

(b) The promotions to gazetted posts were made according to the rules of promotion and no injustice was done.

SHRI A. V. KUNHAMBUR: May I know on what basis are the promotions in the Directorate carried out?

SHRI A. M. THOMAS: Two sets of representations were received by the Regional Director, Food, against recent promotions to posts of Assistant Director, and they can be classified into two groups. One set of representations were made by candidates who were not graduates and therefore they did not possess the requisite qualification for promotion to the post of Assistant Director. The other representations were from the Madras Office Staff Association. Sir, a combined seniority list has been prepared of the office staff as well as of the godown staff and it has been the grievance of the Madras Office Staff that because of this combined list, the godown staff had greater opportunities for promotion than the office staff. That aspect of the matter is being looked into, but anyhow it cannot be said that any individual has been discriminated against.

SHRI A. V. KUNHAMBUR: Do the Government realise that this sort of practice creates a lot of demoralisation among the affected people?

SHRI A. M. THOMAS: No sort of practice is adopted. I have already stated that the minimum qualification for Assistant Director is the possession of a degree of any recognised university. How can a matriculate be appointed as an Assistant Director? I fail to understand.

SHRI A. V. KUNHAMBUR: Will the Government issue instructions that the promotions are made strictly according to seniority in service, other considerations being equal?

SHRI A. M. THOMAS: For selection posts, seniority as well as efficiency are taken into consideration and for other posts normally, only seniority is taken.

नई दिल्ली नगरपालिका द्वारा पंजाब नगरपालिका अधिनियम की धारा १७३ की शक्तियों का अर्जन

*४८५. श्री नवाब सिंह चौहान : क्या स्वास्थ्य मंत्री २६ नवम्बर, १९५७ को राज्यसभा में अतारांकित प्रश्न संख्या ४३ के दिये गये उत्तर को देखेंगे और यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नई दिल्ली नगरपालिका के स्वास्थ्य-विभाग ने भी पंजाब नगरपालिका अधिनियम की धारा १७३ की शक्तियां प्राप्त कर ली थी, यदि हां, तो इसकी क्या आवश्यकता थी ;

(ख) उपरोक्त धारा १७३ के अधीन क्या कार्यवाही की गई है ; और

(ग) कितने व्यक्ति पुलिस द्वारा गिरफ्तार किये गये और उनमें से प्रत्येक पर कितना-कितना जुर्माना हुआ ?

†[ACQUISITION OF POWERS, UNDER SECTION 173 OF THE PUNJAB MUNICIPAL ACT, BY THE NEW DELHI MUNICIPAL COMMITTEE

*485. **SHRI NAWAB SINGH CHAUHAN:** Will the Minister of HEALTH be pleased to refer to the reply given to unstarred question No. 43 in the Rajya Sabha on the 26th November, 1957 and state:

(a) whether it is a fact that the Health Department of the New Delhi Municipal Committee had also acquired the powers under section 173 of the Punjab Municipal Act; if so, what was the necessity for it;

(b) what action has been taken under the above mentioned section 173; and

(c) what is the number of persons who were arrested by the police and how much fine was imposed on each of them?]

स्वास्थ्य-मंत्री (श्री डी० पी० करमरकर) :

(क) एक विवरण सभा की मेज पर रख दिया गया है ।

(ख) अनधिकृत फेरी रोकने तथा नगरपालिका की सड़कों एवं पटरियों पर धोबियों द्वारा प्रयुक्त मचान अथवा रस्सियों को हटाने के लिये नई दिल्ली नगरपालिका के स्वास्थ्य-विभाग के कर्मचारियों ने इस धारा के अधीन उचित कार्यवाही की ।

(ग) पुलिस ने किसी व्यक्ति को गिरफ्तार नहीं किया । १९ अक्टूबर १९५४ से, जब नई दिल्ली नगरपालिका के स्वास्थ्य-विभाग को धारा १७३ की शक्तियां दी गई थी, किए गये जुर्माने की राशि के बारे में सूचना अभी उपलब्ध नहीं है । यह सूचना एकत्र की जा रही है और उपलब्ध होने पर सभा की मेज पर रख दी जायेगी ।

विवरण

नई दिल्ली नगरपालिका द्वारा पंजाब नगरपालिका अधिनियम की धारा १७३ की शक्तियां प्राप्त करना

