

amendments to the General Regulations of the Industrial Finance Corporation as required by sub-section (3) of section 43 of the Industrial Finance Corporation Act, 1948. [Placed in Library. See No. S-62/53.]

ANNOUNCEMENT BY THE CHAIRMAN

HOUSE COMMITTEE

MR. CHAIRMAN: I have nominated the following Members to the House Committee:

1. Shri Amar Nath Agrawal—
Chairman
2. Shri Rejeshwar Prasad Narain
Sinha
3. Shri Jagannath Das
4. Dr. Shrimati Seeta Parmanand
5. Shrimati Sharda Bhargava
6. Kunwarani Vijaya Raje
7. Shri H. D. Rajah.

The new Committee will begin to function from the 22nd May, 1953

THE DELHI ROAD TRANSPORT AUTHORITY (AMENDMENT) BILL, 1953

THE DEPUTY MINISTER FOR
RAILWAYS AND TRANSPORT
(SHRI O. V. ALAGESAN): Sir, I beg
to move:

"That the Bill to amend the Delhi
Road Transport Authority Act, 1950,
be taken into consideration."

Sir, I am sorry to trouble the House
by bringing this small measure before
it. But for an error of oversight in
having failed to issue a notification

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bringing the Delhi Road Transport
Authority Act, 1950 into force, this
occasion would not have arisen. I am
sincerely sorry that such an error
should have occurred. This measure
was discussed when the House con-
sidered the Repealing and Amending
Bill, 1953. The House then took ob-
jection to the form and procedure
adopted in bringing this amendment
at that time, and the Chair ruled that
a separate measure should be brought
before the House. That is why I am
moving this Bill.

As stated in the Statement of Ob-
jects and Reasons, the Delhi Road
Transport Authority was established by
means of a notification issued under
section 3(1) of the Act. The notification
that should have been issued under
section 1(3) of the Act bringing the
Act itself into force was not issued,
and the Authority has been function-
ing, since its inauguration in April
1950, without any legal basis. This
state of affairs is sought to be reme-
died by this amending Bill. The Act
lays on the Central Government and
on the Authority several obligations
which they have been discharging
during this period. The Bill seeks to
validate all such actions that have
been taken by the Central Govern-
ment and the Authority in pursuance
of the obligations placed on them by
the Act. The whole measure is a formal
one which the House should have no
difficulty in agreeing to. I have nothing
more to add, and I move.

MR. CHAIRMAN: Motion moved:

"That the Bill to amend the
Delhi Road Transport Authority
Act, 1950, be taken into considera-
tion."

SHRI RAJAGOPAL NAIDU (Mad-
ras): My only remark in this case
would be to ask what action Govern-
ment has taken against the particular
officer in this department who was
negligent in the discharge of his duties

[Shri Rajagopal Naidu.]
and did not issue the notification bringing the Act into force.

SHRI O. V. ALAGESAN: There is no question of taking action. It is human to err. We are all sorry that such a thing should have occurred. It is, after all, a very formal matter. It is natural to err and then to rectify; and we are doing that. I hope the House will be a little indulgent in this matter.

SHRI H. P. SAKSENA (Uttar Pradesh): Sir, I wanted to speak on this Bill, but I am very sorry that I entirely missed the observations of the hon. Deputy Minister for Railways and Transport. I do not know whether it is due to any defect in my hearing or whether it is due to something else, but I am sorry I am not able to participate in the discussion on this Bill because I do not know what the hon. Deputy Minister said.

SHRI O. V. ALAGESAN: I thought I was perfectly audible.

SHRI H. P. SAKSENA: The hon. Minister was not, to me at least.

MR. CHAIRMAN: The question is:

"That the Bill to amend the Delhi Road Transport Authority Act, 1950 be taken to consideration."

The motion was adopted

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

The motion is:

"That clauses 2, 3 and 1, the Title and the Enacting Formula do stand part of the Bill."

There are no amendments of which notice has been given.

PROF. G. RANGA (Madras): My only observation is that the Delhi Road

Transport Authority is not giving us proper service in Delhi. The buses are hopeless, and even the stop signboards are not prominently placed on many of the routes. And as regards the routes they follow, I do not know who has prepared the routes: they are zig-zag and roundabout, and they waste our time, and they waste petrol. The service is not at all satisfactory. We want more and more of these buses, and I do not know how long the Government is going to take to improve the service and make it a credit to Delhi instead of its being a scandal as it is today.

