

[Shrimati Sushila Rohatgi]

About the problem of handloom industry, which is a major industry, certain steps have been taken. About the count of yarn, which is really and mostly needed there is the count between 20 and 40. There is no control of yarn and it may be available in open market. But even otherwise, the Government is doing whatever it can, and the Commerce Ministry is fully aware of the situation.

About other matters, I am happy that Mr. Menon has mentioned about Manipuri dances. They have not only to be resuscitated and revived but should also be continued. And the observations of the hon. Member will be communicated to the concerned Ministry.

Sir, there is nothing fishy about this Loktak project. I would like to inform honourable Members that hydel power from this Loktak project is expected to be available by the end of 1975.

With these words I think Members will give their unanimous support to the Bill. Thank you.

MR. DEPUTY CHAIRMAN : The question is :—

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Manipur for the services of the financial year 1973-74, as passed by the Lok Sabha, be taken into consideration.

The motion was adopted.

MR. DEPUTY CHAIRMAN : Now we shall take up the clause-by-clause consideration of the Bill.

Clauses 2 and 3 and the Schedule were added to the Bill.

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

SHRIMATI SUSHILA ROHATGI : Sir, I beg to move—

"That the Bill be returned."

The question was put and the motion was adopted.

THE INDIAN RAILWAYS (AMENDMENT) BILL, 1973

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) :
Sir, I move :—

"That the Bill further to amend the Indian Railways Act, 1890, as passed by the Lok Sabha, be taken into consideration."

The Bill I present to this House for approval is in substance so simple and uncontroversial that I do not have to offer any elaborate explanation or justification for the provisions of it. But to assist the Honourable Members grasp the significance of them, I would briefly describe what need each one of them seeks to fulfil.

There are two amendments we propose to make to section 47 of the parent Act, which provides for the Central Government making general rules for certain specified purposes. One of these amendments pertains to the levy of what have come to be known as cancellation charges. Until 1945, passengers who had made advance reservation of train accommodation could surrender the ticket and obtain a full refund of the fare paid. We found that this had given rise to speculation in train accommodation. Some persons would make an investment to corner accommodation on important trains and then sell it to bona fide passengers at a heavy premium. To restrain such speculative reservations, the railways decided to make a deduction from the fare paid. As I am sure, honourable Members are aware, the deduction varies with the length of notice given

by the passengers in advance of the time of departure of the train. These deductions were hitherto made on the authority of statutory rules made under section 47. I may mention that among the purposes for which rules have to be made is: "providing for the accommodation and convenience of passengers". The Ministry of Railways have been advised that such deductions cannot be made under rules framed in exercise of statutory powers and if we wish to continue to make such deductions, we should make provision for them in the statute itself. We are now making such a provision in section 47.

Among the statutory rules framed under section 47 is one that prohibits smoking or having an open light or fire in certain places or keeping an open light or a lighted lamp in a carriage. For violation of any rules framed under it, section 47 lays down a maximum penalty of fifty rupees. A considerable proportion of fires on the railways result from violation of this rule. We propose to enhance the punishment leviable under section 47 to one hundred and fifty rupees.

As honourable Members must have noticed, a rather important provision in the Bill relates to compensation paid to victims of railway accidents. Claims for compensation are at present dealt with by Claims Commissioners. The procedure followed by them is nearly the same as procedure of courts, and is rather time-consuming. We have felt the need for acquiring powers to make ad hoc interim payment of compensation where the person is injured or, in the event of death, the dependents of the deceased deserve more prompt assistance. We propose to acquire such powers. I may mention that the institution of Claims Commissioners will be maintained. The amount paid ad hoc by the railway ad-

ministration will be taken into account by the Claims Commissioner when he finally settles the claim. The remaining provisions in the Bill seek to enhance the punishment for certain offences, because our experience has been that the present scale of punishment prescribed is not deterrent enough. In a couple of cases, we propose to prescribe a minimum punishment.

The incidence of alarm chain pulling has been causing concern to the railways, because it results in serious dislocation of train services. As it is, the Act prescribes a punishment of imprisonment for a term which may extend to three months, or fine which may extend to Rs. 250/- or both. But in practice, the punishment awarded by courts is sometimes nominal. We propose to lay down a minimum penalty of a fine of Rs. 25/- for the first offence and one month of imprisonment for a second or subsequent offence.

Section 118 makes an offence of a passenger entering or leaving a carriage while the train is in motion and of travelling on the roof or the foot-board of a carriage. The punishment prescribed for the former is fine which may extend to Rs. 25/- and for the latter, fine which may extend to Rs. 50/-. We propose to raise the punishment respectively to imprisonment upto one month or fine upto Rs. 50/- or both and imprisonment for a term upto three months or fine upto Rs. 150/- or both.

For trespassing, the Act prescribes fine which may extend to Rs. 25/- and for refusing to leave when requested to do so, fine which may extend to Rs. 50/-. It is proposed to enhance the former to imprisonment upto one month or fine which may extend to Rs. 50/- or both and the latter to imprisonment upto three months or fine which may extend to Rs. 150/- or both.

[Shri Mohd. Shafi Qureshi]

The punishment prescribed for unauthorised hawking on the railway is fine which may extend to Rs. 250/-. In practice, courts have sometimes let off offenders very lightly. It is proposed to prescribe a minimum fine of Rs. 50/-. As hon'ble Members would readily agree, such unauthorised hawking may become a hazard to public health.

An important amendment proposed is to section 126. It deals with a person tampering with the track or otherwise wilfully wrecking, or attempting to wreck, a train. Apart from the loss caused to the railways, such train wrecking has sometimes taken a heavy toll of life. The Act prescribes a punishment of imprisonment for life or rigorous imprisonment for a term which may extend to 10 years. We have, after giving the matter very earnest thought, decided to provide for the extreme penalty of death where as a result of such acts of destruction, deaths have occurred or where the person committing such acts should know that they are likely to occur.

Unfortunately, the railways have become the target of attack in any sort of agitation, and the result is large-scale destruction of railway property. Commission of acts which may result in destruction of railway property and equipment is at present punishable under the Indian Railways Act only when it endangers, or is likely to endanger, the safety of any person travelling or being upon the railway. There is no provision in it making destruction of railway property as such an offence. We propose to make good this deficiency, by inserting a new section.

As this brief account of the provisions of the Bill would itself have shown, the proposals are simple and unexceptionable and I am sure, the House will have no difficulty in accepting them.

The question was proposed.

श्री नवल किशोर (उत्तर प्रदेश) : उपसभापति जी, इंडियन रेलवे बिल 1890 में जब पास हुआ था तब से आज वह सिर्फ आउट डेटिड और आउट मोडेड ही नहीं बल्कि आबसोलिट भी हो चुका है। इस बीच में देश के हालात और समाज के हालात काफी बदल चुके हैं और हम यह उम्मीद करते थे कि एक काम्प्रिहेंसिव बिल आप पेश करेंगे। वह आपने पेश नहीं किया। आपने एक पीसमील बिल पेश किया है।

जैसा कि मि० कुरेशी ने कहा यह बात सही है कि इसमें खास तौर से जो रेलवे में अपराध होते हैं उनकी सजाएं बढ़ाई गई हैं। जहां तक इस रेलवे (संशोधन) विधेयक का प्रश्न है इसमें कोई ऐसी बात नहीं है जिस का मैं विरोध करूं, लेकिन मैं समझता हूं कि शायद इनकी मिनिस्ट्री का और इनका यह खयाल है कि सजाएं बढ़ा देने से ही अपराधों में कमी आ जाती है। क्योंकि आज भी आप के बिल में काफी सजा थी। मुझे शिकायत यह है कि— और यह शिकायत शायद जायज है कि उस ऐक्ट में जो प्राविजन्स थे इस के लिए उन का भी इंप्लीमेंटेशन काफी सख्ती के साथ और ईमानदारी के साथ नहीं हुआ। यह सबसे बड़ी वजह है और आप कितनी ही सजा बढ़ा दें, अगर इस स्पिरिट में आप के अफसरों ने या जिन को आप ने ताकत दी है उन्होंने अपराधों को जांचने की कोशिश नहीं की और मजबूती के साथ अपनी जगह पर काम नहीं किया तो इस बिल का मंशा पूरा नहीं होगा। दूसरी बात यह है कि आप ने सजायें तो बढ़ायी, लेकिन यह एकतरफा बात की। जनता की सुविधाओं के बारे में इस विधेयक में मुझे कोई चीज नहीं मिली। कुरेशी साहब की कोशिश के बावजूद, वह बहुत बढ़िया आदमी हैं, हम लोगों की चिट्ठियों का जवाब बहुत माकूल और जल्दी देते हैं, और कोशिश करते हैं कि मेम्बरों की बातों पर गहराई में जायं, लेकिन आज भी आप की कोशिश के बावजूद आप देखेंगे कि

ट्रेन्स की अमीनिटीज में काफी कमियाँ और खामियाँ हैं। आज आप रोशनी की बात ले लीजिए या पखो की बात ले लीजिए, आज ओवर क्राउडिंग की बात ली जाय या कोई और, उन में बहुत कमियाँ हैं। आज भी पचासो प्लेटफार्म ऐसे हैं कि जिन पर कोई साया नहीं है, आज भी हजारों की तादाद में ऐसी क्रासिंग्स हैं कि जहाँ कोई आदमी नहीं है और उन पर एक्सीडेंट होने का अदेशा रहता है। अच्छा होता कि अगर हम जनता की सुविधाओं की ओर भी थोड़ा अधिक ध्यान दें। श्रीमन् बिल की बातों को उन्होंने खुद बताया मोटे तौर से और मैं उस को रिपीट नहीं करूँगा, लेकिन मैं इस सिलसिले में कुछ बातें कहना चाहता हूँ। उन्होंने बताया कि 1945 तक जो टिकट आदमी खरीद लेते थे उन को वापस करने पर सेट पर सेंट पैसा वापस दे दिया जाता था। उस के बाद डिडक्शन शुरू हुआ और दसियों साल से आप यह डिडक्शन कर रहे हैं। अब आप को बताया गया कि जब तक स्टैट्यूट में इस का प्राविजन न हो ऐसा आप नहीं कर सकते। इस के मायने यह है कि जितना पैसा आप वसूल कर चुके, अब आप चाहते हैं कि उस पैसे को जो कि गलत तरीके से वसूल किया गया है उस को रिट्रास्पेक्टिव एफेक्ट से वैलिड किया जाय। मैं उस को बहुत मुनासिब बात नहीं मानता। दूसरी बात आप ने इस में यह कही है कि जो एक्सीडेंट होते हैं उन में अभी तक किसी आदमी के मरने के बाद उस के परिवार को 500 रुपये देने की बात थी। हवाई जहाज में तो एक लाख रुपये देने की बात है, लेकिन मुझे याद पड़ता है कि यहाँ कुरेशी साहब ने या उन के रेलवे मिनिस्टर ने इस सदन में यह कहा था कि अब रेलवे एक्सीडेंट में जिन की डेथ होगी उन का कंपेंसेशन 50 हजार तक कर दिया है। यह बात ठीक है। आप ने इस में कहा है कि यह एक अतिरिक्त अधिकार गवर्नमेंट ने अपने हाथ में लिया है कि अगर वह चाहे तो अप्लीकेशन देने पर जो व्यक्ति जखमी हो गया है या जिस की मृत्यु हो गयी है उस के

आश्रित जो हैं उन को अतिरिक्त रिलीफ दे दी जाय। लेकिन एक बात मेरी समझ में नहीं आयी। मान लीजिए कि किसी की डेथ हो जाय और उस का बच्चा माइनर हो। तो उस माइनर की तरफ से अप्लीकेशन कौन देगा। इस को आप देखें। एलार्म चेन के बारे में 25 रुपया जुर्माना और एक महीने की सजा कर दी है आप ने, यह बिल्कुल सही बात है और ऐसा करना चाहिए था। आप ने जो लोग चलती ट्रेन में घुस जायें या चलती ट्रेन से कूदने की कोशिश करें उन की सजा बजाय 50 रुपये जुर्माने के 150 रुपया जुर्माना और एक महीने की सजा की है और मैं समझता हूँ कि यह भी अपनी जगह पर सही और ठीक है। आप ने छतों पर फुटबोर्ड पर जो लोग चलते हैं उन के लिए ढाई सौ रुपया जुर्माना और उस के साथ तीन माह की सजा की बात रखी है, लेकिन आप देखें कि लोग छतों पर चलते क्यों हैं। कोई भी जान बूझ कर अपनी जान को खतरे में डालना नहीं चाहता। आप देखें कि भीड़ बढ़ती जाती है और मेरा ख्याल है कि चार या पाँच परसेंट ट्रैफिक हर साल बढ़ जाता है लेकिन उन अनुपात में हमारा ट्रेन्स नहीं बढ़ती। तो अगर ट्रेन्स नहीं बढ़ती तो चारा क्या रहता है। मेले होते हैं और दूसरी चीजें होती हैं और ट्रेन्स में आप सुविधायें नहीं देते। तो इसान मजबूर होता है छतों पर बैठने के लिए और फुटबोर्ड पर खड़ा हो कर सफर करने के लिए। तो जहाँ आप ने पन्निशमेंट बढ़ाया है वहाँ यह आप की जिम्मेदारी होनी चाहिए कि आप ट्रेन्स की तादाद भी बढ़ाये और उन में सुविधायें भी बढ़ाये। जहाँ तक हाकर्स की बात है ठीक है, बहुत से आदमी ट्रेन्स में घुस जाते हैं उसको आपने वैन वर दिया है यह ठीक बात है। ट्रांसपारस के बारे में भी आपने सजा रखी है यह बात भी अपनी जगह पर ठीक है। एक और नई बात आपने रखी है कि यदि कोई ट्रेन्स को नुकसान पहुँचाये या पटरियों को उखाड़ने या डिस्ट्राए करने की कोशिश करे और उसका नतीजा यह हो कि इसान की जान खतरे में

