

involved in particular industries; otherwise, such offenders will be more in number. Sir, in our country, the desire to amass wealth is so rabid and so progressive, especially after we got independence. I do not know the reason. That was why, one of the greatest parliamentarians and politicians of this country said that this permit-licence-raj should be removed. You should not give licence to middlemen and others. If you do not do that, any amendment in the law will not work.

MR. DEPUTY CHAIRMAN: Any reply ?

PROF. D. P. CHATTOPADHYAYA : I have nothing particular to say. I have just carefully heard his suggestion.

MR. DEPUTY CHAIRMAN : The question is.

"That the Bill be passed." *The motion was ai/opted.*

MESSAGE FROM THE LOK SABHA

The Voluntary Disclosure of Income and Wealth Bill, 1976

SECRETARY-GENERAL: Sir, I have to report to the House the following message received from the Lok Sabha signed by the Secretary-General of the Lok Sabha :

"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 herewith the Voluntary Disclosure of Income and Wealth Bill, 1976, as passed by Lok Sabha at its sitting held on the 19th January, 1976.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Sir, I lay the Bill on the Table.

MR. DEPUTY CHAIRMAN : The House stands adjourned till 2.00 P.M.

The House then adjourned for lunch at one of the clock.

The House reassembled after lunch at three minutes past two of the clock, Mr. Deputy Chairman in the Chair.

STATUTORY RESOLUTION REGARDING APPROVAL OF RECOMMENDATIONS OF RAILWAY CONVENTION COMMITTEE

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHAMMAD SHAFI QURESHI): Sir, I beg to move the following Resolution :

"That this House approves the recommendations made in paras 4, 5, 15, 16, 17 and 23 contained in the Eleventh Report of the Committee appointed to review the rate of dividend payable by the Railway Undertaking to General Revenues as well as other ancillary matters in connection with the Railway Finance and General Finance which was presented to Parliament on the 9th January, 1976; and

That this House further directs that the action taken by Government on the other recommendations made in this Report, as well as in the Eighth and Ninth Reports, should be reported to the Committee."

Sir, based on the recommendations of the Acworth Committee 1920-21, Railway Finances were separated from General Finances by a Resolution of the then General Legislature in September 1924. The Resolution known as Separation Convention prescribed the rate of contribution to be made by the Railways to the General Revenues, to be worked out on the basis of the capital-at-charge of the Railways and the working results of the Commercial Lines.

[Shri Mohammad Shaft Qureshi] The Railway Convention Committee, 1949, the first such Committee to meet after independence, had a fresh look at these arrangements and recommended the concept of a fixed dividend which the Railways should pay to the General Finances on the loan capital invested in the undertaking as computed annually. This was approved by the Parliament. The Convention Resolution is reviewed periodically once in five years. Accordingly, the relationship between Railway Finance and General Revenues as spelt out by the 1949 Committee was reviewed by the Railway Convention Committees set up in 1954, 1960, 1965 and 1971. These initial financial arrangements have undergone modifications in the light of the changing circumstances, though the basic concept that the Railways should pay a fixed dividend to General Revenues still holds.

With the economic development of the country on a planned basis under the successive Five-Year Plans, a practice has been adopted to set up Railway Convention Committees whose recommendations regulating the payment of dividend by the Railways to the General Revenues, etc., will also coincide with the Five-Year Plans. Such an arrangement has much to commend itself since it enables the Railways to assess the resources that would be available with them during a particular Plan period and to regulate their programme for rehabilitation, development and expansion of the Railway system accordingly.

The recommendations of the Railway Convention Committee 1971, covered the Fourth Five-Year Plan period 1969-74. Apart from issues such as the payment of dividend by the Railways to the General Revenues and connected financial matters, that Committee had gone very deeply into various aspects of Railway working such as accounting matters, suburban services, commercial and allied matters and requirement and availability of wagons. The recommendations made by that Committee have been carefully examined and most of them have been implemented.

The Railway Convention Committee, 1973, was constituted in May 1973 to determine the dividend payable by the Railway Revenues to the General Revenues and other connected matters during the Fifth Plan period, 1974-79. The Committee has already done and is continuing to do most valuable work. They presented an interim report in December 1973 and Sixth Report in December 1974 governing the financial arrangements applicable during the first two years of the Plan, viz. 1974-75 and 1975-76. These recommendations which were adopted by this House were taken into account in framing the Railway Budget Estimates for these two years. They have also extensively reviewed the action taken by Government on the various recommendations of the Railway Convention Committee, 1971.

The Committee have now submitted further three Reports: these are the Eighth Report on the Railways' Fourth and Fifth Five-Year Plans, Ninth Report on Social Burdens on Railways and the Eleventh Report on the rate of dividend for 1976-77 and other ancillary matters.