SHRI H. P. SAKSENA: Sir, I do not agree with some of the observations of the hon. Mr. Ranga. What I am concerned with is the financial aspect of the concern, and I am satisfied with it because in the present year the concern has made a profit. It has been running at a loss, but that blot has been wiped out. So far as the fares are concerned, I am not perfectly satisfied. The fares are exorbitant. They are very high, and I hope the hon. Minister for Transport will see to it that the fares are reduced very soon to an appreciable extent.

SHRI C. G. K. REDDY (Mysore): What about profits then?

MR. CHAIRMAN: The clauses are now before the House, and hon. Members are entering into a general discussion about the routes, about the buses, about the fares, and so on. All these matters are utterly irrelevant. Unless hon. Members are able to say something on this particular issue about validating things done, they should not speak.

SHRI K. S. HEGDE (Madras): Sir, I want to speak on clause 2. The new sub-section (3) says: "It shall be deemed to have come into force on the 27th day of March 1950." Unlike many other legislatures, we have a right to pass retrospective legislation as well as prospective. In several constitutions there is no power for passing retrospective legislation. But in our Constitution there is one little difficulty. You

cannot give retrospective effect to a provision which in effect is a penal clause. In the Delhi Road Transport Authority Act there are certain penal clauses, and we cannot give retrospective effect to penal clauses. Any legislation that we pass which will validate any penal clause or any offences that might have been committed is *ultra vires* of the Constitution. Of course in other respects it is perfectly competent for this House to pass legislation having retrospective operation. I am only bringing this to the notice of the hon. Minister so that in those actions which are pending or which are still not finalized they may proceed properly so that the courts may not hold their actions to be void.

SHRI O. V. ALAGESAN: I shall only say a few words. I thought my hon. friend Mr. Ranga.....

MR. CHAIRMAN: Do not bother about them.

SHRI O. V. ALAGESAN: I can only give an assurance that we are trying to give as much satisfaction to the public in the matter of running the service as possible. We have recently got 30 buses and we are expecting another fleet of 30 buses within two months and as soon as ~~as~~ these buses arrive, there will be more and more satisfaction and less and less complaints. We are ourselves not satisfied with the service from the point of view of convenience to the public. There are several hon. Members in this House as well as in the other House who have made complaints and we are doing everything to see that these complaints are removed at as early a date as possible. Sir, in the course of these one or two years several improvements have also been effected. As regards the fares it is a peculiar situation obtaining in the city of Delhi. It is different from that obtaining in the other cities like Madras, Calcutta or Bombay, in that we have to run buses over long distances which are not inhabited by people. That means we have to waste our petrol and spend on the wear and tear that results from running the services over long distances without any passengers getting in. Here several colonies have also

sprung up in the outskirts of Delhi. The hon. Members know the circumstances under which these colonies have been set up. Our refugee brethren are living there and to cater to the needs of those friends we have to run these services over long distances. That is why the fares are a little more. But recently we have introduced several Express services and the maximum rates charged is only four annas. For instance for a distance of over 13 miles the maximum fare charged is only four annas. If we take this rate of fare, I have no doubt that the House will agree with me that this is the lowest rate perhaps in the whole of India. In spite of our additional expenditure on petrol, diesel oil, etc., the fares have remained the same. We have not altered the fares or increased them. The old G.N.I.T. used to charge double the rates for their Pullman services. As compared to those fares, we have considerably reduced the fares for our services. My hon. friend Mr. Ranga at least should know the condition of those G.N.I.T. buses. There are many Members in this House who might not have seen the buses run by the old G.N.I.T. people. My hon. friend can very well compare the condition and fares of the old G.N.I.T. buses with our present buses. And I am sure that the distance that we have travelled since then will be appreciated at least by those who have seen those old G.N.I.T. buses. That does not mean, however, that there is no distance still to cover now, we have to make our services more satisfactory.

DR. SHRIMATI SEETA PARMANAND (Madhya Pradesh): May I know whether the buses run for the Members of Parliament are being run at a loss or profit?

SHRI O. V. ALAGESAN: Perhaps at a loss. But that we do not mind.

MR. CHAIRMAN: We do not mind that?

SHRI C. G. K. REDDY: It is a form of bribery.