[श्री नवल किशोर]

पड़ सकती है तो उनको डेथ सेटेन देने की बात है। यह हैवी पनिशमेंट तो जरूर मालूम पड़ता है और इस खयाल से कि इस देश में यह फीलिंग है कि कैपिटल पनिशमेंट को खत्म किया जाय। लाइफ इम्प्रिजनमेंट जो है वह पहले भी थी। और, इस पर मुझे ज्यादा नहीं कहना है। अब, एक और नया क्लॉज जोड़ा है कि रेलवे की प्रापर्टी को डैमेज या डिस्ट्राय करे तो दस साल की सजा हो सकती है। उसमें भी मुझे कोई विरोध नहीं है। मगर समूह ऐसा करे तब क्या होगा! श्रीमन्, जो बात मैं कह रहा था वह यह कि रेलवे कन्वेंशन कमेटी की कई रिपोर्ट्स पढ़ने का मुझे इतिफाक हुआ, उससे यह साबित होता था और मालूम होता था कि करोड़ों रुपया हमको देना पड़ता है कम्पेनसेशन में उस सामान के लिये जो कि हमारे ट्रेन्स से और मालगोदामो से चोरी होता है। और टिकटलेस ट्रेवलिंग के बारे में भी आपने सजा बढ़ाई है, शायद 10 रुपया मिनिमम फाइन है लेकिन उसके बाद भी टिकटलेस ट्रेवलिंग में कोई कमी नहीं आई है। लेकिन दिक्कत यह है कि चोरी में और इस सब में आपके जो कर्मचारी हैं उनका भी इसमें एक हाथ होता है, ऐसा कहा जाता है और मैं समझता हूँ कि सही कहा जाता है, चाहे वह गुड्स के कर्मचारी हो, चाहे और स्टाफ के लोग हो और चाहे आर० पी० एफ० के लोग हो और करप्शन की भी काफी शिकायत है। तो मैं यह जानना चाहता हूँ कि आपने जो सजाये बढ़ाई हैं उसमें आपने अफसरान के लिये और स्टाफ के लिये क्या किया है! ऐसा कोई नया प्राविजन रखा नहीं है कि जो कर्मचारी ऐसा करते हुये पाये जायेंगे उनको बहुत सख्त सजा दी जायगी। ऐसी चीज कहीं भी कोई इसके अन्दर दिखाई नहीं दी।

श्रीमन्, मैं एक बात यह भी कहना चाहता हूँ कि अभी पे कमीशन की रिपोर्ट आपके सामने आई है और आपका जो रेलवे मेन फेडरेशन

है उन्होंने यह कहा है कि अगर जो ग्रेडस बताये गये हैं वही दिये गये तो आल इंडिया स्ट्राइक हो जायगी, कभी स्टेशन मास्टर्स स्ट्राइक करते हैं, कभी कोई स्ट्राइक करता है, हालांकि मैं इस बात का हामी हूँ कि रेलवे इम्प्लोईज हों या किसी भी इटरप्राइज के इम्प्लोईज हो उनको आजकल की जो आर्थिक स्थिति है उसके हिसाब से सतुष्ट रखना चाहिये और तनखाह देनी चाहिये लेकिन जो नाजायज स्ट्राइक्स होती हैं उनके लिये क्या पनिशमेंट हो जब कि चन्द आदमी तमाम नेशन को रैस्म में ला कर खड़ा कर देते हैं। इसमें इसके लिये कोई चीज नहीं है। साथ ही साथ एक बात और है कि आप बहुत दिनों से कहा करत थे और सही कहा करते थे, मैं उसका कायल हूँ, उसका हामी भी हूँ, समर्थक भी हूँ कि मैनेजमेन्ट में इम्प्लोईज का पार्टिसिपेशन होना चाहिये। मुझे इसमें कोई चीज ऐसी नहीं मिली जिससे कि मैं यह महसूस करूँ कि उनके पार्टिसिपेशन की तरफ आपका कोई ध्यान गया है।

श्रीमन्, सेक्शन 107 में यह लिखा हुआ है कि जो एक्सप्लोसिव्ज ले कर जाये उस पर पांच सौ रुपया तक फाइन हो सकता है अगर वह एक्सप्लोड हो जाय। अगर ट्रेन की ट्रेन उड़ जाय तो उसका इसमें बहुत डेजर है। तो मैं समझता हूँ कि पांच सौ रुपये का जो पनिशमेंट है इसको भी आप बढ़ा दें जो ज्यादा अच्छा होता और ज्यादा मुनासिब होता।

अब मैं आपका ध्यान पक्वअल्टी की तरफ भी खींचना चाहता हूँ। आपकी राजधानी एक्सप्रेस है। आपने यह रखा है कि कैसिलेशन फी 50 परसेंट तक होगी। अगर यह सही है तो पचास परसेंट, कुरेशी साहब, बहुत ज्यादा है और फिर आप एक्सट्रा भी लेते हैं, आपने कुछ सुपर टैक्स भी लगाया है तेज चलने वाली ट्रेनों में, मगर पक्वअल्टी के लिये जितना जोर होना चाहिये उतना जोर अभी तक हो नहीं पाया है।

श्रीमन्, मैं एक बात और कहनी है। बात जरा कड़वी है। यह रेलवे बोर्ड है जो है उसके बारे में है। मैं नहीं जानता कि यह बात इसमें आती है या नहीं लेकिन लोक सभा में भी और यहाँ भी यह माग होती रही है कि यह जो सफेद हाथी है यह आपका पालतू हाथी तो है—इसके ऊपर खर्चा बहुत पड़ता है। अब तो हाथी रखने का जमाना है नहीं, अब तो जमाना जीपी का, आटोमोबाइल्स का है। तो इस सफेद हाथी का खर्चा कैसे कम किया जाय यह भी सोचने की बात है हालांकि यह बहुत डेलिकेट वाइट है आपके लिये।

श्रीमन्, एक बात और कह कर मैं खत्म करता हूँ। एक कमेटी बनी थी, पार्लियामेन्टरी कमेटी, रिजर्वेशन के बारे में जो गोलमोल होता है उसके लिये। वह पता नहीं क्या कर रही है। श्री कृष्ण कान्न् जी यहाँ नहीं हैं। वैसे कृष्ण कान्न् जी बहुत ऐक्टिव हैं।

श्री पीताम्बर दास : इस समय उस कमेटी की मीटिंग हो रही है।

श्री नवल किशोर : अच्छी बात है। यह अच्छा उनको मौका मिला आज मीटिंग करने का ताकि मुझे इस बात की शिकायत न हो कि उनकी कमेटी सो रही है, कोई काम नहीं कर रही है। मगर मैं चाहता हूँ कि इसकी रिपोर्ट अगर जल्दी आ जाए तो बड़ी अच्छी बात होगी।

एक बात बहुत दिनों से चली आ रही है—आपकी जो यूनियन्स हैं उनके बारे में यह डिमाण्ड है कि “वन् इन्डस्ट्री वन् यूनियन”। तो उसके बारे में आप क्या करने जा रहे हैं, इसके बारे में थोड़ा सा बता दें तो अच्छी बात होगी।

आखिर में मैं अपनी बात कह कर खत्म करता हूँ। आपने पनिशमेन्ट बढ़ा दिया है, जैसा मैंने कहा इसमें मुझे आपत्ति नहीं है, और मैं इस मौके पर रेलवे की वर्किंग में भी कोई ज्यादा जाना नहीं चाहता हूँ। मगर इसके साथ साथ एक पब्लिक एजुकेशन जिसको कहना चाहिए—

एक कन्स्ट्रिक्टिव्ह प्रोपेगण्डा सेल—आपका होना चाहिए ताकि लोगों का एक जनमत तैयार किया जाए कि चलती ट्रेन पर मत चढ़ो, उस पर लटको मत, छत पर मत बैठो, इत्यादि। अगर इन बातों की जानकारी हो जाए लोगों में तो मैं समझता हूँ थोड़ी बहुत कमी दुर्घटनाओं के मामले में हो जाएगी।

इन शब्दों के साथ आखीर में इतनी बात कह कर खत्म करता हूँ कि आपने जो प्राविजन्स बनाए इसका तो मैं समर्थन करता हूँ मगर कुरेशी साहब, आपको देखना यह है कि जो इम्पलीमेन्टेशन मशीनरी है या जो आपके सेकेण्ड क्लास या फर्स्ट क्लास मजिस्ट्रेट्स हैं उनके द्वारा इनका सख्ती से इम्पलीमेन्टेशन हो और अगर ऐसा नहीं होगा तो सिवाए इसके कि एक “पायस” विश होगी, शुभ कामना होगी, बाकी कुछ नहीं होगा।

श्री रणबीर सिंह (हरियाणा) : उपसभा-पति महोदय, जहाँ तक इस विधेयक का सवाल है और नवल किशोर जी ने जो विचार प्रगट किए हैं उसमें कोई दो राय नहीं हो सकती। यह बात दुरुस्थ है कि आज देश के हालात बदले हैं, रेलवेज में देश का सबसे ज्यादा रुपया लगा हुआ है, और इसके साथ साथ जो सबसे मजबूत और बड़ी चीज है उसको देश के अंदर सबसे कमजोर समझा जाता है। किसी प्रदेश के बटवारे का सवाल हो, किसी प्रदेश को इकट्ठा करने का सवाल हो—या तो डाकखाने के ऊपर हमला होता है या रेल के ऊपर हमला होता है या रेलवे स्टेशन्स के ऊपर हमला होता है। एक जमाना था जिस वक़्त डाकखाने या रेल के ऊपर या रेलवे स्टेशन्स के ऊपर कोई हमला करने का हौसला नहीं करता था, और अब जमाना बदला जिसमें हर कोई जिसको कोई भी गिला हो, चाहे गिला प्रदेश की सरकार से हो, चाहे केन्द्र की सरकार से हो, वह हमला रेलवे पर करता है, रेलवे स्टेशन्स के ऊपर करता है, या डाकखाने पर करता है।

[श्री रणवीर सिंह]

समाज की तरक्की के साथ साथ हो सकता है कि शायद ला एण्ड आर्डर का ज्यादा अख्ति-यार प्रदेश के पास है, प्रदेश की जायदादों के ऊपर हमला कम होता है, प्रदेश की सरकारों की जायदादों के ऊपर कम हमला होता है और केन्द्रीय सरकार की जायदाद कुछ ऐसी समझी जाती है कि शायद उसका कोई मालिक नहीं है, न कोई उसको देखने वाला है, और वह सबसे कमजोर आदमी की जायदाद समझी जाती है। तो जब देश के हालात की पृष्ठभूमि बदली, इस पृष्ठभूमि के साथ कानून में तब्दीली लाना जरूरी था। जैसा नवल किशोर जी ने भी कहा, मुझे याद है, जहां तक रेल की छत पर सफर करने का संबंध है, एक दिन मैंने भी किया था 1947 में, जब हजारों आदमी रेल के ऊपर सफर करते थे, शुरू में डर भी लगता था, लेकिन पहुंचने का कोई दूसरा साधन नहीं था। आज भी जो रेल में ऊपर चढ़ कर सफर करते हैं, हो सकता है कुछ उनमें से आदमी ऐसे भी हो जो शीकीन हों और यह समझते हों अच्छी हवा लगेगी सफर के साथ साथ हवा खाने के लिए ऊपर बैठते हों, लेकिन बहुत आदमी शायद मजबूरी में बैठते हैं, इसमें कोई शक नहीं है...

श्री लोकनाथ मिश्र (उड़ीसा) : हरियाणा के जो जाते होंगे वे हवा खाने के लिए जाते होंगे।

श्री रणवीर सिंह : हरियाणा का तो ज्यादा मंत्री महोदय बताएंगे।

श्री लोकनाथ मिश्र : नहीं, हवा खाने की बात क्यों कहते हैं ?

