind and he is sure about what is in my mind. Therefore, we must try and complete it expeditiously.

Mr. Upendra then talked about the improvements to be made there and said that the stations were not obvious and that it is very difficult to try and find them. We are doing something about this. Recently—I do not know whether you have read some Press reports—the Metro Railways received a lot of compliments for the work that is done in the Maidan area which has been appreciated. We have put up a few balustrades and done a lot of landscaping and there have been very complimentary references. But the point is well taken and we will certainly keep it in mind. I would like to thank him very much for the compliments that he paid to the Metro Railways. But again I will reiterate that it is a joint operation between the Metro Railways and the people of Calcutta that has really led to the success of this exercise.

[Shri Madhavrao Scindia]

He is naturally very much agitated about the Hyderabad problem. And I do know that such fast-growing cities as Bangalore, Lucknow, Kanpur, Hyderabad and Ahmedabad require such system in the future. That is why as far as Delhi rapid transport system is concerned, when Mrs Kidwai was the Urban Development Minister we pushed this matter with the Delhi Administration and the Urban Development Ministry. I am very glad that just a few months later we could expeditiously set up this task force in the Ministry of Urban Development. So I think we must have certain ideas and formulate our thoughts on this and have more or less a standard procedure of consortium financing for such projects.

SHRI PARVATHANENI UPENDRA : We are not very much enthused by the Urban Development Ministry. With our experience of the DDA these things will not stand for long.

SHRI MADHAVRAO SCINDIA : We have done a preliminary survey, as the hon. Member knows, in 1981, and I think that all of us should try with the Planning Commission. Mr. Upendra and the State Government should also try. We are trying and we are very keen that this should be done.

Mr. Narayanasamy talked about cost escalation and why in Paris there was no dislocation of road transport over the surface when the metro has been done. There are two methods of doing it. One is the shield method and the other is the cut-and-cover method. Now, the choice of method rests only on two considerations. One is the composition of the soil, and sub-soil strata of that area, and the other is the cost. The cut-and-cover system is two or three times cheaper than the shield method. With the help of the Japanese we have been adopting the cut-and-cover method. But of late for 1.2 kms., where cut-and-cover method cannot be done because it is very much built-up, we have taken technological help from the Soviet Union and Hungary. For 1.2 kms. we are using the shield system.

I thank him for having complimented IRCON. Mr. Natwar Singh had gone to inaugurate that in 1985. There have been

very laudatory comments about that line. In fact, the Iraqi Government has given us, awarded us, more work on the basis of our performance in that particular line. And certainly our men and officers in IRCON have to be complimented for this. They have worked in very adverse conditions, both climatic and from the point of general atmosphere there because it is a war situation. They have done exemplary work, and they must be complimented.

Mr. Ashwani Kumar asked about our target. Our target for completion is 1990-91. Most probably in December we will be able to complete it provided we get 22 plots from the State Government. I am sure that after this discussion Mr. Dipen Ghosh will involve himself and try to persuade.

SHRI DIPEN GHOSH : Mr. Minister, you are projecting the case in a different manner as if to shift the onus to the State Government. But you lack human consideration. Those who are going to be evicted are particularly small shopkeepers, small traders and retailers. You also share this concern and try to take care of those people also.

SHRI MADHAVRAO SCINDIA : I have not said that this is the only reason for the delay. I could have very easily said that which, from some other point of view, is true. I could have stated that, but I did not say that. I said that this is one of the reasons. (Interruptions)

SHRI DIPEN GHOSH : At a point of time your General Manager agreed, but some of your officers in the Railways did not agree.

SHRI MADHAVRAO SCINDIA : My suggestions is that you redirect your missives to the State Chief Minister and the State Government. Then I think we will be much more successful in achieving our objective. Shri Ashwani Kumar made the point about the local trams from Patna. They do not run underground. Again, the tracks there are very very saturated. But we are taking up certain line capacity expansion work there. We are also trying to create extra terminal facilities at Patna. The State Government there has to hand us over some land which they have agreed in principle. I would very much request

the hon. Members from Bihar to help us and expedite this handing over of land so that we can improve the terminal facilities, so that more trains run from Patna

Shri Malaviya Ji asked about the cost at the time when this project was conceived.