SHRI O. V. ALAGESAN: Only one thing. I can say and that is, as I said in the beginning, that as soon as we get the additional buses, we will be able to give more satisfaction to the public and even the present complaints, I hope, will cease, Sir.

SHRI GOVINDA REDDY (Mysore): I would like to know one thing. I want to know whether the arrangements for checking and inspecting the buses are made. I see that no buses are being checked so as to see that there is no pilfering. Would the Minister kindly say something about that?

SHRI O. V. ALAGESAN: We have in fact, Sir, tightened the checking machinery and that, I should say, has brought in additional income. As my hon. friend over there observed, for two years we had been incurring a loss whereas in the last year, i.e. 1952-53, we have made a small profit. And in the current year we hope to make even a bigger profit.

SHRI B. K. MUKERJEE (Uttar Pradesh): The question is raised whether the Act will be valid if the amending Act now is passed.

SHRI O. V. ALAGESAN: I hope Sir,.....

MR. CHAIRMAN: Legal opinion will be taken.

PANDIT S. DUBE (Madhya Pradesh): The hon. Minister has not answered the question raised by Mr. Hegde as to what happens in connection with the offences committed under an illegal Act. Will these offences become legal?

SHRI O. V. ALAGESAN: I think clause 3 of the Bill is a validating clause and it refers to all those actions that are being taken.

THE MINISTER FOR RAILWAYS AND TRANSPORT (SHRI LAL BAHADUR): In the pending cases we shall certainly take this point into consideration but in cases where persons have already been convicted, nothing can

be done because the court has convicted them.

DR. SHRIMATI SEETA PARMANAND: Will the hon. Minister give an assurance that he will start this year excursion buses for students.....

MR. CHAIRMAN: It does not arise, Dr. Seeta Parmanand. Now the question is:

"That clauses 2, 3 and 1, the Title the Enacting Formula stand part of the Bill."

The motion was adopted.

Clauses 2, 3 and 1, the Title and the Enacting Formula were added to the Bill.

SHRI O. V. ALAGESAN: Sir, I move that the Bill be passed.

SHRI KANHAIYA LAL D. Vaidya (Madhya Bharat):

श्री कन्हैया लाल डी० वेंड्या (मध्य भारत) : सभापति महोदय, इस वादविवाद में मैं एक सुझाव माननीय मन्त्री महोदय को देना चाहूंगा, और वह यह है कि जैसा अभी हमें यह बताया गया है; बसेज इस वर्ष से काफी संख्या में चलने लगी हैं, तो इन बसेज की बाड़ी आदि बनाने में जो रुपया खर्चा होता है वह पिछले वर्षों की अपेक्षा बहुत भारी है। इस पर बहुत बड़ी रकम खर्च होती है। यदि हम इन बसेज की बाड़ी बनाने का काम दिल्ली ट्रान्सपोर्ट द्वारा एक कारखाना खोलकर करने की व्यवस्था करें तो हमें लाभ होगा। इस विषय में मैं माननीय मन्त्री महोदय का ध्यान काश्मीर की बस व्यवस्था की ओर आकृष्ट करूंगा। काश्मीर में बस ट्रान्सपोर्ट एक प्रकार से राष्ट्रीय व्यवसाय बन गया है और पिछले दो सालों में वहां की गवर्मेंट ने कुछ कारखाने खोल कर के बाड़ी बिल्डिंग