श्री रणवीर सिंह : जहां तक हरियाणा का संबंध है, वहां की सरकार भी रेल को अपनी जायदाद समझती है और वहां के लोग भी अपनी जायदाद समझते हैं। तो जहां तक कानून के तोड़ने का संबंध है शायद हरियाणा में यह तकरीबन सबसे कम हो, या बहुतों से कम

हो। अभी तो दूसरे हमसे बहुत आगे हैं। हम तो देश की रक्षा में आगे हैं। जहां हमले का मुकाबला हो, गोली का मुकाबला गोली से होता हो, वहां तो हरियाणा का जवान खड़ा ही मिलेगा—घबड़ाएगा नहीं, डरेगा नहीं, भागेगा नहीं। लेकिन जहां देश की जायदाद की रक्षा का सवाल है, उसको खराब करने में हरियाणा का आदमी पीछे ही रहेगा, रहना भी चाहिए। यह हमारे प्रदेश की सबसे अच्छी बात है। शायद लोकनाथ मिश्रा जी को इस बात का गिला होगा क्योंकि उनको तो हमेशा ही हरियाणा की कोई न कोई बात चुभती ही रहती है। हरियाणा का प्रदेश आज तरक्की कर रहा है। जिस प्रकार से विरोधी दलों में बहुत सारे दोस्त हैं और उनकी अलग अलग रायें हैं, लेकिन मैं यह कहना चाहता हूं कि हरियाणा में कोई बुरी बात नहीं है। मैं यह बात मानता हूं कि प्रजातंत्र में विरोधी दल होना चाहिये क्योंकि वह एक तरह से सरकार की कमजोरियों को, खामियों को बतलाता है। लेकिन खामियां बतलाने के बाद जहां पर अच्छा काम हुआ है, उसकी निन्दा की जाय, तो यह विरोधी दल का कोई धर्म नहीं है और न ही यह देश की तरक्की का कोई रास्ता ही है।

श्री पीताम्बर दास (उत्तर प्रदेश) : आप "विरोधी" क्यों कहते हैं। आप प्रतिपक्षी बल कहिये।

श्री रणवीर सिंह : प्रतिपक्षी ही सही। जहां तक शब्द का सम्बन्ध है, मैं पीताम्बर दास जी के शब्दों को कबूल करता हूं।

श्री लोकनाथ मिश्र : आहिस्ते आहिस्ते सब बातें कबूल करेंगे।

श्री रणवीर सिंह : ऐसी बात नहीं है कि सब बातों को कबूल किया जाय क्योंकि हमने 25 सालों से कोई बात कबूल नहीं की है। आपने ही कई बातें कबूल की होंगी।

उप-सभापति जी, तो मैं यह निवेदन कर रहा था कि सरकार की, रेलवे की जो जायदाद है उसको हम बेदर्री से बर्बाद करते हैं। अगर कोई झगड़ा होता है तो पहिले केन्द्रीय सरकार की जायदाद पर हमला किया जाता है। कुछ हालतों में मजबूरी भी होती है। जैसे बहुत सारे दोस्त हैं, वे मजबूरी की हालत में लटक कर सफर करते हैं। बहुत सारे बूढ़े हैं, जो रेलवे लाइन पार करते समय पुल पर न चढ़ने की वजह से घायल हो जाते हैं। कई दफा उन्हें रेल की पटरी को प्रयत्न करके पार करना मुश्किल हो जाता है और बहुत दफा एक प्लैटफार्म से दूसरे प्लैटफार्म को पार करना उन लोगों के लिए मुश्किल हो जाता है जिनको दिल का दौरा पड़ता है। इस तरह के लोगों के लिए आजकल रेल में सफर करना भी मुश्किल है क्योंकि रेलों में भीड़ बहुत ज्यादा होती है और उनको चढ़ना उतरना पड़ता है जो उनके लिए मुश्किल होता है।

इन बातों को देखते हुए जहाँ हमें रेलों को चलाने में सुविधा हो उस ढंग से हमें रेलों को चलाना चाहिये। हमें गाड़ियों की तादाद को बढ़ाना चाहिये। इन चीजों के साथ साथ रेलों की सुरक्षा करना भी जरूरी है। मैं नवल किशोर जी से सोलह आना सहमत हूँ कि सजा बढ़ाने से किसी मर्ज का इलाज नहीं होता है। जो आदमी कत्ल करता है उसके लिए फाँसी की सजा है। लेकिन क्या हिन्दुस्तान के अन्दर कत्ल होना बन्द हो गये हैं? कत्ल की तादाद क्या बढ़ी नहीं? जहाँ तक कैपिटल पनिशमेंट का सवाल है, यह बात ठीक है, लेकिन हमें इस तरह का वातावरण पैदा करना चाहिये कि इस तरह की बातें न हों। इस चीज के लिए एक वायुमंडल पैदा करना आवश्यक है।

आज देश के अन्दर वायुमंडल भी अजीब है। रेल मंत्रालय और रेलवे बोर्ड इस चीज की ओर ध्यान देता है या नहीं? आज देश के अन्दर एक ऐसा विचार है कि सेंट्रल गवर्नमेंट से कोई चीज मनवानी हो तो डाकखानों या

रेलों के ऊपर हमला कर दो। शायद इस चीज से सरकार मान जायें। जहाँ कत्ल करने के लिए सजा मौत है, वहाँ पर लोगों को इस बात का अहसास होना चाहिये कि अगर वह इस तरह की बात करेंगे तो उनको इस तरह की सजा मिलेगी। सरकार को भी हौसला होना चाहिये और लोगों को भी पता होना चाहिये कि अगर वे इस तरह की बात करेंगे तो उसकी बात नहीं मानी जायेगी। जैसा कि नवल किशोर जी ने कहा कि पिछले दिनों रेल के कुछ भाईयो ने हड़ताल कर दी थी। यह बात ठीक है कि रेलों को चलाना जरूरी है और उनको चलाने वालों के बगैर उनको चलाया भी नहीं जा सकता है। लेकिन इसके साथ यह भी है हमारे देश के अन्दर जितने डाक्टरों के लिए स्थान हैं उससे ज्यादा डाक्टर पास हैं, इंजीनियर भी ज्यादा हैं और रेल के चालक भी, जिनको शिक्षा मिली है, ज्यादा है तो घबड़ाहट किस बात की है। जिन लोगों ने तबाही की उनके साथ डर कर समझौता किया जाता है और इसलिए वायुमंडल बनता है कि डराने से डरा जाता है या अपनी बात नहीं मनवा सकते तो उसे मनवाने के लिए हिंसा करनी चाहिए। इसके खिलाफ प्रचार भी चाहिए और अमल भी चाहिए।

मैं माननीय मंत्री महोदय से कहूंगा कि जहाँ तक इस बात का सम्बन्ध है कि सजा बढ़ाई जाय, इस बात में दो राय नहीं हो सकती कि सजा बढ़ाने की आवश्यकता है, लेकिन उसके साथ साथ हौसले की भी आवश्यकता है। जो देश के अन्दर गड़बड़ करना चाहते हैं समझौते से वे ठीक नहीं होते, उनके मुकाबले के लिए हौसला चाहिए रेलवे मंत्रालय को। जो रेल में गड़बड़ करते हैं अपनी तनख्वाह बढ़ाने के लिए करते हैं या आराम हासिल करने के लिए देश के हालात का खयाल नहीं करते हैं और देश के आम आदमी की आमदनी कितनी है और उनको कितनी तनख्वाह मिलती है उसका कोई खयाल नहीं, उनकी तनख्वाह बढ़े, उनका आराम बढ़े, नहीं बढ़ेगा तो वे रेल को तबाह

[श्री रणबोर सिंह]

करेंगे, ऐसे जो भाई हैं उनके इन्तजाम के लिए हौसला चाहिए। तो मैं समझता हूँ कि रेल मंत्रालय को जहाँ कानून की शक्ति चाहिए वहाँ हौसले की भी बड़ी आवश्यकता है और मुझे उम्मीद है कि इस कानून के पास होने के बाद रेलवे मंत्रालय का हौसला भी ज्यादा होगा और कुछ प्रचार भी ज्यादा होगा कि अब डराने से डरा नहीं जायगा या नोटिसों से सरकार नहीं बदलती, यहाँ प्रजातंत्र है और यहाँ मतों से सरकार बदलती है। हमारे देश के अन्दर अजीब हालत है। इलेक्शन में सभी पाटिया जाती हैं और जब इलेक्शन में हार जाती है तो मतों की बात भूल जाती है और बजाय सेवा करने के, 5 साल के अन्दर ही तोड़फोड़ की तरफ आ जाती हैं। तो जो विरोधी पक्ष है या जो देश के हितों के विरुद्ध काम करते हैं उनके मुकाबले में सरकार को हौसला भी करना पड़ेगा अगर हमको देश की जायदाद की रक्षा करनी है।

SHRI PITAMBER DAS (Uttar Pradesh): Mr. Deputy Chairman, Sir, of many things which this Bill provides for one very important item is the enhancement of punishment. I would try to concentrate my speech only on that aspect of the Bill. The problem of crimes and offences on Indian Railways is becoming really very grave and I can understand the anxiety of the Railway Minister to contain that problem. But I want to tell him that enhancement of punishment is not the answer to that problem. I have been a criminal lawyer myself and my experience is that nobody commits or is deterred from committing any crime or any offence after reading the punishment provided for it in the Act. There are other 3 P.M. things which encourage him to commit, or discourages him from committing a crime or offence.

I have tried to study the problem of crimes on Indian Railways rather deeply, and I would like to share with this House the result of that study. Let us start with alarm chain pulling. Sir, the incidence of alarm chain pulling in the years 1968 and 1969 had been 600 per day and in the years 1970 and 1971 it rose to 900 per day. In 1968, out of about two lakhs of cases of alarm chain pulling, only 621 cases had been detected, and out of these 621 cases only 262 had been prosecuted. And out of these 262, only 85 were punished. Similarly, in 1969, out of 2½ lakhs of cases, only 829 were detected and out of them 359 had been prosecuted and only 161 were punished. Again in 1970, out of over 3½ lakhs of cases, 1,013 were detected, 556 were prosecuted and 419 were punished. Similarly, in 1971, out of about 3½ lakhs of cases, 1,075 were detected, 849 prosecuted and only 276 punished.

Let us look at the theft of booked consignments (including pilferage). In the year 1970-71, the number of cases registered was 15,562. There may have been many cases not even registered. Now, out of these registered cases, the number of persons arrested was only 890, which comes to less than 6 per cent, and the persons convicted would have been even less. In 1971-72, the number of cases registered was 42,506, the number of persons arrested was 2,189, about 5.15 per cent. And in 1972-73, I have got figures only for 8 months, the number of cases registered was 30,963, the number of persons arrested was 1,093 which comes to less than 3½ per cent. Coming to Theft of railway materials and fittings, in 1970-71, the number of cases registered was 32,605, the number of persons arrested was only 911, which comes to less than 3 per cent. In 1971-72, the number of cases registered was 53,630, the number of persons arrested only 1,087, slightly over 2 per cent. In 1972-73, I have figures for only eight

months, it was 33,613, the number of persons arrested was 992; which was less than 3 per cent. Sir, there may have been many cases not even registered and convictions in these cases must have

been even lesser than the number arrested.

We now come to theft of railway stores, material and equipment from workshop and stores :

	Number of cases registered.	No. of culprits apprehended etc.		No. of culprits convicted.
		Outsiders	Rly. Men	
1969	303	34	124 = 158	7
1970	275	45	107 = 152	12
1971	271	27	89 = 116	1

Sir, all this leads us to the conclusion that there is something wrong with the investigating agency as well as the prosecuting agency.

Now, for purposes of protection and safeguarding of railway property, investigation into thefts, apprehending of criminals and prosecution of culprits, they have two agencies—the Government Railway Police, popularly known as the G.R.P., and the Railway Protection Force, popularly known as the R.P.F. With regard to these two agencies, Sir, the 1971 Convention Committee in their Third Report at page 85 say :—

“Although investigation, prosecution and presenting to the court the evidence in a case is the responsibility of the G.R.P., the Committee would like the Railway authorities to find out for what reasons prosecutions could not be successful so that any procedural or other lacunae could be rectified.”

In spite of these two wings, namely, the G.R.P. and the R.P.F. having their respective duties and responsibilities which are said to be ‘well defined’, I feel that there appears to be some confusion somewhere. In reply to starred question No. 402 on 12-12-1972 in the 4—21 R.S.S./73

Lok Sabha the Railway Minister himself has admitted that because of diarchy between the G.R.P. and the R.P.F. there was confusion and that he would like to build up a Task Force out of these men to make this force really effective. Mr. Railway Minister, this is the real answer to the problem of crimes on the Indian Railways.

Sir, the Ministry of Railways had very recently convened at Delhi a Conference of Home Ministers and senior officials of Uttar Pradesh, Bihar, West Bengal, Assam and Orissa to consider measures to curb crimes on Indian Railways. The Railway Minister, Shri Lalit Narain Mishra, in his opening speech said :—

“Somehow or other I have a feeling, rather a strong one, that the present arrangement, namely, of G.R.P. and R.P.F. is not an effective one for prevention and detection of crime on the Railways. There is overlapping, internal conflict and want of proper co-ordination between the various wings.

“Perhaps the best arrangement would be to have one unified Railway Police. I will be grateful if some thought could be given to the idea of having a single, well-knit

[Shri Pitambar Das]

force for the Railways responsible for the safety of the travelling public and Railway property."

In this conference the Union Minister of State for Home, Shri Ram Niwas Mirdha was also present. He said that special groups with their own *modus operandi* were indulging in crimes on the Railways and, therefore, the police should strengthen their machinery for collecting intelligence.

Sir, I sincerely feel that the right remedy for containing crimes and offences on the Indian Railways is not the enhancement of punishment as this Bill seeks to provide. It is not the punishment provided in the Act, as I have already stated, that matters. What matters is the percentage of persons brought to book and the convictions secured. In this task, the Railways have signally failed. I honestly feel that this machinery has got to be reorganised. Then we will be able to check the crimes on the Indian Railways. Enhancement of punishment is hardly any remedy. I honestly feel that this part of the Bill will not be able to meet the problem and it is useless. Thank you.