In the Eighth Report, the Committee have examined the performance of the Railways during the Fourth and Fifth Plans, and made some pertinent observations regarding the technique of planning, the utilisation of assets, the capacities created for the movement of traffic etc. Their recommendations will be given the most careful consideration.

In the Ninth Report, the Committee have analysed in detail the impact, on their financial position, of the various social burdens which the Railways have to bear by way of retention of uneconomic passenger services and uneconomic branch lines, carriage of goods at belowcost rates, etc. Almost everywhere the Railways are regarded not only as a commercial enterprise but also as a public utility undertaking catering to the needs of the community, and, in the result, considerable social burdens have to be borne by them in practically all countries. For this burden borne by them, Railway system

in several countries are compensated in some form or other. The Committee have studied this complex and intricate problem most patiently and from all possible angles. While emphasising, and very rightly, the need for ensuring optimum utilisation of the Railway assets created at the cost of public revenue, the Committee have made certain suggestions to provide relief to the Railways in certain areas. I am grateful to the Committee for the trouble undertaken by them in this behalf.

In the Eleventh Report, the arrangements as now in force concerning the rate of dividend payable to General Revenues and connected financial matters have been recommended to be continued during the year 1976-77 also.

The present arrangements envisage payment of dividend at 5.5 per cent including 1 per cent representing payment to the States in lieu of the Passenger Fare Tax, etc. on the capital invested on the railways up to 31-3-1964 and 6 per cent on the capital invested thereafter. Subject to certain commissions. Considering the increasing difficult financial position of the Railways and the growing indebtedness of the Railways to the General Revenues, the Committee have extended the additional relief by way of enhancing the remission of dividend payment on capital works in progress from 25 per cent to 50 per cent for the entire Fifth Plan period. The additional amount of relief which will be admissible to the Railways on this account during these three years, 1974-77, would amount to about Rs. 13 crores. The Committee also have accepted the plea of the Railways for meeting the cost of construction of staff quarters now met out of the Development Fund to capital, dividend on such capital being payable only if the Railways have surplus after discharging other dividend obligations.

These recommendations, after adoption by the Parliament, would be taken into account in preparing the Railway Budget for the year 1976-77. I must express my grate-

fulness to the Chairman and the other Members of the Committee for the arduous labour undertaken by them and for their sympathetic consideration of the Railways' problems.

With these words, Sir, I commend the Resolution for the consideration of the House.

The question was proposed.

SHRI SAN AT KUMAR RAHA (West Bengal) : Mr. Deputy Chairman, Sir, first of all, I beg to draw your attention to the fact that I had not received any copies of the Reports of the Convention Committee. Only today I could collect those books and those volumes from the counter and you can easily understand that I am not prepared fully to discuss all the matters raised in these three volumes. From my experience I can say that the Reports of the Convention Committee are stereo-typed ones and anybody can deliver a speech in the same stereo-typed way which will be of the same nature and value as that of the one delivered with the help of these Reports. Sir, I would now like to make one or two observations about the whole system of the Indian Railways.

Planning started in 1950 and from that time onwards till today, the Railway Administration has been brought to a very awkward Situation. If there is going to be no change in the basic structure of the Railway Administration, we would only be receiving this type of Reports and this kind of recommendations every year. I think that restructuring of the Railway Board is urgently needed. To implement properly the recommendations of the Railway Convention Committee, the Public Accounts Committee and the Estimates Committee, etc. Although the Railway Minister has stated that implementation has taken place in respect of most of the recommendations, I beg to differ. Sir, in the Eleventh Report, the Convention Committee has made recommendations on the present mode of payment of a fixed dividend at a fixed percentage on the Capital-at-Charge, the present

(Shri Sanat Kumar Raha] arrangement of differential rates and the present arrangement of treating losses, etc. which have been made as usual and the Committee has also recommended something regarding the Depreciation Reserve Fund saying that it should be on a rational and scientific basis. I would like to know from the honourable Minister as to what has been done on a rational and scientific basis regarding the Depreciation Reserve Fund. The Committee also has made a recommendation in respect of the existing provision regarding temporary loan from the General Fund as is usually done. The committee also desires framing of the Budget Estimates in the light of the Report of the Task Force on Budgetary Accountancy and Management Practices. I would like to know how far progress has been achieved in the matter of implementing the recommendations in the light of the Report of this Task Force in the framing of the Budget.

Sir, we have always raised in this House the point that the Railways is always in the red and is always suffering from losses.

Sir, regarding the quantum of earnings from passenger traffic and goods traffic, I would state from the report that in the Fourth Plan period in 1972-73 the total earning was Rs. 1140 crores. In the year 1973-74 it has come down to Rs. 1110 crore*, despite enhancement in rates of passenger fares and also goods traffic. Similarly, Sir, I would also show from the report that the number of passengers in 1972-73 was 2663 million, and in 1973-74 it has come down to 2654 million. Despite the growth of population, the percentage of passengers is also declining.