पंजाब म्युनिसिपल अधिनियम में की गई व्यवस्था के अन्तर्गत सचिव अथवा स्वास्थ्य मेडिकल अफसर में उक्त अधिनियम की १७३ वी धारा की शक्तियां निहित हैं । अधिनियम की व्यवस्था के अनुसार यह शक्ति नगरपालिका द्वारा अधिकृत किसी व्यक्ति को भी दी जा सकती है । पंजाब म्युनिसिपल अधिनियम की १७३ वी धारा के अन्तर्गत १९ अक्टूबर १९५४ को नई दिल्ली नगरपालिका ने दो सहायक-स्वास्थ्य मेडिकल अफसरों, एक मुख्य सफाई इन्स्पेक्टर एवं नगरपालिका के सभी सफाई इन्स्पेक्टरों को ये शक्तियां दे दी थी । १५ अगस्त से १४ सितम्बर १९५७ तक की अवधि के अतिरिक्त जब कि ये शक्तियां सफाई इन्स्पेक्टरों से वापिस ले ली गई थी, यह प्रत्यावृत्ति वर्ष-प्रतिवर्ष आधार पर जारी रही । तथापि नई दिल्ली नगरपालिका ने अपनी १ नवम्बर

१९५७ की बैठक में दो सहायक-स्वास्थ्य मेडिकल अफसरों, एक मुख्य सफाई इन्स्पेक्टर और केवल चार सीनियर सफाई इन्स्पेक्टरों को यह शक्ति देने का निर्णय किया । यह शक्ति निम्नलिखित उद्देश्यों के लिये प्रत्यावृत्त की गई थी :

(१) अनधिकृत फेरी की रोक-थाम के लिये ।

(२) फेरी वालों द्वारा बनाये गये अनधिकृत घरों को गिराने के लिये ।

(३) म्युनिसिपल-सड़कों एवं पटरियों पर धोबियों द्वारा प्रयुक्त मचानों तथा रस्सों को हटाने के लिये ।

†[THE MINISTER OF HEALTH (SHRI D. P. KARMARKAR): (a) A statement is laid on the Table of the Sabha.

(b) The staff of the Health Department of the New Delhi Municipal Committee took necessary action under this section to prevent unlicensed hawking and for removal of scaffoldings or ropes etc. used by Dhobis on Municipal roads and road berms.

(c) No person was arrested by the police. Information regarding amount of fine imposed since 19th October, 1954 when the power under section 173 was delegated to the Health Staff of the New Delhi Municipal Committee is not readily available at present. This information is being collected and will be laid on the Table of the Sabha.

STATEMENT

Acquisition of Powers under section 173 of the Punjab Municipal Act by the New Delhi Municipal Committee

Under the provision of the Punjab Municipal Act, the Secretary or the Medical Officer of Health is vested with the powers of section 173 of that Act. It has been provided in the Act that this power can also be dele-

†[] English translation.

gated to any person authorised by the Committee. On 19th October, 1954, the New Delhi Municipal Committee had delegated the powers under section 173 of Punjab Municipal Act to two Assistant Medical Officers of Health, one Chief Sanitary Inspector and all the Sanitary Inspectors of the Committee. Except for the period from the 15th August to 14th September, 1957 when these powers were withdrawn from the Sanitary Inspectors, this delegation has been continued on year to year basis. At its meeting held on the 1st November, 1957, the New Delhi Municipal Committee however, decided to delegate this power to two Assistant Medical Officers of Health, one Chief Sanitary Inspector and only four senior Sanitary Inspectors.

This power had to be delegated for the following purposes:—

1. Prevention of unlicensed hawking;
2. For removal of unauthorised structures which were put up by the hawkers; and
3. For removal of scaffoldings, ropes etc. used by Dhobies on Municipal roads or road berms.]

श्री नवाब सिंह चौहान : इस धारा के अनुसार क्या-क्या अधिकार हैं ? क्या दुकानदारों के सब सामान को उठा ले जाने का अधिकार इन अधिकारियों को है ?

श्री डी० पी० करमरकर : जी हां, रोप्स वगैरह वगैरह रिमूव करने का उनको अस्तित्व है। बाकी इसमें क्या-क्या चीजें आती हैं, वह अभी शायद मेरे पास नहीं है।

डा० रघुनाथ प्रसाद दुबे : उनका पूछना यह है कि जो चीजें वे उठा ले जाते हैं, वे ओनर को दे दी जाती हैं या जल कर ली जाती हैं ?

श्री डी० पी० करमरकर : उनका पूछना शायद सीधा था, यह बहुत टेढ़ा है।

श्री नवाब सिंह चौहान : जैसा कि बयान में कहा गया है कि जो अनलाइसेन्ड वेंडर्स हैं उनको रोकने के लिये यह अधिकार लिया गया है, तो क्या मंत्री महोदय कृपा करके यह बतलायेंगे कि क्या लाइसेन्ड वेंडर्स भी हैं ? अगर हैं, तो कितने हैं और किस आधार पर उनको लाइसेंस दिया जाता है ?