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(body building) का कार्य अपने हाथ में ले लिया है । जिस तरह से दिल्ली ट्रांसपोर्ट की बसों की बाड़ी, फ्रेम्स आदि बम्बई की एक कम्पनी से बन कर आती हैं उसी तरह काश्मीर में भी आती थीं परन्तु वहां की गवर्नमेंट ने ३५ लाख रुपया खर्च करके बाड़ी बनाने के काम को स्वयं अपने हाथ में लिया है और वहां की बसेज की बाड़ी आधे से कम दाम पर बन करके अच्छी तरह से चलाई जाती हैं, और इस प्रकार इसमें काश्मीर गवर्नमेंट की कई लाख रुपये की बचत हुई है । आप भी कई लाख रुपया इस ढंग से बचा करके ट्रांसपोर्ट की व्यवस्था को सुधार सकते हैं । जिस तरह से व्यवस्था आज यहां चल रही है, बड़ी बड़ी रकमों पर आप ऊंचे पदों पर नौकरों को नियुक्त करते हैं उससे लाखों रुपया आज बरबाद हो रहा है । यदि इसी प्रकार हालत रही तो मैं नहीं समझता कि इसका क्या परिणाम होगा । आर्थिक दृष्टि से जब तक आपकी व्यवस्था इस प्रकार न हो कि आप पैसा बचा सकें तब तक आप न तो कभी किराया कम कर सकते हैं और न पब्लिक को आराम पहुंचा सकते हैं । दिल्ली भारत की राजधानी है और यहां प्रत्येक प्रकार के लोग देश विदेशों से आते जाते रहते हैं, उनको जो सुविधा यहां बसेज के द्वारा मिलती है उसकी चर्चा आप हर आदमी के मुंह से फुटपाथ पर सुन सकते हैं । इसलिए इस दशा की ओर मैं आज मंत्री महोदय का ध्यान खींचते हुए कहता हूं कि बस व्यवस्था में काफ़ी सुधार करने की आवश्यकता है और उसमें तभी सुधार हो सकता है जब आप बसों की बाड़ी बनाकर आर्थिक हालत में सुधार करेंगे और जो अन्य अव्यवस्था डिपार्टमेंट के प्रबन्ध में हो रही है उसको भी चेक (check)

करेंगे । इतना सुझाव मैं इस अवसर पर देना चाहता हूं, और बिल का समर्थन करता हूं ।

[For English translation, See Appendix IV, Annexure No. 211.]

SHRI B. K. MUKERJEE: Sir, I have also to make an observation while we are going to pass this amending Bill.

SHRI C. G. K. REDDY: We may not.

SHRI B. K. MUKERJEE: We are going to pass it now. It is a sort of submission to the hon. Minister in charge of Transport. Now this amending Bill is a result of inefficiency of the officers of his Department and the hon. Minister is being penalised for his inefficient officers in bringing this legislation before this House and requesting us to pass this legislation.

SHRI B. K. MUKERJEE: This inefficiency which was once excused by the hon. Minister should not be repeated. The Members of Parliament and other members of the public of this city of Delhi are experiencing great difficulty and are being penalised on account of the inefficiency of his Department. I would like the hon. Minister to warn his officers to be more efficient than they are today. That is to say, they must improve their efficiency and not penalise like this the public and also the Members of Parliament. We have got to wait for 2 hours even for a bus and we do not get it and then we miss our engagement. Then we pay double treble and even four times for a taxi only to find, when we reach our destination, that the meeting is over.

SHRI H. P. SAXSENA: Exaggeration in excelsis.

SHRI B. K. MUKERJEE: The hon. member who has interrupted me may be very near the Ministers. The hon. Minister for Transport, gave an assurance in this House as a result of interpellations during the last session that he would travel in these buses to see whether they are actually efficient or not. I do not know if he has arranged

[Shri B. K. Mukerjee.]
to do this and see for himself whether the buses run in time or not, Mr. Sak-sena says this is exaggeration.

THE DEPUTY MINISTER FOR COMMUNICATIONS (SHRI RAJ BAHADUR): Exaggeration in excelsis.

SHRI B. K. MUKERJEE: All the members here cannot afford to have a car in this city.

SHRI H. P. SAKSENA: I do not have one.

SHRI B. K. MUKERJEE: And therefore they have got to travel in these buses often and if we are to wait for hours and hours for a bus, that means that our services to the Government cannot be rendered. If we cannot, that means money wasted. Time means money. If they are losing on running the Delhi Transport Services, it is not on account of scarcity of passengers but because of their inefficiency because they do not try to earn more money by running more buses. They are wasting our time and so they are wasting money. Therefore I have to make the submission that this inefficiency for which the hon. Minister has been penalised and every member of this House and the people of Delhi are being penalised daily, must stop, and the hon. Minister should make it a point to make this Service quite efficient and cheap also. Bus travel in Delhi is not cheap at all. They are charging very exorbitant rates for bus travel.

SHRI B. GUPTA (West Bengal): All that I want to say is that we require a little more buses in Delhi, and I entirely associate myself with the suggestions that have been made from the other side. It appears that the Delhi Government and the authorities, whoever they may be, have not taken into their heads that this imperial Delhi is changing its character owing to the advent of people like us who cannot afford to have cars and who have to travel by the buses and other cheap conveyances.