Sir, I can also show from Appendix TI on page 165 the earning on high rated commodities. In 1972-73 the quantum was 11.3 million tonnes and in 1973-74 it has come down to 10.5 million tonnes. Similarly, in 1972-73 the earnings from high rated commodities was Rs. 105.9 crores. In 1973-74 it has come down to Rs. 96.9 crores. Despite enhancement in the rates of passenger fares

and goods traffic fares, the Railways are incurring loss every year, without giving any corresponding benefit to passengers. Whenever this question is raised, it is said that the Railways are carrying the social burdens of the country. In every country where there is the railway system, it has to carry the burdens of society, which is like a compulsion, more so for developing countries. The railways are a commercial as well as public utility service. They should stand on their own legs.

Regarding the commercial aspect, I would like to know from the Minister why the Railway Board, which is functioning as the secretariat of the Ministry, cannot implement those recommendations which can yield a few hundred crores of rupees every year. The P.A.C. in its 148th Report recommended that all items, excepting Government owned cereals and pulses and relief materials, should be carried at 'cost plus' basis. Sir, if this is implemented, I do hope that some sort of social burden which is not essential for the Railways to bear, can be cut down. They also recommended to initiate commodity-wise studies with a view to finding out the elements of subsidy, if any, still involved in the carriage of various commodities, particularly industrial raw materials and to rationalize the freight structure. This should also be implemented. Thereby we can cut down the burdens of social responsibility which are not essential. The Committee also recommended to study the unit cost of haulage of different classes of coaches. How far it has been examined and studied, I do not know. If the haulage system is studied seriously, we can also cut down some losses on account of social burdens.

Sir, the Railways have the obligation of public services. We definitely admit that. But we also think that there are certain obligations concerning public sector enterprise, on commercial lines.

Sir, it can be shown from the report that we are incurring more and more losses year after year. In 1970-71, our loss on

social burden was 169 crores of rupees. It was 167 crores in 1971-72, 173 crores in 1972-73, 277 crores in 1973-74 and 281 crores in 1974-75. It is estimated that our loss on social burden will be 138 crores of rupees in the year 1975-76. I apprehend that this burden will increase with the growth of population, with the increase in the complexities of society and with the change in our economic system. In this connection, I would like to draw your attention to the 9th report of the Railway Convention Committee, pages 176 and 377. paragraphs 1.142 and 1.145. I quote:

"The Committee need hardly emphasise that the Railways should take vigorous and effective steps to plug all loopholes and prevent the colossal loss of revenue through pilferages, thefts and ticketless travelling. Further, while the Railways claim that there is no shortage of wagons there is a general complaint by the trading and business community that wagons are not made available in time and in adequate number."

Sir, these were the recommendations made by the Railway Convention Committee. Again, it is stated on the same page:

"It is imperative that the Railways streamline their functioning and manage the operations in such a way that they are looked upon as the most economic, competitive, efficient and reliable mode of transportation in the country."

This should also be taken into consideration seriously. These problems in our system are not studied seriously and they are always neglected. I do believe that the Railways should remove these bottlenecks and hurdles in the system. If it is done. I hope that at least 100 crores of rupees will be saved in the Railway revenue.

Sir, in the Ninth Report, it is also stated that the backward areas should also be developed as a social burden. Ignoring

the fact that this development will ultimately help the national economy, the Planning Commission did not accept the request for the allotment of 255 crores of rupees for new lines in the backward areas. I would like to say that the Planning Commission should consider it seriously. We are planning in the emergency period and it is our duty to help the poorer sections in the villages and rural areas in order to improve their economic life. I think that these new railway lines in the backward areas, as recommended by the Railways, should be accepted and adequate finances should be granted by the Finance Ministry. Whether the loss is due to social burden or due to other causes such as thefts, pilferages, wagon breaking, etc., it is always borne by the passengers. It is also said that the Railways are bearing the burden of society. I feel that the burden is ultimately passed on to the common people. When the Government loses money, they enhance the fares and the poor people, passengers, traders and businessmen suffer. During the emergency, this country is going to remove corrupt officials and unscrupulous people. I think no such attempt was made previously before this emergency.

Why the Railway Board is taking so long period to weed out these persons who are responsible for the loss of revenue to the railways? Actually, people lost faith in the honesty of the Railway authorities, and honest employees had to suffer. This is the bitter experience of employees who are honest. Sir, I do think that an overwhelming number of employees are honest and sincere. But the corrupt system corrupts everything. If the weeding out measures against dishonest employees had been taken earlier, it would have strengthened the revenues of the railways. I think, if the weeding out campaign to remove corrupt officials is maintained after the emergency also, at least, Rs. 100 crores can be saved per year by the Railway administration.