SHRI BIPINPAL DAS (Assam) : Mr. Deputy Chairman, Sir, I rise to support this Bill. The Bill has provided for various kinds of punishment for different kinds of crimes. It is a right thing and it has been done as a result of our experience in running the Railways. I would particularly draw attention to clause 12 of this Bill; it refers to section 126 of the Railway Act which refers to damage or destruction of Railway property in various parts of the country, and severe punishment has been provided for against that. Now, it has been our experience that in any kind of agitation in this country, whatever may be the issue, the chief target of attack unfortunately is the railways or other forms of transport. Compar-

ed to other forms of transport, the railways become the chief target of attack in any kind of agitation, on language, prices, this or that or anything. It is very unfortunate, very deplorable. Those who lead these agitations should realise that after all, the Indian Railways are our national property, and any damage or destruction of the railways ultimately means loss to ourselves, loss to the tax-payer. But unfortunately those who organise these agitations forget about it and one does not know for what reason or purpose they want to achieve their objective by attacking the railways and by destroying Railway property. This is very unfortunate, very deplorable. It is very necessary that some kind of legal provision should be there for deterrent punishment. I am not very sure whether the punishment of ten years provided here will be enough to deter such actions, because, after all, in a situation like that, in a movement or agitation, people get so excited, so emotional. I do not think a term of ten years will be a deterrent. But still it is very important. After all, in a democracy, we have a right to express ourselves, we have a right to make demands upon the Government, we have a right to express our grievances, ventilate our grievances. That is all right, but that must be done democratically, peacefully, not by violent means.

Violence and democracy can never go together. And particularly when these agitations ultimately lead to large-scale destruction of Railway property, which is national property, certainly this is a very deplorable position and deterrent punishments are called for. While I support this Bill in this respect fully and I would support any action taken by the Government to meet such situations in the light of violence created by people in the name of this or that agitation, I would like to ask the Railway Ministry pointedly as to what it has to say when the Railways themselves provoke such agitations. I am

going to explain what I mean by this. This refers to a situation in the North-Eastern region.

Sir, in the North-Eastern region, I say with all seriousness at my command and with all the sense of responsibility at my command, that a very bad kind of situation is fast developing. Why? This time the grievance is not against the Government, not against anybody, but it is against the Railways. What is that grievance? For the last 26 years, this region has not seen even a single inch of development of the Railways, except in one area and that is from Rangapara to Murkongselek. And that railway line was constructed for security reasons and mainly for the movement of troops, goods, etc. Otherwise, in this entire region, comprising five States and two Union Territories, we have not seen even a single inch of development for the last 26 years. And because of the failure to develop the transport system in that area, industrialisation has not taken place. The area has remained backward and the people remained poor. We have been saying this from house tops, on all platforms, whether in the Parliament or the Assembly or the public meetings, and the entire population is agitating for the development of the Railways, for the improvement of the Railways in that region so that development of transport may lead to industrial development and economic development. But nothing has been done. Apart from that, what have we got today. I will ask Mr. Qureshi—I have already asked him once and I will repeat again—or the Members of the Railway Board to travel by this railway in Assam. What kind of a coach is given to us? What kind of a rake is given to us? All the rejected coaches are sent particularly for use in Assam area. And amenities at the stations are absolutely in a rotten condition. Amenities inside the compartments are in a rotten condition. I

am saying this from personal experience. Of course, I travel in the First Class. When I see the conditions of First Class, I can very well imagine the conditions in the Third Class compartments. About speed and punctuality of the trains, I need not comment, because they are beyond comment. We have to carry almost everything, all kinds of commodities and goods, from outside Assam to Assam. Wagons are not available. Therefore, prices go up. And today, the entire region pays the highest price for the daily needs. These are the general problems and these are going on. But three problems are just now agitating the minds of the people there and I am afraid some people may start an agitation and then the attack may be directed against the Railways. The agitations may start on very simple issues. Some issues are agitating the minds of not only the Members of Parliament but the entire population of Assam. These are not difficult issues or problems. But we have been crying in wilderness so far and nothing has been done. And no assurance has come from the Railway Ministry or the Railway Board.

The first issue is regarding the broad gauge line from Bongaigaon to Gauhati. This runs for less than 200 kms. I would like to ask the Railway Ministry one thing: Why did you take the broad gauge line only up to Bongaigaon? You should take the line up to Gujrat. That is the centre of economic activity of the State. It serves not only that State. The railways in Assam proper serve not only Assam but the entire region all the other four States and two Union Territories. Nobody can go to Nagland or Meghalaya or Manipur or Tripura or Arunachal except through Assam. So you should take the broad gauge line from Bongaigaon to Gauhati which is only 160 kms. or so. You don't do it. Why? We have been urging upon you for many

[Shri Bipin Pal Das]

years. Not a word comes from the Railway Ministry or the Railway Board. They talk about perspective plan for 20 years, 30 years and so on and God alone knows when it will materialise. What amount of money will be involved here? Even a survey has been completed. I would like to sound a note of warning to the Railway Ministry: This issue itself may inflame the whole situation. And then you cannot face the people. Is this demand unjustified? Is this demand a very big demand? Is this not a very essential demand?

Then the next question is about a direct mail train from Delhi to—not Gauhati because there is no broad gauge line there,—Bongaigaon. There was no broad gauge connection before. But now there is a broad gauge through Farakka. We have written letters to the Railway Minister. We have been raising the issue in Consultative Committee meetings. The Railway Minister wrote a letter to us, but even there he could not assure us that a direct mail train to Gauhati would be allotted. Is it a very bad demand? Is it a very wrong demand? After all, the train will run through three or four States: Uttar Pradesh, Bihar and Bengal. Thus it will serve all these three States also in addition to Assam. Apart from serving that particular State, it will serve the entire region.

And then the third demand which is agitating the people very much is a railway division at Rangiya. The then Railway Minister, Dr. Ram Subhag Singh, gave a categorical assurance and land has been selected; almost everything has been settled. But no further progress. Why? Tell us why. If you do not do it tell us that you will not do it and give us reasons so that we can go to our people and explain to them that these are the reasons. You say neither yes nor no. You don't give

us any explanation or any reasons. And when the people ask us, what are we to reply as Members of Parliament? These are the three very simple demands for which the whole of Assam; the whole of north-eastern region, is agitated. Railway service in Assam means railway service in the entire region. The entire population there is agitated. Nothing comes out of the Government. If you do not do it today, then tomorrow the people will start an agitation and do something which really they should not do. Who should be held responsible if such a thing happens? Will not the Railway Board and the Railway Ministry be held responsible for this? I say this in all seriousness. All kinds of violence should be suppressed and punished. But I want the Railway Board and the Railway authorities to prevent violence, prevent people from resorting to violence or agitation. Otherwise, there are people who want to take advantage of the situation. Today the people are discontented. When people agitate, there are some forces which try to take advantage of the agitation for their ends and they even encourage them. Today it is no longer a question of discontentment. It is no longer a question of dissatisfaction. I want the Railway Minister to take note of it. It is now a question of anger developing in the minds of the people, anger developing in the minds of the people on various issues. I hope the railway authorities will do something about it as early as possible and give us a categorical assurance that they will do something.

Then I have only two or three points to touch upon. And one is extension of railways into Manipur. Why don't you tell us what you are going to do; if not in this Plan, at least in the Fifth Plan?

What are you going to do about extension of railways further into Tripura? The whole of Tripura is

without railways except a few miles. It is not a hilly country. It is plain area and railways can be easily taken into the entire State. Instead of flying three or four planes daily from Calcutta to carry passengers, the best way is to extend the railways and you can carry more passengers at a cheaper cost.

Another demand is extension of railway line by a few miles into Meghalaya. So, the demands are extension of the line into Nagaland by a few miles; extension of the line into Manipur and into Tripura, into Mizoram and into Meghalaya. These areas can never develop unless we give them some transport facility up to a point which is considered feasible. I do not say that you should extend it upto 5,000 ft. height. I do not go that far. But go as far as possible. Meghalaya has not demanded that the railways should go up to Shillong. They want an extension only by 17 or 18 miles. Similarly, it should go into Tripura, Arunachal Pradesh and Mizoram. These are the minimum, simple demands of the people of that region and without the minimum transport facilities industrial development in that area is impossible.

I have only two more points. One is employment of local people. I understand that Shri Pai was saying somewhere that in all public sector units local people will be given jobs up to a salary of Rs 500. It is good that the Minister has said so publicly and if the report is true I hope it will be implemented. But in the entire system of Railway that is operating within Assam, what is the position? I would ask the Minister to find out how many employees of III and IV grades are actually the sons of the soil or of that locality. Please find out and you will be shocked at it. Even tea-stalls and book-stalls are not being given to them. When the unemployed, educated youth of the area see that they have

no chances or opportunities, they may resort to anything. Who will then be responsible for this? How long can you ask people to have patience. We have been asking them to be patient and telling them that we in the Parliament will try to persuade the Railway Minister and the Railway Board. We have been telling this to our people all these years. How long can you expect us to go on saying this? Time is marching very fast. The situation is warming up.

I will conclude my speech by once again sounding a note of warning to the Railway Board and the Railway Minister who is present here that if you do not take note of this warning now and if something bad happens tomorrow in the form of violence, I will certainly condemn it by saying that it is anti-social and anti-national, but I will also say that if any such things happen, the responsibility for that will squarely lie on the Railway Minister and the Railway Board.

SHRI NIREN GHOSH (West Bengal). This is a Bill by which the Railway Ministry and the great Moghul, of the Railway Board want to divest themselves of all their responsibilities for things that are happening to the Railways and tell the Parliament and the country that they have come with some penal measures. In fact it is a dangerous lie. Not only that there are clauses in this Bill, to which I will come presently, which are, I think, anti-social and anti-national.

Now, some of the things I want to say, but I shall come to them later.

As regards the racket in railway tickets, I do not know whether by this clause you can check that racket. From my personal experience, I will tell you that if I want accommodation for any person in a sleeper coach I cannot get it from here or from the Railway Minister. I can go to the railway station on that very day

[Shri Niren Ghosh]

on which the train starts and I can purchase the ticket if I give Rs. 10 or Rs. 15. This is the position. There is a strata, a definite strata, an anti-social strata, that is involved in it. I think the Police knows about it. I think the Railway Ministry knows about it. I think the Railway Board knows about it. But nothing is being done.

Then, take the cancellation charges for, say, Rajdhani and other trains. You make things a bit difficult. That won't help matters. Also, for those who reserve a time-limit should be given, within which he can return the ticket. Nowadays, it is rare that a carriage is vacant. People stand in the queue. People purchase tickets in black market. Something should be done about it. There should be a specified time-limit for this and the punishment of 50% cut should be reduced.

Now, Sir, I come to the interim relief in case of accidents, etc. The entire cost of living has gone up. The amount of compensation that will be paid to the victims should have been raised. It is good that immediately some interim relief is given.

[THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY) in the Chair.]

But you should also have come forward to raise the amount of this compensation, and also to have some machinery so that these claims are quickly settled. It is impossible for the common run of people to carry on like that, to involve themselves in litigation, and so on. Sir, it is the common people who become victims in such accidents. So something should be done about it.

Then, as regards the footboard passengers, their punishment has been increased. Is there any justification for this? If you want to avoid that, then, like western countries, you should make

it such that it is automatic; when it touches the station it opens and when the train moves it is shut. Here, the people who stand on railway footboards have no other course. I personally lost one of my nearest relatives for no other reason but that he stood on the footboard of a local train and the electric cable and that location was so near that he was hit and he died. And there is no compensation also in such cases. I say that even if you impose death penalty, lakhs and lakhs of passengers are compelled, will be compelled, to stand on footboards and just hang on to it. Sir, unless you can relieve the situation, unless you can provide for some more accommodation facilities, why should you punish them? I see absolutely no reason to punish those passengers who stand on the footboard under the conditions in which the railways are running today. There is no reason to enhance the punishment and the question does not arise at all.

Now, Sir, I shall touch upon one of the two principal clauses. It is Clause No. 11 in which there is provision for death or imprisonment for life. If it is done with intent to cause the death of any person and by doing such an act, somebody causes the death of a person, then he can be punished with life imprisonment or death. I do not know whether in a civilised country such a clause can be inserted in a Bill. If the Railway Ministry says that the Indians are uncivilised, then you can bring in this clause. Who will intend to do it? It may happen by accident. An intent or motive will be put and somehow or the other he will be convicted. Then he may die by hanging or by gallows. I cannot appreciate such an attitude towards taking away other people's lives. Shri Bipinpal Das supported all the things in the Bill. I cannot support all the measures. But he raised other points which are correct. Why is it that in England no police is

provided with weapons of fire? Why is it that in our country which is supposed to have won freedom through non-violence, the Government is so violent?

AN HON MEMBER . Does the hon Member have faith in non-violence?