140 करोड़ की लागत का यह प्रोजेक्ट था, योजना थी और अब इसका जो हमारा अनुमान है. पूरा करते समय तक लगभग 864 करोड़ रुपये की आवश्यकता पड़ेगी, जिसमें से लगभग 470 करोड़ खर्च हो चूके हैं। इस वर्ष भी लगभग 80 करोड़ रुपये का प्रावधान किया गया है।

I cannot remember whether it was 79 or 80 crores. I stand to be corrected there

I would request Shri Jagdambi Prasad Ji to take back his amendment. I think we have more or less tackled all the problems that had cropped up.

मैं आपसे यह अनुरोध करूंगा कि आपका जो परपोज्ड संशोधन है, उसको आप वापस ले ले क्योंकि मुझे मालूम है कि जो भावना आपने व्यक्त की है, उसमें यह स्पष्ट विदित है कि आपका परा-परा सहयोग हमारे साथ है और आप भी चाहते हैं कि हम बड़ी तेजी से यह काम सम्पूर्ण करें। तो मेरा आपसे अनुरोध है कि उस लक्ष्य को मद्देनजर रखते हुए आप इस संशोधन को वापस ले ले तो हम अग्रहीत होंगे।

I would like to thank again the hon. Members for having participated. Their suggestions will certainly be kept in mind. We do know the great urgency of the development of suburban projects in this country and a constant dialogue is on. The Planning Commission is trying to fund it to the extent possible. Thank you very much.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Mr. Yadav, are you pressing your amendment.

SHRI JAGDAMBI PRASAD YADAV : No. I am not pressing

*The amendment was by leave, withdrawn

* For the text of the Amendment, vide col 200-201 of the Debate dated the 16th November, 1987.

SHRI MADHAVRAO SCINDIA : I thank the hon Member.

SHRI NIRMAL CHATTERJEE (West Bengal) : There is my name and another name for the third reading. Can you waive the procedure and allow us to speak now ?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : He has already given a very lengthy reply.

SHRI NIRMAL CHATTERJEE : He has given a very lengthy reply, but it was not adequately lengthy.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Shri Dipen Ghosh had a continuous dialogue with him.

SHRI NIRMAL CHATTERJEE : I shall take one or two minutes.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : I shall give you time at the time of third reading.

SHRI MADHAVRAO SCINDIA : I would request Mr. Chatterjee to give me the pleasure of his company in my chamber.

SHRI NIRMAL CHATTERJEE : Your company is undoubtedly pleasant. But I shall be missing the company of others.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : I shall put the motion moved by Shri Scindia to vote.

The question is :

"That the Bill further to amend the Metro Railways (Construction of Works) Act, 1978, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : We shall now take up clause by clause consideration of the Bill.

Clause 2 was added to the Bill.

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

SHRI MADHAVRAO SCINDIA Sir, I beg to move :

"That the Bill be passed"

The question was proposed

SHRI NIRMAL CHATTERJEE . The one point that I want to make—perhaps, this is not in his power—is that in another three years' time, Calcutta is going to celebrate its 300 years of existence. Why I draw this to his attention now is that at least by that time let the Metro railway be completed. That kind of assurance I am seeking from him. The second point is that there was a discussion about Calcutta. He knows but the House may not be adequately aware of it that among the metropolitan cities Calcutta is placed in a very difficult situation in the sense that only 6 per cent of the total area is given to roads, while in Bombay it is nearly 10 per cent and in Delhi it is 22 or 23 per cent. Calcutta needs more of the Metro railways than what is on hand now. And in the perspective plan it was mentioned that there are also three other projects. May I request him whether it is possible, whether it is within his means to say that when Calcutta completes 300 years, the foundation-stone for the other lines can also be laid so that—it takes 13 years, I think—by the turn of the century Calcutta can boast of a network of Metro railways?

Sir, the third point is that he has mentioned the Chief Minister for many delays, valid or not valid. But the Chief Minister has no role to play in increasing the frequency of the railways in the existing section. The electronic signalling system is yet to be there and any underground railway, if it is to be justified, must have a frequency of a 2-minute interval. My question is when you are going to have those installations so that the frequency increases.

Sir, my next point is the one which Mr. Dipen Ghosh mentioned. I don't think he got it in the proper perspective. We all support this amendment and there is no doubt about this because the notice lapses. But even with this amendment, the consumption time is not eliminated if people

are led to the courts. The central point of Mr. Dipen's question is this : Can't you introduce the compensation methods in such a manner that the recourse to the court would be entirely unnecessary? Otherwise, the time consumption despite this amendment will remain. It is this to which I want to draw his attention.

