

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

Clauses 2 to 4 were added to the Bill.

Clause 5—Amendment of Fourth Schedule

PROF. M. B. LAL: Sir, I move:

"That at page 2, lines 11 to 15 be deleted."

Sir, the hon. Deputy Minister of Law has made certain observations. He agreed with me that such a basic law should not be amended with retrospective effect. He also said that after amendment the Antarim Zilla Parishad, will be deemed as district board. Therefore, I would request him not to introduce the precedent by introducing this particular sub-clause in this Bill. He should accept my amendment so that we may not be a party to passing a provision in the Bill with retrospective effect.

My second point is that he agrees with me that officials should not form part of such an electoral college. He finds only certain legal difficulties. It is just possible that hurriedly, at this time, those difficulties may not be removed. I would request the hon. Deputy Law Minister to bring forward the necessary amendment to the Representation of the People Act and if necessary to the Constitution also, so that official members are never included by any State Legislature in this electoral college.

With these words I would request the hon. Minister to accept my amendment so that, against his wishes, the Parliament may not be committed to passing a change in the basic law with retrospective effect.

The question was proposed.

SHRI R. M. HAJARNAVIS: Sir, I oppose the amendment. There is only one sentence which I would say in support of my opposition, namely, this is only an amendment to sec-

tion 27 which gives the constituency so that what we retrospectively give effect to is not the list of electoral authorities but only the constituencies which formed the basis from 1st February 1960. Therefore, this retrospectiveness is merely declaratory.

MR. DEPUTY CHAIRMAN: I shall now put the amendment to vote.

PROF. M. B. LAL: It is a very important measure concerning the Uttar Pradesh and I would rather like a division be sought on this so that the citizens of U.P. may know who were for the amendment and who were against it.

MR. DEPUTY CHAIRMAN: The question is:

"That at page 2, lines 11 to 15 be deleted."

(After taking a count)

Ayes : 16

Noes : 65

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.

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

SHRI R. M. HAJARNAVIS: Sir, I move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE APPROPRIATION (RAILWAYS) NO. 3 BILL, 1960.

MR. DEPUTY CHAIRMAN: We shall now take up the Appropriation (Railways) No. 3 Bill, 1960. We will have to sit till we finish the remaining three Bills. The House may have to sit a little late, if necessary.

THE DEPUTY MINISTER OF RAILWAYS (SHRI SHAH NAWAZ KHAN): Sir, I move:

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1958, in excess of the amounts granted for those services and for that year, as passed by the Lok Sabha, be taken into consideration."

The question was proposed.

SHRI DAYALDAS KURRE (Madhya Pradesh): Mr. Deputy Chairman, Sir, I welcome this Appropriation Bill. While welcoming this, I would say a few words regarding the system of education in the railway schools. For the education of children, a hostel attached to an institution is most important. Especially in the S.E. Railway, there are no hostels attached to the schools. When I put a question yesterday I was told that no high schools on the S.E. Railways has a hostel attached to it. It seems that the Railway Ministry is not paying proper attention to the education of the children of the railway employees.

MR. DEPUTY CHAIRMAN: This is an Appropriation Bill and so you will have to confine yourself to the items mentioned therein.

SHRI DAYALDAS KURRE: In this Bill there is an item called working Expenses—Miscellaneous Expenses. I would say that under the miscellaneous item some money could be provided for the construction of hostel buildings because these are most important for educating the children of the railway employees. So it is my suggestion that each and every institution run by the Railways, whether they are high schools, middle schools or colleges, must have a hostel attached to it. I do not want huge buildings to be constructed; some small build-

ings would be enough for imparting education to those children who are poor because they could be kept there and given free meals and some of those who are unable to purchase books could also be provided with some books there. I suggest that a little amount at least should be kept apart for this purpose so that it would be very very useful for them. In the States, each and every educational institution—whether it is a school or a college—is provided with a hostel. So at least a little amount should be earmarked for this. This is my suggestion.

MR. DEPUTY CHAIRMAN: This is for the amount spent in 1958 and all your remarks are off the mark.