SHRI NIREN GHOSH . I have not taken either to violence or to non-violence. I do not swear by violence or non-violence

SHRI MAHAVIR TYAGI (Uttar Pradesh) You are faithless

SHRI NIREN GHOSH : Faithless to whom? To you or to the Government? If you say that I am faithless to Government, then yes He is completely wrong Our party does not stand for violence.

SHRI PREM MANOHAR (Uttar Pradesh) But your actions are like that.

SHRI NIREN GHOSH . Our party does not stand for violence or non-violence But our party has the right to defend Violence is applied against us I have a right to defend myself.

SHRI K P SUBRAMANIA MENON (Kerala) The landlords can kill the Harijans and others But when they kill, you raise a howl

SHRI NIREN GHOSH . If the people are violently suppressed, I do not know what else they should do If there had been complete and free democracy and non-violence, the people in India would have changed the social order by this time.

SHRI PITAMBER DAS You advocate violence against violence How do two wrongs make one right?

SHRI NIREN GHOSH : If I attack you with an iron rod, shall you defend yourself or not? That is the question. (Interruptions) So, Sir, as I was saying this is the most irresponsible and dangerous clause which nobody with consciousness should accept. Let us recall the history of the Railways during the last 25 years.

Whenever a railway accident occurred, at once Parliament used to be told by the Railway Ministry that there had been a sabotage or some such activity For the first ten or fifteen years repeatedly this excuse has been given though there was no sabotage They knew it They deliberately lied Now they will find this clause will provide them with enough excuses to discover saboteurs all around Again, if railway stations had been attacked, we did not support the attacks or destruction of property Let me make that point clear

SHRI K P SUBRAMANIA MENON It is the Congressmen who did it They did it in Andhra.

SHRI SITARAM KESRI (Bihar) : It is the Naxalites and the CP(M).

SHRI NIREN GHOSH . But I want to pose this question If peaceful, democratic activities are sought to be curbed by State violence, then the consequences follow for which the responsibility should lie with you Generally, in all such cases, whenever such things occurred, they occurred because the Government has applied unreasonable violence Had you allowed peaceful methods, perhaps they would not have gone to that position They may try to stop a train, there may be dislocation of passenger or goods traffic; they may squat on the railway track I personally know of several instances where they peacefully did that but they were fired upon and killed And these things follow That is the history. So, unless the entire Government machinery

[Shri Niren Ghosh]

and the provisions are changed, unless the rules are changed, it won't help. This is just a measure only to satisfy the blood hunger of some Railway Board Members or the blood hunger of the Government.

Then, as regards the railway pilferage, it is an open secret that crores and crores are gone. And who does it? That also, I tell you, the Railway Board knows. Let me tell Mr. Qureshi also that I gave certain names, that these are the wagon breakers. Will your Government deal with them? No. There are certain privileged persons; they stand by them and they make them indulge in other political activities also, and the higher-ups in the CRP or RPF or whatever it is are in collusion with them. Sometimes it happens otherwise. Sometimes, rarely, we see a press statement that there was exchange of fire when the wagon breaking was taking place. Perhaps, when the loot was not shared in a proper way.

SHRI M. R. KRISHNA (Andhra Pradesh) : Did you really give the list to the Minister?

SHRI NIREN GHOSH : Yes, I gave saying these are the persons. I have heard nothing from him. Some I knew and some I was apprised of. So, all these things have not been done. But now innocent people will be hauled up and they will be imprisoned for a term of ten years. It has always happened so and it will happen so. So, this is a retrograde piece of legislation which does not correct any of the ills that the railways suffer from or the public life suffers from. If you have to correct them you should overhaul the entire structure and do something else.

(Time bell rings.)

Just now Mr. Bipinpal Das told you how one particular region was neglected, its accumulated grievances finding expression in democratic ways. No

heed was paid to that. But, if some day the people of Assam take to certain things, then you will say "Oh! Oh! you must be hanged by the gallows". Gallows is the reward.

THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY) : You have taken more than seventeen minutes.

SHRI NIREN GHOSH : In Andhra Pradesh, I know, you killed because of that agitation. You have killed people there; you have raped women there. Even a Congress M.P. has told me with tears in his eyes that such brutalities have been committed.

SHRI SITARAM KESRI : Which Congress M.P.?

SHRI NIREN GHOSH : I won't mention the name of the Congress M.P. Naturally they are from the Andhra region. They say the CRP does not know our language, our habits. They enter our houses molest our women, rape our women and kill and murder people. Of course they cannot openly say these things but that is a different thing. So far as theft of overhead railway traction wires is concerned there are organised gangs. As I told you in West Bengal these wagon breakers and those who organise thefts of overhead wires all belong to the Congress Party and you have not got the courage to touch them. The whole gang, the party, the officialdom, high officers, big business, in fact everybody is involved. (Interruptions.) You know copper wire is very valuable. So, how can you get rid of this evil by such methods? You can kill some innocent person; you can sentence some innocent person. That will be the only result that you will achieve by this law but the real criminals will never be touched. These clauses are so much retrograde that I want an assurance that these two clauses, clause 11 and clause 12, will be withdrawn. This is a dangerous, retrograde, reactionary,

repressive step which will serve no purpose whatever. So I want an assurance from the Minister that either this Bill will be postponed or these clauses will be withdrawn or modified suitably; otherwise no democrat can accept the Bill as it stands and as it has been presented before us.

SHRI ABU ABRAHAM (Nominated): Vice-Chairman, Sir, I oppose this Bill and my objection to it has less to do with railways than with capital punishment. The provision of the death penalty in this Bill in clause 11 for what may be loosely called 'sabotage' is to my mind a retrograde step. In this country, which produced the Buddha and in our own times Mahatma Gandhi, it is already a disgrace that we still retain the death penalty in our statute books while most civilised countries have abolished it. There is a large body of enlightened opinion in this country, including this Parliament, which feels that the death penalty should be abolished and this view has been expressed many times in recent years in Parliament itself. The Law Commission has recommended the retention of capital punishment, but only reluctantly. It is also true that the Government has again and again given the assurance that capital punishment will be carried out only in extreme cases where the nature of the crime is particularly gruesome. This being so, it is, I think a retrograde step to introduce one more offence punishable with death. This, if I may say so, is pandering to popular emotions and irrationality. It has been repeatedly proved in serious studies done on the effects or usefulness of capital punishment that its deterrent value is virtually nil. So, I cannot see how the threat of judicial hanging should be thought of by our Government as necessary for preventing crime.

It is not the case in India that acts of sabotage on the Railways are so frequent that the public mind is agitated and has to be quietened. Railway

journey remains in this country still the safest form of travel. There has also been a gradual improvement in its efficiency and in the comforts offered to the public. Therefore, I do not think there is any pressure from the public to introduce such a drastic measure to prevent sabotage on Railways. The way to prevent such sabotage is by the usual methods of efficient patrolling of the lines. And no amount of threat in the Statute Book is going to prevent a desperate or crazy man from committing acts of sabotage. Sir, I have heard in recent months frequent cries going up from political leaders and Members of Parliament, who ought to know better, that blackmarketeers should be hanged, that profiteers should be hanged, that hoarders should be hanged, that adulterators should be hanged. In the very ancient, barbaric days, adulterors used to be stoned to death. When we still in these days, cry for the death penalty for all kinds of offences, it is only a reminder to us how little we have as human beings progressed in certain aspects.

I would like to remind hon. Members that, in practice, it is invariably people of a lower class who are hanged for crimes. We hardly ever hear of a member of the aristocracy or the very rich class being hanged even for murder. Such cases are extremely rare. Therefore, when we say we should hang the people for such offences as profiteering, blackmarketing, hoarding, we should realise that we are recommending thereby one law for the rich and another for the not so rich. We know very well that even if similar crimes have been committed by one of our prominent businessmen he is not going to be hanged. The deterrence, therefore, is supposed to be in practice only for people who are unknown, for people who, for all practical purposes, are for us nameless. If we go on extending death penalty in this manner, there will be no end to it. Very soon

[Shri Abu Abraham]

people will be demanding it for negligent driving, for robbery and for rape or molestation of women. There was, a few months ago a case in Kerala which got two lines in the newspapers about a boy of 27 being hanged. His crime was that he killed the lover of his wife, a crime for which in France or Italy perhaps he might have been regarded as a hero by many people. But we hanged him. Before he went to the gallows he made a statement in which he said : "I have spent many years in prison. I am a reformed man now, but it is too late. All that I can do for society is to donate my eyes to the eye-bank." And he did so. I asked the Chief Minister of Kerala, Mr. Achutha Menon, when he visited Delhi soon afterwards : "Why did you allow this to happen? Could you not relieve this man who was very young?" He said : "We knew about this case only after the whole thing had happened." So, this is a reflection on our callousness or public apathy. If a similar hanging had taken place in England, ten thousand people would have demonstrated in Trafalgar Square or in Whitehall to stop that hanging. Therefore, I would like to say that this aspect of the Bill is harmful in so far as it is socially retrograde. I am glad that Mr. Niren Ghosh spoke on this matter so eloquently. The point is that it is unlikely to check crime. This provision for death penalty is in practice useless. I would like to quote from a recent editorial in the *Times of India* on the subject of the death sentence. It says :—

"The deterrent argument should be dismissed as a myth. Almost every individual who commits a murder does so in a moment of passion. On the other hand, if it is a deliberate, cold-blooded act, it is more than likely that the person requires psychiatric treatment—not the gallows."

"The argument that the death penalty will deter mob killings and thus help preserve law and order also cannot be upheld, such violence is generally perpetrated by persons gripped with mob hysteria. In any case, can anyone really maintain that imprisonment for life in a jail is less of a deterrent to a would-be criminal than the death sentence?"

"Capital punishment is a barbarous relic and it must be put an end to immediately. At a time when reformers the world over are calling for corrective action instead of retribution for the criminal, it is incongruous to talk of moving towards abolition 'in stages'. Once the principle of punishing a man by taking his life is rejected, there should be no vacillation on the part of the Government."

Sir, this is not the occasion to make a long speech on capital punishment itself. But I would like to remind honourable Members once again of the tradition of non-violence and kindness in this country. Even in the Indian Penal Code, which was originally drafted in 1837 and finally adopted in 1860, the death penalty was rigidly restricted and a very wide discretion allowed to the judges for differentiating between one kind of killing and another. I have recently been reading a book called "The Shadow of the Gallows" by Viscount Templewood who has specially studied the law of capital punishment in different countries and has campaigned vigorously for many years for its abolition. He also has personal knowledge of India. This is what he writes about the Indian Penal Code :—

"My first impression of the Code was its humanity. It might well have been expected that in a sub-continent where communal trife and gang murder endemic, the death penalty would

have been used more extensively than in law-abiding Great Britain. Yet what did I find? The great majority of Indian administrators were consistently opposed to any extension of the punishment to crimes other than murder and treason. Some, and not the least experienced, were in favour of total abolition. Sir, Charles Metcalfe, a very great administrator, actually suspended capital punishment in Bengal for several years without any evil consequences. An official note on the 1837 Code records that a prominent official in Madras stated that the gravest doubts have arisen in his mind of the efficacy of death as a punishment."

The Indian Penal Code was, in fact, much more progressive in this respect at that time than the British Law. But whereas the British, after more than a hundred years of campaigning by liberals and radicals for the abolition of capital punishment, have finally abolished it, we in this country still continue to have this morally obnoxious and in practice useless practice of capital punishment. I appeal to the Government and to fellow-Members of Parliament to think deeply on the subject so that this blot can soon be removed from our national life.

I request the Government to withdraw the clause in this Bill providing for death penalty.

SHRI K. C. PANDA (Orissa): Sir, before bringing such a Bill before Parliament, it would have been better if the Railways had proved their efficiency or rather improved upon their present efficiency in order to convince the travelling public. There are, of course, a greater number of crimes committed on the Railways than before, and after the on. Shri Pitamber Das had given the statistics, I am not going to give the details. Out of the crimes committed, only a small percentage is detected. So, I am afraid—even if this Bill is passed there will be no chance for the Gov-

ernment to detect the real saboteurs or persons who are criminally connected.

4 P.M.

And everything will be a hoax after some time. Only five days ago I had given an instance of a missing scooter from the luggage of a passenger. The next day the scooter owner was called to the railway station and the scooter was delivered to him in a damaged condition. The damages were caused possibly the previous evening by somebody after hearing that the matter was raised in Parliament. The pillion was cut by blade and the whole scooter was badly damaged. So it is obvious how the crimes are being committed in different quarters by different persons in the Railways and outside the Railways.

As regards railway bookings I had given an instance. On the 27th July 1971 the Utkal Express did not run from Delhi because the previous evening it did not reach Delhi. All the passengers were asked to get refund and 50 per cent. was deducted from their charges. Due to their own fault the railway train did not come but the passengers were refunded only half the cost of their ticket.

Sir, as regards chain pulling. I am an eye witness in certain cases. I have overheard a T.T.I. speaking to a certain passenger (टिकट लेकर आते हो, सीट कहाँ से मिलेगी। That is, if they had not purchased a ticket they would have got a seat by paying something to the T.T.I. Sir, I am fully confident that with the connivance of the railway staff the W.T. passengers are pulling the chain and getting down at very odd places going scotfree. No action has since been taken to correct them or to detect the real culprit. I had already mentioned the other day and now today also Mr. Pitamber Das has mentioned about the combination of the two Forces. I would repeat that

[Shri K. C. Panda]

the R.P.F. and G.R.P. would be standing and the W.T. passengers would be getting down and going away. What are they going to do in such a case? You are asking for death sentence for sabotage. Are you prepared to take stringent action against W.T. passengers getting down at odd places? Are you prepared to use rubber bullets which do not injure the bone. Such bullets are in use in foreign countries. The bullet may not be very much effective but it may create a panic in the mind of roudy passengers. Instead of doing some such thing, they are coming up with the provision of death sentence in the Bill.