DR. SHRIMATI SEETA PARNANAND: Does the hon. Member mean to say that Members of this House are not paid sufficient DA to meet these expenses?

SHRI B. GUPTA: Pending the introduction of more buses I would request the hon. Ministers, especially the Deputy Ministers who are many and who have got cars, to give us lifts.

SHRI O. V. ALAGESAN: Sir, I was able to follow the hon. Member who spoke in Hindi only partially but if I understood him correctly, I took him to say that we should ourselves start building bus bodies as is being done by the Kashmir Government. The Kashmir State is in the very happy position of having no railways. Their only mode of conveyance is bus transport and therefore they are able to do it and make a profit out of it. Here we are intending to establish a workshop at a very early date. There was some difficulty in acquiring land for the purpose, but now even without it, we propose to have a workshop in another site. When this workshop is fully equipped, it will be time to consider this question of building bodies and thereby make a saving on our capital cost to the extent possible.

With regard to what my friend, Mr. Mukerjee, said, I am sorry, as I said, that an error has been committed, and I can assure the House that there will be no occasion for the repetition of such errors. As far as convenience and the amenities to be provided to the public are concerned, that also, as I said, we shall try to improve in the next few months, though I should say that a good deal of improvement has already been made. That was my claim, but still I give the assurance that we shall be able to improve the services even better as soon as we receive a larger number of buses. As far as travelling in the buses is concerned, I had occasion to travel in these buses.....

SHRI B. RATH (Orissa): One of them

SHRI O. V. ALAGESAN: I had occasion to travel in these buses and it is true unfortunately that some of the buses are not being run to the scheduled time, because there is some difficulty in even getting the buses started. Even though we are engaging monthly-rated staff, at the last moment we have to engage daily-rated men. Several buses which could be taken out are not taken out because some of the employees fail to turn up at the last moment.

SHRI B. K. MUKERJEE: May I interrupt for a minute, Sir? I want a clarification on this point. Do they not engage relieving staff when employees go on leave or fall sick? Does it mean that when employees do not turn up, the bus services should be cancelled?

SHRI O. V. ALAGESAN: We do employ relief staff, but still there is a shortage of men and we have to employ daily-rated staff. But we are trying to see that all the buses are put on the road. This will improve the position. That was the thing I found out as a result of my travelling in these buses. I would request the House to pass this Bill.

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

SUGGESTION RE. ALLOTMENT OF TIME BY THE BUSINESS ADVISORY COMMITTEE

SHRI RAJAGOPAL NAIDU: Sir, before we proceed to the next business I would like to say this. The Business Advisory Committee has fixed time for each Bill. What I wish to suggest is this. This is only by way of suggestion that on some important Bills very little time is allotted especially for a Bill like the Vindhya Pradesh Bill which has taken nearly 2 days in the other House and is still going on, only 3 hours' time has been allotted. This is

not by way of a complaint but is only by way of a suggestion. We are sitting in the afternoon only for one day. My suggestion is that at least we can sit for another day in the afternoon and more time can be allotted for some important Bills like the Air Corporation Bill, Tea Bill and the Vindhya Pradesh Bill. We can at least sit in the afternoon so that there may be an opportunity for all Members to take part in the Debate.

Secondly when I find the Business Advisory Committee has allotted time for the various Bills, it is for the Chairman to allot time for each speaker, not to speak of the leaders of the various parties—they may be granted time liberally—but with regard to other Members, it is better that some time-limit is fixed for each speaker from the very start.

THE AIR CORPORATIONS BILL, 1953

THE DEPUTY MINISTER FOR COMMUNICATIONS (SHRI RAJ BAHADUR): Sir, I move:

"That the Bill to provide for the establishment of Air Corporations, to facilitate the acquisition by the Air Corporations of undertakings belonging to certain existing air companies and generally to make further and better provisions for the operation of air transport services, as passed by the House of the People, be taken into consideration."

Sir, I don't want to dilate long on this occasion on the provisions of this Bill. I will try to throw some light on the broad aspects of it and would commend the Bill as it has been passed by the House of the People for the acceptance of this House. The House is aware that the air transport industry happens to be the youngest transport industry in the country. It has 80 more years to go before it can celebrate its centenary. It is not yet adult enough or old enough to celebrate even its silver jubilee. So I would submit that