श्री निरजन सिंह (मध्य प्रदेश): उप-सभापति महोदय, एप्रोप्रियेशन बिल में जो १७ करोड़ की डिमाण्ड १९५७-५८ के साल में रखी गई है वह दो साल पहले की है। असल बात यह है कि तीन तीन बार सप्लीमेंटरी ग्राण्ट्स मांगे जाते हैं। दूसरा प्राविजन यह भी है कि यदि इमरजेंसी होती है तो उसमें सब रुपया दे दिया जाता है और सप्लीमेंटरी ग्राण्ट्स द्वारा वह रुपया एडजस्ट कर लिया जाता है। लेकिन हमारे सामने जो डिमाण्ड रखी गई है वह दो साल पुरानी है और तारीफ की बात तो यह है कि जब आडिट ने इस बारे में आबजैक्शन किया तब सरकार को याद आया कि हमें यह रकम एडजस्ट करनी है। मैं सदन के सामने वही आइटम्स रखना चाहता हूँ। ये आइटम्स १६ और १७ हैं। पहले आइटम में ५,०६,१५,३७४ का एक्सेस ग्राण्ट मांगा गया है और दूसरे आइटम में ५,६६,६५,०४८ का एक्सेस ग्रांट मांगा गया है। अब मैं एक्सप्लेनेशन में जो कुछ दिया गया है उसको आपके सामने पढ़ कर सुनाता हूँ :

The excess as shown in the appropriation accounts was Rs. 508.91 lakhs, but the excess recommended for regularisation by the Public Accounts Committee is Rs. 509.15 lakhs.

[श्री निरंजन सिंह]

उपसभापति महोदय, यह रुपया तो खर्च हो गया है लेकिन पब्लिक अकाउण्ट्स कमिटी का यह कहना है कि यह रुपया एक हैड से दूसरे हैड में कर दिया गया है। अब आप ही देखिये कि जो रुपया खर्च करने वाला है उसे यह पता नहीं कि हमने ५ करोड़ रुपया कहां पर खर्च किया। आखिर डिपार्टमेंट का पैसा है। एक हैड से दूसरे हैड में डाल दिया जा सकता है और हैड्स के अन्दर भी सब हैड्स हैं। सरकार को इन सब हैड्स के बारे में पता नहीं है कि कितनी आमदनी हुई है और कितना खर्च हुआ है। इस चीज का सरकार के पास कोई लेखा-जोखा नहीं है। इसके बाद दो साल का समय व्यतीत हो जाने के बाद सदन के सामने यह कहा जाता है कि हमें इतना रुपया दे दिया जाय क्योंकि हमारे कहने में गलती हो गई है। जैसा कि मैंने दो चार बार इस सदन में कहा कि सरकार को इस बात का पता ही नहीं रहता है कि उसका कितना खर्च हुआ। सरकारी चीजों की चोरी हो जाती है फिर भी सरकार को इसका पता नहीं रहता है। उस डिपार्टमेंट को भी पता नहीं चलता कि कहां चोरी हुई और किस बात की चोरी हुई। यदि किसी अस्पताल से कोई दवा चोरी हो जाती है तो उसका भी सरकार को पता नहीं रहता है। अगर किसी स्टेशन मास्टर से कुछ एकसेस रुपया चला जाय तो उसका भी सरकार को कुछ पता नहीं रहता है। जब पांच-पांच और दस-दस करोड़ का सरकार के पास कोई लेखा-जोखा नहीं है तो उस डिपार्टमेंट से हम क्या उम्मीद कर सकते हैं कि वह अपना हिसाब ठीक तरह से रख सकेगा। यह एक असम्भव चीज है और वह डिपार्टमेंट अपना हिसाब कभी भी ठीक नहीं रख सकता है। जब हम रेलवे की बात करते हैं तो एक सामान्य आदमी समझ जाता है रेलवे में तो इसी तरह का ढर्रा चलता रहता है और यह दूसरी जगह भी फैलता ही जा रहा है। गवर्नमेंट के पास ऐसी मशीनरी नहीं है और न ऐसे साधन हैं जिसके द्वारा

वह इन चीजों पर कंट्रोल रख सके। इस तरह से तो सरकार की जो दुकान है वह बरबाद होती चली जा रही है।

उपसभापति महोदय, अब मैं आपके सामने दूसरा आइटम रखना चाहता हूँ। इसमें यह दिया हुआ है :

"But the excess recommended for regularisation by the Public Accounts Committee is Rs. 566.95 lakhs. The difference of Rs. 13.32 lakhs represents certain expenditure pertaining to this grant."