Sir, the administration of the Railway Board is a top heavy administration. Unproductive travelling allowance and unnecessary use of saloons by the VIPs should be

[Shri Sanat Kumar Raha]

stopped so that we can cut down some losses. Sir, it is reported that goods traffic is also in a bad shape; the percentage of goods traffic is declining. It is said that the unique combination in the Railway Board of technical and executive functions along with the functions of a Ministry is the result of evolution and experimentation of over 120 years of railway history in India. My question is: Is it for the evolution and experimentation that we are incurring such a heavy loss year to year, that after 120 years we have been trying to prohibit the use of wagons as warehouses—why these wagons were not stopped from being used as warehouses, I cannot understand—that rem-pant corruption prevails in the railways? Sir, though 2,000 corrupt people have been removed from the administration, there are some hundreds of people who can still corrupt the railway system. Sir, are these incidents of vices of recent happening? no, Sir. I think, it is the accumulation of vices for the past ten years, at least.

Sir, as regards railway workers, (they are disgruntled today for the misuse of rule 14 (1) and (2). Sir, deliberate victimization is being attempted on the workers who are office bearers of trade unions. They are being transferred as victims of the Railway authorities. Sir, the railway authorities do not want that the workers should also participate in the administration as well as in the management. So, I think, there is a deliberate motive from the Railway Board and the Railway authorities to transfer all these trade unionist leaders and office bearers of the trade unions. They are the victims of transfers and are, being removed from service. Sir, are they being heard before they are being transferred or removed from service? There is a judgment of the Supreme Court that they should be heard before any order is passed regarding their transfer and dismissal. *(Time hell rings)* Sir, I will take just two more minutes.

Sir, in view of these adverse factors in the Railways. I would suggest 'hat if the

Railways want to create an image of achievement, if they want to be a real public service enterprises and an instrument of commercial service, at least, the Board should be re-organised with these objectives in view so that cent per cent implementation of all the recommendations of the Estimates Committee, the Railway Convention Committee and the Public Accounts Committee can be seriously and vigorously taken up. If these are implemented, the Railways can create a better image in the minds of the people. I do believe still that in India, the railway system can create a vast image amongst the people as a public service enterprises as well as a commercial enterprise. Sir. I conclude my speech with the hope; that the Railway Administration will give proper consideration to the recommendations of the Railway Convention Committee so that each and every recommendation can be implemented in its true spirit, and not merely in technical terms.

شری سید نظام الدین (جموں و کشمیر):

چند سال پہلے ریلویز میں جو مالیات کی پوزیشن تھی اس پر نظر ڈالتے ہیں اور آج کی جو مالی پوزیشن ہے ریلوے کی اس پر نظر ڈالتے ہیں تو عام آدمی کو یہ بات سمجھ میں نہیں آتی کہ اتنے سالوں کے اندر اتنا بڑا فرق کیسے ہو گیا۔ ابھی آنریبل منسٹر صاحب نے جو دوہرے مقاصد ریلوے محکمہ کے بتائے اس میں ایک یہ تھا کہ یہ عوام کے مفاد کے لئے بھی ادارہ ہے اور دوسری بات بتائی کہ یہ پورا ایک تجارتی ادارہ کے طور پر کام کر رہا ہے۔ میں یہ جاننا چاہوں گا کہ اگر واقعی یہ ہے کہ جتنے ریلوے فائٹینسز میں نقص وہ اس لئے ہیں کہ یہ صرف عوامی مفاد کے ادارہ کے طور پر کام کر رہا ہے تو واقعی یہ بات سمجھ میں آسکتی