Sir, death sentence is provided in case of rash and negligent driving in car accidents. Sir, up till now there are very negligible number of cases of death sentence awarded by courts. Therefore, it is not being consistent with the spirits of the time. They expect efficiency from the largest public undertaking in the country.

Sir, the compensation provided for in case of accident to either the injured or the dead is not very much encouraging. For passenger dying in an air accident the compensation provided for is Rs. 1 lakh. Why not Rs. 50,000 be allowed *suo motu* to the family of a person who dies in a train accident? There was a High Court decision six or seven years ago—I am unable to quote the exact case—which allowed during those days Rs. 32,000 to 34,000 per passenger when they went to the court in a similar accident. So, when the offences are to be dealt with more strictly, the accidents and the after effects also should be taken care of by the Government in a better way.

Sir, I will resume my seat after stating only one thing. In Orissa, in consonance with a decision of the Railways, people expected that the narrow-gauge line from Rupsa to Talbandh and

from Rupsa to Bangriposi will be converted into broad-gauge. We have been demanding here more than once that these lines should be converted into broad-gauge and joined to the main line of Calcutta-Bombay, so that the coastal area, which is subjected to devastation from time to time by flood or cyclone or some natural calamity, will be accessible from the Bombay-Calcutta main line. I would like to tell the House that an agitation has already been started because they have discontinued running of trains on the Rupsa-Talbandh line, instead of making it a broad-gauge line. They have stopped trains on that line. I would like to say here that the people will not get satisfied if these lines are discontinued or if they are given a hoax that they will be converted into broad-gauge. I would urge upon the hon. Minister to take up the work immediately and convert them into broad-gauge lines so that there will be no loss of revenue and at the same time, there will be convenience for the people and the transport of iron ore and other minerals will be facilitated in that area. Thank you.

[MR. DEPUTY CHAIRMAN in the Chair.]

श्री सीताराम सिंह (बिहार) : श्रीमान उपाध्यक्ष महोदय, मैं रेल विधेयक की ओर इस सदन का ध्यान दिलाना चाहता हूँ और कहना चाहता हूँ कि यह सरकार बुनियादी भूल करती जा रही है और सतही इलाज करती है जो मूर्खतापूर्ण है। असली सवाल यह है कि रेलवे की हालत जो आज अपने देश में है वह ऐसी बदतर है जैसी कि दुनिया के और मुल्क में नहीं है। सबसे जरूरी बात तो यह है कि आज रेलवे में एयरकण्डिशनड सेलून और प्रथम श्रेणी के डिब्बों को खत्म करना चाहिए और जब तक वह खत्म नहीं होगा तब तक देश हजारों लोग रेल के डिब्बों की छत पर चढ़ सफर करते रहेंगे और हजारों लोग दुर्घटना में मरते रहेंगे। तो यहाँ जरूरी तो यह है :

रेल के डिब्बे अधिक बनें, जरूरी यह है कि रेलवे के इंजिन अधिक बनें, जरूरी यह है कि माल ढोने और साधारण जनता के चलने के लिए अधिक डिब्बे सुलभ किए जायें। इसके बाद कोई सहूलियत वाला डिब्बा बने, चाहे एयरकन्डीशन्ड बने, लेकिन जब तक इस देश में लोग छत पर चढ़ कर चलते हैं और दुर्घटना में मरते हैं उससे पहले मेरे ख्याल में कोई भी सम्य सरकार ऐसा काम नहीं करती है जिस तरह का यहां भारत की सरकार कर रही है। चीन में भी परिवर्तन हुआ है। लेकिन अब तक साधारण मनुष्य के लिए जीवनोपयोगी वस्तु सुलभ नहीं हुई है, उपलब्ध नहीं हुई तब तक कोई अय्याशी, फिजूलखर्ची और फैशन वाला काम नहीं हुआ। लेकिन यहां तो फैशन वाला, फिजूलखर्ची और अय्याशी वाला काम घड़ले से चल रहा है। तो इसको कैसे रोका जाए, यह देखें।

श्रीमन, यह विधेयक प्रतिक्रियावादी है, जनविरोधी है और राष्ट्र के लिए घातक है। जोरदार शब्दों में मैं इसका विरोध करता हूँ।

जहां तक मृत्यु दंड का सवाल है यह मानवता को लज्जित करने वाला है। 26 वर्ष की आजादी के बाद भी गांधी, लोहिया, महात्मा बुद्ध और प्रह्लाद के देश में इस विधेयक से दुनिया की नज़रों में अपने को हम जंगली साबित कर रहे हैं। इसके साथ ही दूसरी बात यह कि जब किसी व्यक्ति को जीवन दान करने का अधिकार हमको नहीं है तो यह भी हमारा अधिकार नहीं होना चाहिए कि किसी की जान लें। तो मैं मंत्री जी से आग्रह करूंगा कि वह इस विधेयक को लौटा लें और 26 वर्ष के जनतांत्रिक देश में जहां लोकतंत्र की दुहाई दी जाती है, मानवता को लज्जित नहीं करें। दुनिया में अपने मुल्क के गौरव को नहीं गिराये और हम उम्मीद करते हैं कि मंत्री जी इस पर विचार करेंगे।

जहां तक रेलवे में चोरी, डकैती आदि का सवाल है आजकल तो कोई आदमी जो सफर

करता है ट्रेन में वह निश्चित अपने बारे में नहीं है कि सही सलामत अपने घर पहुंचेगा या नहीं। ऐसी हालत है और इस तरह की व्यवस्था है कि रेलवे के अन्दर जब आदमी सफर करता है तो कत्ल हो जाता है। औरतों के साथ बलात्कार होता है। एक सिफत यह है कि जो रेल की सुरक्षा फॉर्म है वह भी वहां खड़ी रहती है और बलात्कार करने के बाद जब हल्ला मचता है तो वहां से चली जाती है। ऐसे उदाहरण हैं हमारे पलामू जिले के। एक नहीं अनेकों उदाहरण ऐसे हैं। इस व्यवस्था को दूर करने के लिए मंत्री जी को ठंडे दिमाग से सोचना चाहिये और जनता में यह विश्वास पैदा करना चाहिए कि जनता यह समझे कि रास्ते में हमारी जान माल की सुरक्षा है और असुरक्षित हम नहीं हैं।

जहां तक रेलवे में चोरी का सवाल है, रेलवे के बैग्स तोड़े जाते हैं। अधिकारी उनसे मिले हुए होते हैं और हजारों हजार का माल चोर-बाजारी में बिकता है और नीचे से ऊपर तक लोग उसका बटवारा करते हैं। यह स्थिति आज है।

भ्रष्टाचार का तो कुछ कहना ही नहीं है। भ्रष्टाचार के जरिये नीचे से ऊपर तक तमाम अफसरान लोग डूब रहे हैं और हमको आशंका इस बात की है कि शायद रेल मंत्री भी हिस्सा बंटाते हैं। अगर हिस्सा नहीं बंटाते तो फिर इसके लिए कोई कड़ी कार्यवाही करें। जनता छत पर चढ़ती है तां इसके लिए मृत्यु दंड किया जाए? रेलवे में टिकट क्यों ज्यादा बुकिंग होती है। जितनी जगह है उतनी ही टिकट क्यों नहीं बुकिंग होती है? हवाई जहाज में ओवर-क्राउडिंग नहीं होता है क्योंकि इसमें बड़े लोग चलते हैं। लेकिन थर्ड क्लास में तीसरे दर्जे में साधारण लोग चलते हैं, इसलिए इसमें सौ की जहां जगह है वहां दो सौ, डेढ़ सौ टिकट बुक होती है। आदमी मजबूर होकर चलता है, कोई स्वेच्छा से थोड़े ही चलता है। इसके लिए व्यवस्था होनी चाहिए।

[श्री सिताराम सिंह]

दूसरी तरफ जहाँ पिछड़े हुए इलाके हैं परिवहन के साधन नहीं हैं, वहाँ परिवहन के साधन मंत्री जी जुटाये ताकि इस देश के पिछड़े हुए इलाकों का विकास हो सके। बिहार में, वैशाली एक ऐतिहासिक जगह है, तमाम लोग उसको जानते हैं। वह हाजीपुर स्टेशन से 25-26 मील की दूरी पर है। बिहार में पर्यटक लोग आते हैं। इसलिए हम मंत्री जी से चाहेंगे कि ऐसी व्यवस्था करें कि वह हाजीपुर से वैशाली तक रेलवे लाइन बिछाये।

श्री सिताराम सिंह : क्रमागत हाजीपुर से चाया महुवा, पातेपर हो कर समस्तीपुर तक रेलवे लाइन लगाये ताकि पिछड़े हुये इलाके के लोगों का कल्याण हो सके और उनकी प्रगति में वह सहायक हो सके।

इन्हीं शब्दों के साथ मैं अपनी बात खत्म करता हूँ।

SHRI MOHD. SHAFI QURESHI : Mr. Deputy Chairman, I am indeed very grateful to the honourable Members who have participated in this discussion. The subjects which they have touched are beyond the scope of this Bill also. But I have been greatly benefited by their views and these matters have been coming up off and on in this House. I would not like to repeat the answers which I have already given in this House to earlier queries by honourable Members. But one point which raised by Mr. Nawal Kishore was that retrospective legislation so far as refund of tickets is concerned is not warranted by law.

res—"a railway company or in the case of a railway administration the Central Government shall make general rules for certain specified purposes". And among these purposes is one purpose providing for the accommodation and convenience of passengers and regulating the carriage of their luggage. It was in exercise of these powers that the Central Government notified through a Gazette Notification dated 1st October 1942 a general rule that read : "The railway administration may reserve a seat, a berth, a compartment or a carriage, as the case may be, in a passenger train in accordance with conditions published in the time-table in force for the time being from time to time". And in 1945 when the system of levy and cancellation charges was introduced it was given publicity by being incorporated in the conditions published in the time-table in force. So we had the powers to make rules and under those rules this thing was publicised, this was given wide publicity in the time-tables. But subsequently it was the Committee on Subordinate Legislation which held that the railways could possibly change this particular rule and they should try to levy these deductions under the statute itself. So one can say, not that we did not have powers, but possibly we had inadequate powers. So it is to meet this particular shortcoming that this particular section has been introduced.

The second point is with regard to compensation which is paid to the victims of railway accidents. Honourable Members have pointed out, that we should have brought a more comprehensive Bill, because the statement made earlier by the Minister

Rs. 50,000/- for persons who lose their lives or get seriously injured in railway accidents. The whole scheme has to be worked out. It will take some time. That is why we have brought this legislation in order to see that, people who get involved in railway accidents, compensation paid to them is not delayed, and powers have been taken by the Railway administration to pay part of the compensation to the victims immediately which can be later on adjusted when the final compensation is paid by the Claims Commissioner.

I have earlier also stated in this House that the performance of the railways is dependent on both sides. It depends on the operational efficiency of the railways itself and also the efficiency of the users because ultimately it is the users who really mean much to us...

AN. HON. MEMBER : The customer is always right.

SHRI MOHD. SHAFI QURESHI : There are customers who may be wrong. It is for those customers who do something wrong, that we have brought this Bill in this House. We have seen that merely enacting a particular law or enactment does not by itself reduce the crime. It is the implementation of a particular law that brings results. We have not only laid stress on the implementation of the rules and laws. But we have also started an educative drive among the people to tell them that the railways are a national asset and it is their own property and it is for their benefit and they have to utilise it for the development of our own economy. We saw that the ticketless travel malice was increasing in the country and then when the punishment was raised to Rs. 10/-, the result was quite evident. It was on 30th

June 1969 that the minimum punishment was raised to Rs. 10/- for those who travel without tickets. In 1968-69 the number of such ticketless travellers was 84,66,870. After this increased punishment was levied, the number came down in 1972-73 to 17,39,546. There was thus a decrease of about 82 per cent in the number of ticketless travellers.

SHRI MAHAVIR TYAGI : It includes only such persons as were taken notice of. But there were others who were not taken notice of.

SHRI MOHD. SHAFI QURESHI : Quite right. It is only persons who were detected. There should be other persons and therefore the number is very much higher.

The trouble of chain pulling has been increasing. On the one hand hon. Members have been emphasizing that our punctuality performance must improve. Our endeavour has always been in this direction and we have tried to see that our rolling stock, officers and operating staff work together in order to see that punctuality increases. But here again the user comes in. We have nearly 52,000 to 55,000 chain pulling cases every month. It means considerable delay and inconvenience to the people. The other problem is that when officers go to locate the person who has pulled the chain, the people inside do not co-operate with the Administration and it becomes difficult to detect the person. Once detected the punishment given by the court was rather very small and everybody took it easy...

SHRI PREM MANOHAR : The man who pulls chain will get down from the train.