THE VICE-CHAIRMAN (SHRI JAGJESH DESAI) : Have you to react on this?

SHRI MADHAVRAO SCINDIA Sir, as far as the first question is concerned, it is not within my means to give any assurance about the foundation-stone of another part of the underground railway. And besides, I think, this again as I said really comes within the jurisdiction of the Planning Commission. And it is for the State Government to pursue this vigorously with the Planning Commission and get the sanction in the first place and then get the funds allocated for it and also possibly examine the possibility of other suburban projects in the area funded by a consortium approach as all the other metropolitan cities are considering in other parts of the country. As far as the compensation amount is concerned, I have already said that we handed over this compensation to the State authorities quite a few years ago. And I certainly do not know how to create a situation where under no circumstances people go to the law courts because some reason or the other always arises. To the extent possible, we try to cover them up through our legislation. But this Bill, this amending Bill, itself is evidence of the fact that our efforts are in that direction.

Then a question was raised about the automatic signalling. We are in fact improving the metro system. As you know, the automatic ticketing system is also going to be implemented and the present service, as it is run today, very adequately meets the demands as they are today. When the new section between Esplanade and Belgachia is completed, that is the time when the real pressure will come on the metro system because it will be a direct connection right from Dum Dum to Tollygunge. That is the time when we have to

considerably step up our services. But the services are adequate, we consider them adequate, at the present moment.

THE VICE-CHAIRMAN (SHRI JAGESH DFSAI) : The question is

"That the Bill be passed."

The motion was adopted.

I. STATUTORY RESOLUTION SEEKING DISAPPROVED OF THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ORDINANCE, 1987

II. THE REPRESENTATION OF THE PEOPLE (THIRD AMENDMENT) BILL, 1987

SHRI JASWANT SINGH (Rajasthan) : Mr. Vice-Chairman, Sir, I move.

"That this House disapproves of the Representation of the People (Amendment) Ordinance, 1987 (No. 7 of 1987), promulgated by the President on the 22nd September, 1987."

Sir, normally one would not resort to the option that we have as individual Members of Parliament to move statutory resolutions of disapproval on what are otherwise necessary legislations, which are the product of the evolution of a democratic system in our country. My first reservation to this Ordinance arises from the fact that it becomes self-evident, if you examine the dates on which this Ordinance is promulgated. Sir, the Ordinance was promulgated on the 22nd of September this year. In a fairly detailed Explanatory Note which the hon. Minister has appended to the Bill, it is explained why the issuance of the Ordinance became a necessity, and even at the cost of boring him and taking the time of the House it becomes necessary for me to repeat that reasoning. The hon. Minister of State in the Ministry has given other reasons why in the evolution of the various State Assemblies of the North-Eastern States it had not been possible to determine in advance, the numbers of seats of the Scheduled Tribes. Therefore, that deter-

mination was left for a subsequent date. The Hon. Minister says that the term of the present Legislative Assembly of the State of Nagaland is coming to an end on 28th November, 1987.

"...and the Election Commission had to call for elections to that Assembly by the 1st of October. Before the notification calling for the elections is issued, the Election Commission should have finished its work of determination of the seats to be reserved for the Scheduled Tribes in that Assembly. This would involve some procedure and it would take about 10 to 15 days before the orders of such determination are published by it. It was, therefore, necessary to amend the Representation of the People Act, 1950 immediately to achieve the object mentioned above. Accordingly, the President promulgated the Representation of the People (Amendment) Ordinance, 1987 on the 22nd September, 1987 to amend the Representation of the People Act, 1950 to specify that 59 of the 60 seats in the Nagaland Legislative Assembly, . . . Would be reserved for the Scheduled Tribes."

Likewise for Meghalaya Assembly and for Mizoram Assembly and for Arunachal Pradesh Legislative Assembly, this has been specified.

Now, my first difficulty is that elections to Nagaland could not be suddenly arriving in the legislative or governmental programme. It was sufficiently well known; in fact, the day the Legislative Assembly of Nagaland came into being, it was pretty obvious that its life would end on a certain day, and if it was determinable that the life of Nagaland Assembly would end on 28th November, which necessitated this Government to come forward with an Ordinance on 22nd September, why could it not have brought about this particular piece of legislation, in the last session of the House, which after all went on with its business until the end of the first week of September? If till the end of the first week of September both Houses of Parliament were in session, then why barely within a fortnight of the Houses rising in recess, did the Government find it necessary to issue an Ordinance on a subject