ہے اور ہم یہ بھی جاننا چاہیں گے کہ پبلک یوٹیلیٹی ڈپارٹمنٹ کے طور پر اس کو کتنا بڑا نقصان اٹھانا پڑتا ہے اور تجارتی ادارہ کے طور پر کتنا نفع ہوتا ہے لیکن یہ بات ایمرجنسی کے بعد صحیح نہ نکلی جیسا کہ آنریبل منسٹر صاحب کو بھی معلوم ہے کہ ایمرجنسی کے بعد سے ریلوے میں ایک ڈسپلن آگیا ہے اور اس ڈسپلن کے ناپائے ریلوے کے فائینسیز میں بڑا فرق پڑ گیا ہے۔ اس لئے یہ بات صاف معلوم پڑتی ہے کہ ایمرجنسی کے پہلے اس محکمہ میں اتنا ان ڈسپلن اور کرپشن تھا اور یہ ریلوے کا زیادہ جو نقصان ہو رہا تھا اس بنا پر نہیں ہو رہا تھا کہ کچھ اسٹریٹجک لائسنس چلائی جا رہی ہیں اور کچھ بیک ورڈ ایریاز کو ریلوے لائسنس کے ذریعہ ملایا جا رہا ہے اس لئے میری گزارش یہ ہے کہ جو اب ڈسپلن ریلوے میں پیدا ہو گیا ہے اس کو قائم رکھنے کی سخت ضرورت ہے۔ ہم جانتے ہیں کہ ایمرجنسی کے بعد سے آنریبل منسٹر قریبی صاحب اور دوسرے آفیسر جو محکمے سے تعلق رکھتے ہیں انہوں نے جس دل چسپی سے کام کرنا شروع کر دیا اس سے یہ توقع ظاہر ہوتی ہے کہ اب ریلویز میں کچھ سدھار ہو گا۔ ورنہ چند سال پہلے سے ہم دیکھتے آئے ہیں کہ ریلوے کے ریونیوز میں جنرل ریونیو کو اس کا پیسہ ملتا تھا۔ آج جب ہم گیارہویں رپورٹ کا مطالعہ کرتے ہیں تو پتہ چلتا ہے کہ ریلوے کی جو مالی پوزیشن ہے وہ اتنی خراب ہے کہ وہ ہر لحاظ سے جنرل ریونیو سے اپنی لائبلٹیز پوری کرنا

چاہتی ہے۔ اس کے پہلے بھی میں ایک دفعہ اس معزز ایوان میں اس پر بولا تھا اس وقت میں نے کہا تھا کہ صاحب جب ہم عام سواری کی حیثیت سے ریلوے میں جاتے ہیں تو ہم دیکھتے ہیں کہ ریلوے کے پیسنجر بھی بہت زیادہ ہیں اور کوئی ریل ایسی میں نے اب تک نہیں دیکھی جس میں پیسنجر کی بھر مار نہ ہو جس میں سواریاں زیادہ نہ ہوں۔ سواریاں صرف ڈبہ میں نہیں کوریڈور میں بیٹھی رہتی ہیں اور ہر سال ریلوے کا کرایہ بڑھتا جا رہا ہے۔ تو ان تمام چیزوں کے باوجود یہ نقصان مالی پوزیشن روز بروز خراب ہوتی جاتی ہے۔ تو یہ بات میری سمجھ میں نہیں آتی ہے کہ ایسا کیوں ہو رہا ہے۔

دوسری بات یہ ہے کہ پچھلے چند سالوں سے ہم نے یہ دیکھا کہ ریلوے کا ایکسپنشن بھی اتنا زیادہ نہیں ہو رہا ہے جتنا چند سال پہلے ہو رہا تھا اس لئے بھی جو نقصان ریلوے محکمہ اٹھا رہا ہے یہ بات سمجھ میں نہیں آتی ہے کہ یہ سب کچھ کیسے ہو رہا ہے۔

ایک بات جس کے بارے میں میں ریلوے منسٹر سے گزارش کروں گا وہ یہ ہے کہ پچھلی اسٹرائیک کے درمیان کچھ ملازمین کو نکال دیا گیا تھا اور ان کے بارے میں یہ کہا جاتا ہے کہ بہت سارے ملازمین واپس لے لئے گئے ہیں لیکن کچھ ابھی تک ہیں جن کو واپس نہیں لیا گیا ہے تو میں ریلوے منسٹر صاحب سے یہ گزارش کروں گا کہ وہ لوگ جن کو اس دوران نوکری سے نکالا گیا تھا اور جن

[شری سید نظام الدین]

لوگوں کے خلاف سیریس کمیسز آف سیونٹاج نہیں ہیں ان لوگوں کو دوبارہ نوکری ملنی چاہئے اور ان لوگوں کو جن کو اس درمیان میں ٹیمپری طور پر اپوئنٹ کیا گیا تھا جن کو اس بنا پر نوکری دی گئی تھی ریلوے میں ہڑتال چل رہی تھی ان کو ملازمت سے الگ نہ کیا جائے۔ اور وہ لوگ اس وقت حکومت کے پراویزنل اور ٹیمپری امپلائز تھے۔ اور وہ لوگ حکومت کے اس وقت کام میں آئے جب کہ حکومت کو ایمرجنسی پیش آئی تھی اور جب کہ حکومت کو کچھ ڈیفیکٹس کا سامنا کرنا پڑ رہا تھا۔ ہم یہ توقع کرتے ہیں کہ تریپلٹی صاحب جو کہ بہت ہی بزرگ آدمی ہیں اور بہت ہی مدبر ہیں اور قریبی صاحب جو کہ جوان ہیں اور اس محکمہ میں جنسٹر ہیں وہ اس محکمہ کی جو حالی پوزیشن ہے اس کو سدھارنے اور ریلوے کے جو خراب مالی حالات میں اس کو ٹھیک کرینگے۔