अब मैं दो चीजें इसमें और लाना चाहता हूँ। यह कोई ऐसी चीज नहीं है जो सरकार को मालूम न हो। आपने किसी चीज के लिये इंडेंट किया जिसका कि इस देश में उपयोग हो लेकिन उस चीज का यहां पर ठीक तरह से उपयोग नहीं हो पाया और इस तरह से खर्च ज्यादा बढ़ता गया। आप किसी चीज को हैड के मुताबिक ठीक तरह से खर्च नहीं कर पाते हैं। अगर फारेन कंट्री से कोई चीज मंगाने की बात होती तो उसमें कुछ ज्यादा रुपया देना पड़ सकता है, यह स्वाभाविक भी है, लेकिन यहां पर तो अपने ही देश की बात है और इस तरह से दो साल पुराना रुपया जो कि १७ करोड़ राशि का है खर्च करना मुनासिब नहीं मालूम देता है।

MR. DEPUTY CHAIRMAN: Shri Shah Nawaz Khan.

SHRI SHAH NAWAZ KHAN: Sir . . .

SHRI P. RAMAMURTI (Madras): Sir, I wanted to point out something very important. I think my name had been given.

MR. DEPUTY CHAIRMAN: But you had given the name for something else.

SHRI P. RAMAMURTI: No, Dr. Gour had given it.

MR. DEPUTY CHAIRMAN: But I have called the Deputy Minister to reply.

SHRI SHAH NAWAZ KHAN: Sir, the hon. Member, Mr. Kurre, raised

the subject of education in connection with Railways. Sir, as he is no doubt aware, education is a State subject and the primary responsibility for education devolves on the State Government itself. Nevertheless, we have not shirked our responsibility in providing better educational facilities in areas where the State Governments do not have proper arrangements. We have a number of high schools situated in railway colonies where there are no other educational facilities. Those schools cater for the education of the children of railway employees living in those colonies. Therefore, it is not necessary to have any hostels for them, because they are living in these colonies. I presume that he is aware that we have already a scheme in operation where we have started subsidised hostels in which children of railway employees are admitted and the children of those who are drawing smaller salaries have their fees subsidised.

Shri Niranjana Singh raised the question as to why we did not foresee these excesses and why we had to go in for excess grants. Sir, the whole question was thoroughly scrutinised by the Public Accounts Committee and all the details were furnished to them and it is as a result of their recommendations that we are regularising it.

SHRI NIRANJANA SINGH: May I know whether you had made provision in the Budget for these amounts? You may change the heads, but I want to know whether you had made provision in the Budget before expending this amount.

SHRI SHAH NAWAZ KHAN: Sir, these excesses have been explained in detail in the Appropriation Accounts for the year which were laid on the Table of both Houses of Parliament on the 8th May, 1959. All these accounts, as I have already stated, were examined by the Public Accounts Committee who were supplied with comprehensive explanations for these excesses. That is all I have got to say, Sir.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1958, in excess of the amounts granted for those services and for that year, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up the clause by clause consideration of the Bill. There are no amendments.

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.

SHRI SHAH NAWAZ KHAN: Sir, I move:

"That the Bill be returned."

The question was put and the motion was adopted.

THE ESTATE DUTY (AMENDMENT) BILL, 1960

THE DEPUTY MINISTER OF FINANCE (SHRIMATI TARKESHWARI SINHA): Mr. Deputy Chairman, I move:

"That the Bill further to amend the Estate Duty Act, 1953 as passed by the Lok Sabha, be taken into consideration."

As the House is aware, the Estate Duty (Amendment) Act, 1958, was passed by Parliament in September, 1958. During the course of the discussion of the Bill in this House, it was explained that after the Bill was passed steps would be taken to consult the State Governments with a