SHRI MOHD. SHAFI QURESHI : For this we have to launch special drives. Shri Choudhury is not here. I wanted to congratulate him because

[Shri Mohd. Shafi Qureshi]

Haryana was one State which gave full co-operation, and the ticketless travel came down. It is hoped that with the co-operation of State Governments we will be able to overcome this particular deficiency.

Now that we have raised the minimum punishment to Rs. 25/- and we are going to implement it, this chain pulling will come down. The other way of getting over this particular disease is that we should blank off the chain completely. It has its own inherent dangers. So we are trying to check it by persuasion and educating people that it results in inconvenience to other passengers.

Another part on which most of the members have spoken is the enhancement of the penalty of imprisonment to death, in certain cases. Shri Abraham and some others said that this was too much and we should have some consideration for human life. It is for the protection of human lives that we have brought this enactment. In the case of violence by individual against individual, self-defence comes in. But where a person deliberately commits something which he knows will result in death, such an offence has to be treated differently. Such an offence may even cause death to hundreds and thousands of people. Suppose a person removes a fish-plate. According to Shri Abraham, I have to incur another expenditure by taking that person to a place where he will be reformed and probably get ready for another act of sabotage.

SHRI ABU ABRAHAM : Don't you think that there is likelihood of mis-carriage of justice in cases like that ?

While proving a certain crime, it is very likely that the man concerned may be innocent. But there is no reprieve after the man is hanged. It has happened that in the case of a murder a person has been hanged but

many years afterwards it was proved that he was innocent. There is no reason why in this particular case the hanging should be a deterrent. Why not in other cases where public buildings have been burnt by people or where Harijans' homes have been burnt ? But you don't provide law for any such cases and hang these people.

SHRI MOHD. SHAFI QURESHI : There can be two opinions about it, as far as punishment of death is concerned whether the French guillotine is better or the silken noose is much better or the electric chair is better or the firing squad is better or gas chamber is better, there can be a difference of opinion on that. The British may think that silken noose is a much civilized way of hanging ; the French may think that the guillotine is better...

SHRI JAGDISH PRASAD MATHUR (Rajasthan) : It is only a guesswork...

SHRI MOHD. SHAFI QURESHI : आप किस पर एतबार करते हैं। गला दबाने में। बोलने तो दीजिये न।

Sir, Shri Bipinpal Das raised a very pertinent point that the railways will have to go to under-developed areas. Now we are not worried about the old, out-moded idea that first there should be development of the area and then the trains should follow. It is our duty to see that the areas which are far flung and which are under-developed are economically developed. Sir, he has raised three very pertinent points which have been agitating his mind ; I could see this from his tones and from his actions that his mind was very much exercised for having a very fast train from here to Bongaigaon. Sir, I am not in a position to give a firm promise at this stage. But I can assure him that this matter is being looked into. There are certain restraints and constraints at various levels, but once the

difficulties are removed there is no hesitation on our part that far-flung areas of Assam are linked with Delhi.

With regard to the Divisional Headquarters at Rangia, we stand on our firm commitment. There is correspondence going on between the State Government and the Railway Ministry. It has got stuck up on one point. I think Mr. Bipinpal Das will be able to help me. We wish that the land to be allotted to the railways is given in a developed condition, but the State Government says that they will give the land as it is. This is a very minor point of difference which can be settled and sorted out between the State Government and the Railway Ministry. And I can assure him that the Railways stand firmly by their commitment, and once the State Government clears this particular point we shall go ahead with the creation of a new Division at Rangia...

SHRI BIPINPAL DAS : What about the broad gauge line ?

SHRI MOHD. SHAFI QURESHI : I told you that all these matters are certainly receiving the upper most consideration of the Ministry of Railways.

Sir, Mr. Panda also raised a point of...

SHRI BIPINPAL DAS : Sir, what does he say about the broad gauge extension from Bongaigaon to Gauhati ? This is a burning issue of the day...

MR. DEPUTY CHAIRMAN : He says that it is receiving their consideration.

SHRI MOHD. SHAFI QURESHI : The hon. Member knows that the survey has been completed. Now it is for technical and economic feasibility survey ; this will be conducted. And as soon as the funds are made available by the Planning Commission, we will have absolutely no hesitation in converting it into broad gauge. After the

feasibility survey, we will certainly go to the Planning Commission.

Some hon. Members raised matters which are not directly dealing with this Bill...

SHRI NAWAL KISHORE : I want to know one thing. You have made the destruction of railway property an offence and the punishment is up to 10 years or life imprisonment. But it is only against the individual. But, for instance, as that in Andhra where railway property was destroyed to the tune of Rs. 20 crores. In such cases, I don't think that you would be able to meet this mass violence and mass damage with the punishment that you have provided in this Act.

MR. DEPUTY CHAIRMAN : Everybody will be treated individually.

SHRI PITAMBER DAS : They are jointly and severally responsible.

SHRI MOHD. SHAFI QURESHI : I do not say that this Bill is comprehensive. Certain punishments are sought to be made very deterrent in order to improve things. A comprehensive Bill will be coming before the Parliament. This Act is about 100 years old and it needs drastic changes.

SHRI PITAMBER DAS : By what time do you propose to bring forward that Bill ?

SHRI MOHD. SHAFI QURESHI : A complete revision of the Act will take about 1 year and the Bill is expected to come before the Parliament in 1½ years. I think there are no other points which I should touch upon. With these words I commend the Bill to the House.

MR. DEPUTY CHAIRMAN : The question is :

"That the Bill further to amend the Indian Railways Act, 1890, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted:

MR. DEPUTY CHAIRMAN : Now, we shall take up clause by clause consideration of the Bill.

Clause 2 (Amendment of Section 47)

SHRI JAGDISH PRASAD MATHUR (Rajasthan) : Sir, I move :

1. "That at page 1, line 11, the words 'and the time-limit within which' be *deleted*."

2. "That at page 1, after line 12, the following proviso be *inserted*, namely :—

'Provided that the cancellation charges shall be equivalent to that of platform ticket.'

3. "That at page 1, line 14, the words 'and fifty' be *deleted*."

4. "That at page 1, lines 19-20, the words 'and accordingly no suit or other proceeding shall be maintained any court for the refund of any such charges' be *deleted*."

The questions were proposed.

श्री जगदीश प्रसाद माथुर : मेरा यह सशोधन है धारा 47, मूल विधेयक की, जिसमें जनरल रूल्स प्रोवाइड किए गए हैं। उसमें रेलवे ने रिजर्वेशन के संबंध में कुछ नियम बनाने की लिबर्टी दी है। आज अगर रेलवे में कोई सबसे बड़ा घोटाला है तो रिजर्वेशन के संबंध में है। माननीय मंत्री महोदय ने एक संशोधन विधेयक लाकर के जो कुछ भी कन्सेलेशन के चार्ज में अब तक उन्होंने वसूल किया वह किसी नियम के अंतर्गत नहीं था लेकिन उनको बैलिडेट करने की दृष्टि से, आगे भी वह बैलिडेशन की दृष्टि से, उन्होंने विधेयक में परिवर्तन किया है। आज तक, साधारणतया जिस किसी यात्री का साधारण टिकट अगर कैंसल होता है तो गाडी के जाने के बाद उसको केवल प्लेटफार्म का किराया काटने के बाद टिकट के पैसे मिल जाते हैं लेकिन जहां तक रिजर्वेशन का सवाल है, अब तो रिजर्वेशन मिलना इस

देश में सबसे बड़ी दुविधा की बात है। हमारी सरकार ने एक समिति का निर्माण किया था, उसमें अपने सदन के माननीय सदस्य कृष्णकान्त अध्यक्ष थे, उसमें रेलवे मंत्रालय ने सारे के सारे कांग्रेस के सदस्यों को लेकर इस बात की व्यवस्था की थी कि इस प्रकार से रिजर्वेशन के मामले में कोई सुधार होने की व्यवस्था हो। लेकिन आज लगता है कि हिन्दुस्तान के जो बड़े शहर हैं वहां तो आर्गेनाइज्ड गैंग्स इस काम में लगे हैं जहां जेनुइन पैसेन्जर्स को किसी भी प्रकार से रिजर्वेशन मिल नहीं सकता। अगर जेनुइन पैसेन्जर को रिजर्वेशन मिलता है और किसी कारण से वह जा नहीं सकता—वैसे तो बहुत कम केसेज ऐसे होंगे सिवाए संसद सदस्यों के जहां कि रिजर्वेशन 25 परसेंट कैंसिल होते हैं और जिसके लिए उनको कुछ देना नहीं पड़ता है—लेकिन जिसने टिकट लिया है और जाना है, उसमें बहुत कम, रेयर केसेज होंगे कि उनका टिकट कैंसिल होता है। यानी, ऐसी भी स्थिति आती है कि "विदिन टाइम लिमिट" जो आपने दिया है, उसमें कुछ लोगों को आधा पैसा मिलता है। तो मैं चाहता हूं—इस वसूली से गवर्नमेन्ट को बहुत बड़ा लाभ होता हो ऐसी बात नहीं है—इस रिजर्वेशन के मामले में जो आपके विभाग के स्वयं के घोटाले हैं, उनको रोकने का प्रयत्न करें। इसमें जो सजा दी है, पहले 50 रु० थी अब 150 रु० कर दिया है, तो यह 150 रु० की जगह 100 रु० की संख्या रिजनेबल है और अगर इसको कड़ाई के साथ पालन करना चाहते थे, अगर रिजर्वेशन के मामले में कोई पकड़ा जाता है तो पकड़े जाने वाले पर कोई बहुत कड़ी कार्यवाही करना—जैसे इस मामले में आपने 10 साल की सजा की बात कही है—तो फिर यह तो कड़ी सजा के बाद करना चाहिए। 50 रु० का 150 रु० कर दिया, इसमें रेलवे की कमायी की आपने व्यवस्था की है। तो मैं चाहूंगा, इसमें चूक केवल पैसा कमाने की दृष्टि से यह अमेन्डमेन्ट लाए हैं, तो आप मेरे संशोधन को स्वीकार करिए। इसमें पैसा कमाने की नीयत से नहीं, जनता को राहत देने की दृष्टि से। आप विचार करके

मेरा अमेन्डमेंट स्वीकार करिए, जिससे जनता को जरूर राहत मिलेगी।

श्री मुहम्मद शफी कुरेशी : माननीय सदस्य ने कुछ प्वाइन्ट्स रैज किए हैं, मसलन कि हमने जो पिछली रकमें ली हैं टिकटों के रिजर्वेशन से, वह हमने नाजायज तरीके से ली है। मैं इसे समझा रहा था, जो नवल किशोर जी ने एक प्वाइन्ट उठाया था, कि यह बात नहीं कि रेलवे के पास पावर्स नहीं थी। दफा 41, जो पुराना ऐक्ट है 1890 का, उसके तहत उसमें दिया हुआ है :—

“Government or in the case of railway administration, or railway company, the railway company shall make general rules consistent with this Act for the following purposes...”

तो रूल बनाने की जो पावर है, वह इस कानून के तहत हम को दी गई है। एक रूल बना और एक ऑर्डिनेन्स से रूल बना है और उस रूल में यह कहा गया था कि जिन शर्तों पर मुसाफिर को जगह मिलेगी या उनको सफर कराया जायेगा, वे तमाम शर्तें टाइम टेबुल में दर्ज होगी और टाइम टेबुल में यह बात दर्ज है कि अगर कोई शख्स टिकट लेने के बाद सफर नहीं करता है, अगर खास वक्त के अन्दर टिकट वापस करता है तो उसको उसी हिसाब से रिफण्ड मिलता रहेगा। यह बात नहीं थी कि रेलवे के पास कानून के तहत ताकत नहीं थी, उसकी ताकत मौजूद थी, लेकिन कम ताकत थी और अब उसे पूरा करने के लिए इसमें यह अमेन्डमेंट लाया गया है।

बाकी जो आपने कहा कि जो कमेटी रेलवे में रिजर्वेशन करने के लिए बनाई गई है, उसमें काप्रेस के ही मेम्बर हैं, ऐसी बात नहीं है। श्री लोकनाथ मिश्रा काप्रेस के मेम्बर नहीं हैं। श्री के० मनोहरन, डी० एम० के० के मेम्बर हैं, जो आजकल ए० डी० एम० के मेम्बर हो गये हैं। इस कमेटी में सभी दलों के सदस्य शामिल हैं। यह कमेटी अपना काम कर रही

है और उसकी जो रिपोर्ट आयेगी उससे रिजर्वेशन के मामले में एक अच्छा नतीजा निकलेगा। I am not accepting any of the amendments.

MR. DEPUTY CHAIRMAN : The question is :

1. “That at page 1, line 11, the words ‘and the time-limit within which’ be deleted.”

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

2. “That at page 1, after line 12, the following proviso be inserted, namely :—

‘Provided that the cancellation charges shall be equivalent to that of platform ticket.’ ”

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

3. “That at page 1, line 14, the words ‘and fifty’ be deleted.”

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

4. “That at page 1, lines 19-20, the words ‘and accordingly no suit or other proceeding shall be maintained in any court for the refund of any such charges.’ be deleted.”

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

“That clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 and 4 were added to the Bill.

Clause 5 (Insertion of new section 82HH)

MR. DEPUTY CHAIRMAN : There are two amendments. I put amendment No. 5.