†[شری سید نظام الدین (جम्मू اور کشمیر) : چند سال پہلے ریلوے میں جو مالیات کی پوزیشن تھی اس پر نजर ڈالتے ہیں اور آج کی جو مالی پوزیشن ہے ریلوے کی اس پر نजर ڈالنے سے عام آدمی کو یہ سمجھ میں نہیں آتی کہ اتنے سالوں کے اندر اتنا بڑا فرق کسے ہو گیا۔ ابھی انارےبل مینسٹر صاحب نے جو بڑے مہکامہ ریلوے مہکما کے بتائے اس میں ایک یہ تھا کہ یہ مہکما کے مہکما کے لیے بھی مہکما ہے اور دوسری یہ بات بتائی کہ یہ پورے ایک جیتا جیتا مہکما کے طور پر کام کر رہا ہے۔ میں یہ جاننا چاہوں گا کہ ابھر باکس یہ ہے کہ جتنے ریلوے فائننس میں نुकسان

†[] Hindi translation.

ہے وہ اس لیے ہے کہ یہ میں مہکما مہکما کے مہکما کے طور پر کام کر رہا ہے تو باکس یہ بات سمجھ میں آ سکتی ہے اور ہم یہ بھی جاننا چاہیں کہ پبلک یٹیلٹی ڈیپارٹمنٹ کے طور پر اس کو کتنا بڑا نुकسان اٹھانا پڑتا ہے اور تیز رفتاری مہکما کے طور پر کتنا نफا ہوتا ہے۔ لیکن یہ بات ایمرجنسی کے بعد بھی نہ نکلی۔ جیسا کہ انارےبل مینسٹر صاحب کو بھی مالم ہے کہ ایمرجنسی کے بعد سے ریلوے میں ایک ڈیپارٹمنٹ آیا گیا ہے اور اس ڈیپارٹمنٹ کے ساتھ ریلوے کے فائننس میں بڑا فرق پڑ گیا ہے۔ اس لیے یہ بات مالم مالم پڑتی ہے کہ ایمرجنسی کے پہلے اس مہکما میں اتنا انڈیپنڈنٹ اور کارپنٹن تھا اور یہ ریلوے کا مہکما جو نुकسان ہو رہا تھا اس میں بڑا فرق ہو رہا تھا اس میں بڑا فرق ہو رہا تھا کہ کچھ سٹریٹجک مہکما چلائی جا رہی تھی اور کچھ بکسڈ ایریا کو ریلوے لائن کے مہکما ملایا جا رہا ہے اس لیے یہی مہکما یہ ہے کہ اب ڈیپارٹمنٹ ریلوے میں پیدا ہو گیا ہے اس کو کام کرنے کی سکت ضرورت ہے۔ ہم جانتے ہیں کہ ایمرجنسی کے بعد سے انارےبل مینسٹر مہکما اور دوسرے مہکما کے مہکما سے تعلق رکھتے ہیں انہوں نے جس دیکشنری سے کام کرنا شروع کر دیا اس سے یہ مہکما کو جاننا ہوتا ہے کہ اب ریلوے میں کچھ مہکما ہوگا مہکما چند سال پہلے سے ہم دیکھتے آئے ہیں کہ ریلوے کے ریلوے میں جنرل ریلوے کو اس کا پئسا ملتا تھا۔ آج جب ہم مہکما کے رپورٹ کا مہکما کرتے ہیں تو پتا چلتا ہے کہ ریلوے کی، جو مالی پوزیشن ہے وہ اتنی خراب ہے۔ وہ ہر مہکما سے جنرل ریلوے سے اپنی مہکما پوری کرنا چاہتی ہے۔ اس کے پہلے میں ایک مہکما اس مہکما میں اس پر بولا تھا اس وقت میں نے کہا تھا کہ جب ہم عام مہکما کی مہکما سے ریلوے میں جاتے ہیں تو ہم دیکھتے ہیں کہ ریلوے کے پئسز بھی بہت زیادہ ہیں اور کوئی ریلوے میں اب تک نہیں دیکھی جس میں پئسز کی مہکما نہ ہو، جس میں مہکما زیادہ نہ ہوں۔ مہکما میں مہکما میں نہیں

कोर्टोडार में बँधी रहती हैं और हर साल रेलवे का किराया बढ़ता जा रहा है। तो इन समान चीजों के बावजूद यह नुकसान है। माली पोजीशन रोज-ब-रोज खराब होती जाती है। तो यह बात मेरी समझ में नहीं आती है कि ऐसा क्यों हो रहा है ?