श्री डी० पी० करमरकर : उसके लिये थोड़ी सूचना चाहिये।

श्री नवाब सिंह चौहान : क्या यह सच है कि जब म्युनिसिपैलिटी की तरफ से रस्से और दूसरी चीजों को हटाया गया तो लोग अदालत में पहुंचे और कुछ अदालतों ने उस कार्यवाही को रोक दिया ? अगर सरकार के पास इसकी सूचना है तो क्या मैं जान सकता हूं कि कितनी जगह ऐसी कार्यवाही रोक दी गई ?

श्री डी० पी० करमरकर : पता नहीं कि यह कार्यवाही रोक दी गई या नहीं। यह अस्तित्व तो उनको है: "Prevention of unlicensed hawking." वगैरह, वगैरह। अगर बाकायदा कोई चीज है और उसको कोर्ट रोकती है तो उसके बारे में मुझे पता नहीं है।

श्री नवाब सिंह चौहान : कही म्युनिसिपैलिटी की इस कार्यवाही को गैर-कानूनी बताते हुए कोर्ट ने रोक दिया ?

श्री डी० पी० करमरकर : रोक दिया तो उसके बारे में मुझे देखना होगा कि आपका कहना ठीक है या नहीं।

SHRI KISHEN CHAND: Is the hon. Minister aware that on Queen Victoria Road from house No. 18 right up to house No. 32 both sides of the road are used by washermen for drying clothes and spreading them on the pavements?

SHRI D. P. KARMARKAR: I have not studied what are the houses in front of which it is going on. I shall

try. With regard to that road there seem to be some washermen round about there.

SHRI KISHEN CHAND: I want the hon. Minister to make a note of it and enquire.

SHRI AMOLAKH CHAND: May I know, Sir, if the Prime Minister himself drew the attention of the hon. the Health Minister to do away with the *dhobi ghat* which is on Queen Victoria Road and on Edward Road?

SHRI D. P. KARMARKAR: I understand, that the Prime Minister drew somebody else's attention, not mine.

श्री नवाब सिंह चौहान : क्या सरकार ने धोबियों की इस मांग पर, जो कि उन्होंने की है, कि उन्हें बाबुओं और ग्रफसरो के कपड़ों को साफ करने के लिये, उनको सुखाने के लिये उचित स्थान दिया जाये, गौर किया है ?

श्री डी० पी० करमरकर : उन्हें कुछ न कुछ जगह कहीं न कहीं मिल ही जाती है, इस काम के लिये ।

DR. SHRIMATI SEETA PARNAND: Same is the case with North Avenue, at the back of the flats there. And would the hon. Minister kindly make an enquiry into it?

MR. CHAIRMAN: They will enquire into any complaint you bring to their notice.

SHRI D. P. KARMARKAR: I think North Avenue can well take care of this but, if they cannot, we shall look into the matter.

DR. RAGHUBIR SINH: May I know as to what steps did the hon. Minister take on knowing that the Prime Minister had drawn somebody else's attention to this question about Queen Victoria Road?

MR. CHAIRMAN: The question was: Has the Prime Minister drawn the attention of anyone to this matter? He said: Not mine.

DR. RAGHUBIR SINH: He did not say so. He only said, "somebody else's notice." What steps did he take about it then?

MR. CHAIRMAN: That will do.

COMMITTEE APPOINTED TO ENQUIRE INTO THE DEFECTIVE CONSTRUCTION OF THE 'ANDAMAN'

*486. SHRI B. SHIVA RAO: Will the Minister of TRANSPORT AND COMMUNICATIONS be pleased to refer to the reply given to unstarred question No. 77 in the Rajya Sabha on 5th December, 1957 and state:

(a) what are the terms of reference of the committee appointed by Government to enquire into the defects in the construction of the 'Andaman' and other ships in the Hindustan Shipyard (Private) Ltd., Visakhapatnam;

(b) whether any of the members of the Committee is connected with the Shipyard; if so, in what capacity; and

(c) what is the cost of correcting the defects in the construction of the 'Andaman'?

THE MINISTER OF STATE IN THE MINISTRY OF TRANSPORT AND COMMUNICATIONS (SHRI RAJ BAHADUR): (a) The terms of reference are:

(i) to investigate the circumstances leading to the defects noticed in the construction of 'Andaman' and two other vessels;

(ii) to locate responsibility therefor; and

(iii) to recommend measures to avoid a recurrence of such defects in future.

(b) Yes. Two of the Members, Shri T. M. Goculdas and Commodore Daya Shankar, are directors of the Company.

(c) No estimate can be given at this stage as the method of remedying the defect is under investigation.