SHRI JAGDISH PRASAD MATHUR : Sir, I am not moving amendment No. (6).

I only want to move amendment No. (5). Sir, I move :

5. "That at page 2, lines 34-35 for the words 'such sum as it considers reasonable for affording such relief the words and figures 'a sum of rupees two thousand to a person injured and a sum of rupees ten thousand to any dependents of the deceased be substituted."

The question was proposed.

श्री जगदीश प्रसाद माथुर : अभी माननीय मंत्री जी ने अपन उत्तर में यह कहा था कि हम इस बात की व्यवस्था करने जा रहे हैं कि जो भी रेल दुर्घटना के अन्दर मरे उसे 50 हजार रुपया तक कम्पेंसेशन देने की व्यवस्था की जाय । लेकिन आज जिस प्रकार से व्यवस्था है उसके सम्बन्ध में मैं यह निवेदन करना चाहता हूँ कि पिछले दिनों में बम्बई में जो दुर्घटना हुई थी और उसमें जो लोग मरे थे उनके परिवार वालों को 500 रुपया तत्काल सहायता के रूप में दिया गया था । जो लोग घायल हो गये थे उन्हें तत्काल सहायता के रूप में 100 रुपया दिया गया । आज इस महगाई के जमाने में किसी भी मरने वाले के क्रियाकर्म में 500 रुपया भी कम है, इसलिए आप जो सहायता देते हैं वह बहुत ही कम है ।

आपने 50 हजार रुपया देने की जो बात कही है और आपने इस सदन के अन्दर यह भी कहा

है कि पांच पैसा प्रति व्यक्ति से इंश्योरेस का लेना होगा । इस तरह का नियम कब आयेगा और वह कब लागू होगा ? एक प्रश्न के उत्तर में रेल मंत्री जी ने बतलाया था कि हम रेलवे एक्सीडेंट में मरने वालों को जो रकम देते हैं वह करीब प्रति व्यक्ति 10 हजार और 20 हजार के आती है जो किसी एक्सीडेंट में मरने वाले परिवार को मिलती है । आप कानून के द्वारा व्यवस्था करने जा रहे हैं, लेकिन कम से कम आज आप इस तरह की तो व्यवस्था कर दें कि जो तत्कालिक रिलीफ होनी चाहिये वह इतनी होनी चाहिये कि जो मरने वाला है या घायल होने वाला है, उसके लिए कम से कम इस तरह की व्यवस्था हो सके कि आज अगर किसी की टांग टूट जाती है, फ्रैक्चर हो जाता है, तो वह अपना इलाज तो ठीक तरह से करा सके । अगर कोई सरकारी नौकर इस तरह के एक्सीडेंट में घायल हो जाता है तो उसको दवा मुफ्त मिल जायगी और सरकार की ओर से उसको कम्पेंसेशन भी मिल जायेगा । लेकिन जो सरकारी नौकर नहीं है, प्राइवेट इंडिविजुअल है, जो अपना इलाज नहीं करा सकता है, अगर उसको 100 रुपया दिया गया तो उसकी टांग वापस होने का सवाल या जुड़ने का सवाल ही पैदा नहीं होता है । तो मेरा कहना यह है कि तत्कालिक रिलीफ इतनी होनी चाहिये ताकि वह अपना अच्छी तरह से इलाज करा सके और मरने वाले के लिए इतनी व्यवस्था होनी चाहिये कि उसके परिवार वालों को तुरन्त उसके मरने के बाद किसी तरह की दिक्कत न हो । इसलिए मैंने मांग की है कि जो घायल होते हैं उनको दो हजार रुपया दिया जाय और जो मर जाते हैं, उनके परिवार वालों को, उसके डिपेंडेंट को 10 हजार रुपया दिया जाय ।

आपने कहा है कि अब हम 50 हजार रुपया तक कम्पेंसेशन देने की व्यवस्था कर रहे हैं, लेकिन एयर फ्रैश में जो लोग मरते हैं उनको एक लाख रुपया मिलता है, इसलिए आज हवाई जहाज में लोग मरना पसन्द करेंगे बनिस्बत रेलवे के जहां पर कुरेशी साहब केवल

500 रुपया ही देते हैं। तो मेरा निवेदन है कि कम से कम मरने वालों की दृष्टि से आप कम्पेंसेशन की जो रकम देते हैं वह थोड़ी है और उसको बढ़ाया जाय, ऐसी मेरी मांग है।

श्री उपसभापति : कोई मरना नहीं चाहता है।

SHRI MOHD. SHAFI QURESHI : Sir, I have explained earlier that whenever an accident takes place *ex gratia* payment is made. It is not compensation; neither does it form part of compensation. Compensation is given subsequently but immediately *ex-gratia* payments are made to the nearest of the dead and to those people who are injured, whether it is grievous hurt or simple injury. The new scheme will take some time. As already stated in the House we are coming up with a new scheme and the whole thing is being worked out now. There is no need for anxiety on the part of the hon. Member मैं तो चाहूंगा कि आप रेल में सफर करें, आपको खुदा सलामत रखे।

MR. DEPUTY CHAIRMAN : The question is :—

5. "That at page 2, lines 34-35, for the words 'such sum as it considers reasonable for affording such relief' the words and figures 'a sum of rupees two thousand to a person injured and a sum of rupees ten thousand to any dependents of the deceased' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN : The question is :

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clauses 6 to 13 were added to the Bill.

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

SHRI MOHD. SHAFI QURESHI : Sir, I move—

"That the Bill be passed."

The question was proposed.

SHRI NIREN GHOSH : Sir, we particularly took objection to clause 11 and clause 12. It is an utterly reactionary and retrograde step. It is a shameful thing on the part of the Government to get those things passed. Under these circumstances I see no use in being a party to the final passing of this Bill and we walk out in protest.

(Some hon. Members left the Chamber.)

SHRI SUHRID MULLICK CHAUDHURY (West Bengal) : On behalf of the Marxist Forward Bloc I cannot be a party to a law which treats human life so lightly. I also walk out in protest against the passing of this barbarous law.

(The hon. Member left the Chamber.)

श्री मान सिंह वर्मा (उत्तर प्रदेश) : उपाध्यक्ष महोदय, बहुत संक्षेप में मैं माननीय मंत्री जी से एक बात पूछना चाहता हूँ और एक निवेदन करना चाहता हूँ। पहली बात तो यह है कि समाचारपत्रों से यह ज्ञात हुआ कि आप रेलवे में क्लासीफिकेशन फिर बदलने जा रहे हैं। ऐसा पढ़ने को मिला कि फर्स्ट अप्रैल से आप केवल दो क्लासेज रखेंगे, एक फर्स्ट क्लास और दूसरा सेकन्ड क्लास। गत वर्ष सम्भवतः आपने ही या मंत्री महोदय ने यहां पर यह घोषणा की थी कि सेकन्ड क्लास एवालिश करने जा रहे हैं और अब केवल फर्स्ट क्लास और थर्ड क्लास ही रहेंगे और सेकन्ड क्लास को समाप्त करने का जो आधार आपने समझाया था वह यह था कि थर्ड क्लास में जगह कम रहती है इसलिए सेकन्ड क्लास को थर्ड क्लास में कन्वर्ट कर दिया जायगा। अब आपकी तरफ से यह बात कही जा रही है कि फर्स्ट क्लास रहेगा और सेकन्ड क्लास रहेगा। इसके माने क्या हैं? अगर सेकन्ड क्लास रहेगा तो क्या आप थर्ड क्लास को सेकन्ड क्लास बना रहे हैं या सेकन्ड को थर्ड बना रहे हैं, यह बात समझ में

[श्री मान सिंह वर्मा]

नहीं आ रही है। इसका स्पष्टीकरण करिए। अब तक का अनुभव यह है कि आपने बड़ी चीज को छोटा बनाया है, छोटी बोज की बड़ा नहीं बनाया। इसलिए जब आप सेकिण्ड क्लास ही रखेंगे तो उसमें सेकिण्ड क्लास की सुविधा होगी या उसमें थर्ड क्लास की सुविधाएँ होंगी, यह बतलाने की कृपा करें।

दूसरा निवेदन यह है—पहले भी मुझे जब बोलने का अवसर मिला है तब भी मैंने माननीय मंत्री जी का ध्यान आकर्षित किया है—कि जो लोकल ट्रेन है या पैसिंजर ट्रेन है, लोकल ट्रेन्स में अधिकांश सरकारी कर्मचारी सफर करते हैं, सुबह आते हैं, शाम को जाते हैं और पैसिंजर ट्रेन थोड़ी दूर के लिए चलती है और हर स्टेशन पर रुकती है, जिनमें ज्यादातर देहात के आदमी सफर करते हैं, कचहरी जाते हैं या दूसरे कामों के लिए जाते हैं, सरकार का इन तमाम ट्रेनों तरफ क्यो नहीं ध्यान जाता। उनकी हालत पहले से बदतर होती जा रही है। अभी मैं परसो की, फ्राइडे की बात बतला दूँ। यहाँ से पीने तीन बजे मेरठ के लिए गाड़ी जाती है। वह पैसिंजर ट्रेन है। उसके फर्स्ट क्लास में न तो सफाई थी और पखा भी नहीं चल रहा था। मैंने गाड़ को बुलवाया—यह 1 डी० एस० ट्रेन है—और उससे कहा कि इसमें कम से कम पखा तो चलवा दो। उन्होंने एनाउन्समेंट करवाया, तब इलेक्ट्रीशियन्स आए, उन्होंने देखा कि उसके सारे फील्ड वायर कटे पड़े हैं, यह ठीक होने वाले नहीं हैं, उन्होंने बहुत कोशिश की लेकिन ठीक नहीं हुए और आखिर ट्रेन वैसी ही चली गई। फर्स्ट क्लास में यह स्थिति थी और इसी प्रकार से कहीं पर स्विच बोर्ड नहीं होता है, कहीं पखे टूटे होते हैं, कहीं सिट्रिन खराब होती है। तो जो गाड़ियाँ छोटी डिस्टेंस की होती हैं जिनमें गरीब लोग चलते हैं, इनकी तरफ क्यो ध्यान नहीं दिया जाता है, कृपया उस पर ध्यान देने की कोशिश करें।

SHRI G. A APPAN (Tamil Nadu) :
Mr. Deputy Chairman, Sir, I have only two or three points in the interests

of the common man and in the interests of the Government. I think more than one hundred Members of Parliament have been requesting the Railway Board and the Railway Ministry to speed up the running of the G.T. Express to Madras. The hon. Minister is aware that the speed of this train is about 110 kms. an hour. At this rate it cannot take more than twenty-four hours. Even granting stoppages and things like that it should not take more than thirty hours. He forgets and perhaps the Railway Board forgets that every minute of running of the train costs something. So, unless the speed of the G.T. Express is accelerated, we will be running it at a heavy loss. Furthermore, I would request the hon. Minister not to increase the third class fares hereafterwards, for the fares are at least four or five times more than in the years 1940 and 1942. Unless you reduce the third class fare, you will not be able to make a profit. The third class fare should not be more than the bus fare, if at all. The Government should not lose anything (*Time Bell*) Only one more point. There was a proposal to run a railway line from Usilampatti in Madura District to Srivilliputhur in Ramnad District. I think it was in 1927 or so when I was a student. What has happened to it and what is the fate of this line? When will it be revived?

SHRI MOHD. SHAFI QURESHI :
Sir, what I have said in the House is that we are going to withdraw all second class coaches and convert them into third class coaches. Once this stage is reached, we will have only two classes, viz., the first class and the third class. Now, we can name the third class in whatever way we want. Thought will be given to it. There will be only two classes. The hon. Member possibly has in mind that first we will abolish second class and then we will reintroduce it. It is not a fact. We will have only the first class and third class. Second class will be abolished and the second class will be given some other

name. The main purpose is to provide more facilities and more comfort to the travelling public.

श्री मानसिंह वर्मा : तो इसका नाम केवल 'जनता क्लास' और 'फर्स्ट क्लास' रखिये ।

श्री मुहम्मद शफी कुरेशी : सोच लेंगे । जैसा भी मुनासिब होगा, वैसा कर लेंगे ।

With regard to passenger amenities, it is a very valid point which he has raised. I have also received many complaints that the fans, taps and the latrines are not working properly. There will be a special drive for these amenities on various Railways and I am sure that things will show a slight improvement.

With regard to the point raised by Mr. Appan that we should accelerate the speed of the GT Express, it would always be our endeavour to see that the speed is increased, but it means so many other things, viz., fittings, track, signalling system and the com-

munication system. All these have to be developed along with the increased speed. This aspect of the matter will be kept in mind. Then, he said that we should not increase the third class fare or we should reduce it. This is an aspect which will be considered at the time when the Railways are thinking of increasing their revenues and reducing their expenditure. Your suggestion will be considered at that time.

SHRI G. A. APPAN : What about the Usilampatti line ?

SHRI MOHD. SHAFI QURESHI : I cannot say anything at this stage.

MR. DEPUTY CHAIRMAN : The question is :

"That the Bill be passed."

The motion was adopted.

MR. DEPUTY CHAIRMAN : The House stands adjourned *sine die*.

The House then adjourned *sine die* at fifty minutes past four of the clock.