दूसरी बात यह है कि पिछले चन्द सालों से हमने यह देखा कि रेलवे का गेक्सपेंशन भी इतना ज्यादा नहीं हो रहा है जितना चन्द साल पहले हो रहा था इसलिए भी जो नुकसान रेलवे महकमा उठा रहा है यह बात समझ में नहीं आती है कि यह सब कुछ कैसे हो रहा है। एक बात जिसके बारे में मैं रेलवे मिनिस्टर से गुजारिश करूंगा वह यह है कि पिछली स्ट्राइक के दरम्यान कुछ मुलाजमीन को निकाल दिया गया था और उनके बारे में यह कहा जाता है कि बहुत सारे मुलाजमीन वापस ले लिये गये हैं लेकिन कुछ अभी तक हैं जिनको वापस नहीं लिया गया है तो मैं रेलवे मिनिस्टर साहब से यह गुजारिश करूंगा कि वे लोग जिनको इस दौरान नौकरी से निकाला गया था और जिन लोगों के खिलाफ सीरियस केसेज आफ सेवोटिज नहीं हैं उन लोगों को दोबारा नौकरी मिलनी चाहिये और उन लोगों को जिनको इस दरम्यान में टेम्पोरेरी तौर पर एंपायटे किया गया था जिनको इस बिना पर नौकरी दी गई थी रेलवे में हड़ताल चल रही थी उनको मुलाजमत से अलग न किया जाये। और वे लोग इस वक़्त हकूमत के प्रोबीजनल और टेम्पोरेरी एम्प्लाइज थे और वे लोग हकूमत के उस वक़्त काम में आये जब कि हकूमत को एमरजेंसी पेश आई थी और जबकि हकूमत की कुछ डिफिकल्टीज का सामना करना पड़ रहा था। हम यह तबक्को करते हैं कि त्रिपाटी साहब जो कि बहुत ही बुजुर्ग आदमी हैं और बहुत ही मुदख़र हैं और कुरेशी साहब जोकि जवान हैं और इस महकमा में मिनिस्टर हैं वे इस महकमा की जो माली पोजीशन है उसको सुधारेसे और रेलवे के जो खराब माली हालत है उसको ठीक करेंगे।]

SHRI MOHAMMAD SHAFI QURESHI: Sir, I am grateful to the hon. Mr. Raha who has really confined himself to the gist of the Resolution. He has said that we have not been able to follow the recommendations of the Committee so far as the depreciation of our fund is concerned. Sir, the Working Group deeply went into this whole matter and they have made certain recommendations which the Government is going to accept. The recommendation made by the Committee says that we should, in the next year, make a contribution of Rs. 135 crores to the Depreciation Reserve Fund. The total money to be made available for depreciation reserve is Rs. 420 crores. This recommendation made by the Working Group is considered by the Government and we are going to accept this recommendation.

The other point that he raised was a relevant point. The Task Force on Budget and Accounting also submitted two reports. Their first report on the restructuring of the budgetary estimates has already been considered by the Government and most of the recommendations of the Task Force have been accepted by the Government. The second report is under examination and as soon as the examination is over, we shall certainly consider acceptance of these recommendations also.

Sir, the question of social burdens has been gone into in great detail by the Committee. As the hon. Members know, most of the losses we are suffering are on the suburban traffic. Despite our very best efforts we have not been able to enhance the fares because this is a part of the social burdens which the Government has to carry. There are a number of uneconomic branch lines and there was an Uneconomic Branch Lines Committee appointed by the Government who had made certain recommendations that we should do away with uneconomic branch lines. But, as the hon. Members know, it is very difficult for us to do away with these lines; and there is also pressure that we should continue to run these lines. That also entails certain losses to the railways.

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There are certain commodities which are being carried on a no-profit no-loss basis and even below the rates which we should normally charge, and that also is being covered. That is also a social burden.

But the hon. Member was right when he said that the railways should see that they function efficiently and that the efficiency which has been generated and brought about now after the emergency was declared should be sustained and maintained. I can assure the hon. House that whatever improvement we have been able to bring about in co-operation and efficiency in the railways will be maintained.

It is our effort that we should curtail our expenditure and also increase our earnings. I would like to inform this House that the figure in December have shown a very nice trend in loading. We have been loading at the rate of about 25,000 wagons per day on broad gauge and 6,000 wagons on metre gauge. Goods carried during the month of December have been an all-time record of 17 million tonnes.

Up till the Third Five Year Plan the Railway's were showing profit and since then we have been just running in the red. If this trend continues, with the new discipline and efficient service which we have been able to bring about, I am sure we will be able to come out of the financial difficulties.

The hon. Member, Mr. Nizam-ud-Din, has made some reference to the employees. I have been stating in this House, a number of times I have already said, that there is no question of not taking back those employees except where there is any case of sabotage or violence. Out of 16,000 who were dismissed or removed from service, there are hardly 380 cases now which are pending before the Government. About 400 people have gone to the court and there are about 75 or 80 people who have not appealed at all. The action taken by the Government so far about the employees is quite laudable because one of the things

which have been done for the employees is that their entire period of service for which they remained suspended has been condoned and this has benefited all the employees. Then we have also seen that all those persons who were not involved in cases of violence or sabotage or intimidation, they are taken back on their duties. The other point is that even those employees who have gone to the court, we have been requesting them in a way that they should try to withdraw the cases and after they withdrew their cases, their old cases will be reviewed by the authorities concerned and a very lenient view will be taken.

SHRI SANAT KUMAR RAHA: Have you given an understanding authoritatively that after they withdrew their cases you will consider their cases liberally?

SHRI MOHAMMAD SHAFI QURESHI: I am saying that those of the cases withdrawn from the court will be considered sympathetically excepting where they are involved in sabotage or violence where the matter has been left to the court.

The other matter which is sometimes brought before the House is that wherever the employees have won the case we should not go in for appeal. We have made it clear that where there is a very serious point of law, we should stick on that point of law. Otherwise, in cases where we find that the employees have been misled purely on facts or there is not much in the case, we certainly take a lenient view.

SHRI SANAT KUMAR RAHA: What about the misuse of rule 14?

SHRI MOHAMMAD SHAFI QURESHI: I shall be very delighted and grateful to the hon. Member if he will refer the cases to me where rule 14 has been misused. I will certainly see that the grievances of the employees are lessened.

With these words I again commend the Resolution for the acceptance of the House.

MR. DEPUTY CHAIRMAN: Now, I will put the Resolution.

The question is :

"That this House approves the recommendations made in paras 4, 5, 15, 16, 17 and 23 contained in the Eleventh Report of the Committee appointed to review the rate of dividend payable by the Railway Undertaking to General Revenues as well as other ancillary matters in connection with the Railways Finance and General Finance which was presented to Parliament on the 9th January, 1976," and

"That this House further directs that the action taken by Government on the other recommendations made in this Report, as well as in the Eighth and Ninth Reports, should be reported to the Committee."

The motion was adopted.

THE BURMAH SHELL (ACQUISITION OF UNDERTAKINGS IN INDIA) BILL, 1976.

THE MINISTER OF PETROLEUM (SHRI K. D. MALAVIYA) : Sir, I move :

"That the Bill to provide for the acquisition and transfer of the right, title and interest of the Burmah Shell Oil Storage and Distributing Company of India Limited in relation to its undertakings in India with a view to ensuring coordinated distribution and utilisation of petroleum products distributed and marketed in India by the said company and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration."

Sir, as the House is aware, the Bill has received approval of Lok Sabha and I move it for the approval of the Rajya Sabha to enable the Government to complete almost the entire constitutional field of acquisition of the refineries, leaving two small refineries, one the Assam Refinery and the other Cal-tex for which already negotiation proceedings have started. The Government after the Burmah Shell Refinery takeover, would be 42 RSS/75—6.

assuming effective control of about 94 to 95 per cent of the production and marketing of petroleum products in the country.

This Bill, Sir, refers only to the acquisition of the distribution and marketing operations of the Burmah Shell Oil Storage and Distributing Company of India Limited. It has become necessary to execute this part of the transaction by means of legislation because the Burmah Shell Oil Storage and Distributing Company of India Limited is not a company registered in India. It is only a branch of a foreign company which is operating here. Hence it is necessary that we should get the approval of the House for its take-over.

So far as the Refinery is concerned, it is a registered company in India, and the Refinery can be taken over by negotiation and understanding. Therefore, it is necessary to enact a law for the take-over of the Distributing Company. Immediately after the Burmah Shell Oil Distributing Company and the Refinery is taken over—one by legislation, and the other by negotiation, by paying adequate compensation—full Indian control will be effected and then this Burmah Shell Refinery will be named as the Bharat Refinery Limited.

The scheme of compensation is also quite simple to narrate here. For the total takeover of the Burmah Shell Oil Storage and Distributing Company, we are paying a compensation of 27.75 crores of rupees. This is the principal amount for the transfer and vesting of the Indian assets and liabilities of the Burmah Shell Oil Storage and Distributing Company of India Limited, to be paid in instalments as shown in the table in the Second Schedule of the Bill. The compensation for the sale and purchase of 100 per cent shares of the Burmah Shell Refineries Limited will be Rs. 9.25 crores, which has been arrived at by mutual negotiations. These amounts are payable to the Burmah Shell in London in Pound sterling converted at the State Bank of India exchange rate of Pounds sterling 54810 equal to Rs. 100—that is the rate of exchange which prevailed on the date of agreement.