

27th February 1941

THE

LEGISLATIVE ASSEMBLY DEBATES

Official Report

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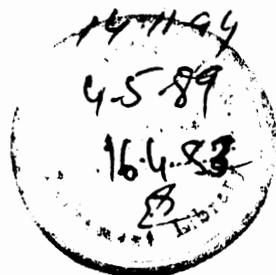
(11th February to 27th February, 1941)

THIRTEENTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,

1941



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Legislative Assembly

President:

THE HONOURABLE SIR ABDUR RAHIM, K.C.S.I.

Deputy President:

MR. AKHIL CHANDRA DATTA, M.L.A.

Panel of Chairmen:

DR. SIR ZIAUDDIN AHMAD, C.I.E., M.L.A.

MR. M. S. ANEY, M.L.A.

MR. L. C. BUSS, M.L.A.

MR. N. M. JOSHI, M.L.A.

Secretary:

MIAN MUHAMMAD RAFI, BAR.-AT-LAW.

Assistants of the Secretary:

MR. M. N. KAUL, BAR.-AT-LAW.

KHAN BAHADUR S. G. HASNAIN.

Marshal:

CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions:

MR. AKHIL CHANDRA DATTA, M.L.A., *Chairman.*

SYED GHULAM BHIK NAIRANG, M.L.A.

MR. L. C. BUSS, M.L.A.

SIR ABDUL HALIM GHUZNAVI, M.L.A.

SIR H. P. MODY, K.B.E., M.L.A.

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LEGISLATIVE ASSEMBLY

Thursday, 27th February, 1941.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS

GRADE I AND GRADE II CANTONMENT EXECUTIVE OFFICERS.

†191. ***Bhai Parma Nand:** (a) Will the Defence Secretary be pleased to state whether the number of grade I and grade II Cantonment Executive Officers is complete according to the number of Cantonments to which officers of each of the two grades are posted?

(b) What is the total number of officers in each grade at present?

(c) What is the number of selection grade officers in each grade?

(d) Is this number correct according to the proportion allowed under the rules?

(e) Is it a fact that out of about two dozen Hindu officers in the service, there is none in the selection grade in grade I and only one in grade II?

Mr. C. M. G. Ogilvie: (a) No. There are 12 appointments at present unfilled.

(b) 30 in grade I and 29 in grade II.

(c) 5—grade I, and 6—grade II.

(d) Yes, as regards grade II. There is one vacancy in grade I.

(e) Yes, as regards grade I. There are however four in the selection grade in grade II.

ITALIAN PRISONERS IN INDIA.

†192. ***Mr. Akhil Chandra Datta:** (a) Will the Defence Secretary please state the total number of Italian prisoners now in India?

(b) Why are all these prisoners concentrated in India and not in other Empire countries, such as, Burma?

(c) Is any capital expenditure, such as the construction of new buildings for housing the prisoners, being incurred, and who incurs these expenses?

(d) Will any or the whole financial burden of the maintenance of these prisoners fall on Indian revenues?

Mr. C. M. G. Ogilvie: (a) The total number of Italian prisoners of war in India on the 17th of February, 1941, was 17,283.

(b) India has been asked by His Majesty's Government to take only a small proportion of the total number of Italian prisoners of war.

(c) Yes. The charges are debitable to His Majesty's Government.

(d) No. none.

† Answer to this question laid on the table, the questioner being absent.

CENSUS OPERATIONS.

193. *Mr. H. M. Abdullah: Will the Honourable the Home Member be pleased to state:

- (a) the amount of expenditure sanctioned for each province in the current financial year (1940-41) and for the next year (1941-42) for census operations;
- (b) the amount, which each of the Provinces is expected to spend till the end of the current year;
- (c) whether Government propose to continue census operations till their completion; if not, why not;
- (d) what part of the census Government propose to complete and with what aims;
- (e) in case Government have decided to discontinue census operations for the present, when they propose to complete census operations on the lines they were started; and
- (f) what the total amount of expenditure would be if the census work is thoroughly completed?

The Honourable Sir Reginald Maxwell: (a) So far as the first part of the question is concerned the Honourable Member is referred to Demand No. 52-Census in the Book of Demands for Grants for 1940-1941. As regards the second part, a statement containing the required information is laid on the table.

(b) A statement showing the amounts which the Census Superintendents are expected to spend in their respective Provinces till the end of the current year is laid on the table.

(c) The matter is under consideration.

(d) and (e). Do not arise in view of the reply to part (c).

(f) An expenditure of Rs. 27,10,000 in 1941-42 and of Rs. 4,11,000 in 1942-43 is estimated.

Statement showing the amount sanctioned for each Province for the year 1941-42 on the assumption that the census operations will close with enumeration.

	Rs.
Madras	80,852
Bombay	1,07,273
Bengal	10,672
United Provinces	20,912
Punjab	4,800
Central Provinces	5,700
Bihar	6,119
Assam	12,200
North-West Frontier Province	5,067
Orissa	8,652
Sind	24,102
Central India	6,130
Rajputana and Ajmer-Merwara	5,500
Baluchistan	6,960
Andaman and Nicobars Islands	600

Statement showing the amounts which the Census Superintendents are expected to spend till the end of the current year.

	Rs.
Madras	69,870
Bombay	90,500
Bengal	1,26,428
United Provinces	1,08,950
Punjab	46,925
Central Provinces	45,370
Bihar	65,244
Assam	53,080
North-West Frontier Province	31,022
Orissa	47,629
Sind	52,946
Central India	46,909
Rajputana and Ajmer-Merwara	40,840
Baluchistan	54,030
Andaman and Nicobar Islands	1,300
Coorg	780

Maulvi Abdur Rasheed Chaudhury: With reference to part (c), may I know whether Government do not intend to finish this census operation this year.'

The Honourable Sir Reginald Maxwell: I am not quite sure what the Honourable Member means. Of course, the census itself will be completed and finish this year. That is, all the information required for the census will be collected and stored up.

DETENTION OF DALIP SINGH GILL OF DELHI.

194. *Sardar Sant Singh: (a) Will the Honourable the Home Member please state when Dalip Singh Gill, son of Uttam Singh Gill of Delhi, was arrested and under which provision of law?

(b) How long did he remain in detention before 30th December, 1940?

(c) Was he produced before any Magistrate during the period prior to 30th December, 1940, under the provisions of the Code of Criminal Procedure? If not, why not?

(d) Was any charge made against him, and was he informed of it?

(e) Is it a fact that an order of detention under clause (b) of sub-rule (1) of Rule 26 of the Defence of India Rules, was given to him on 30th December, 1940? If so, why was such an order delayed so long if the Central Government had information that he was acting in a manner prejudicial to the efficient prosecution of war?

(f) What is the place of his detention?

(g) Is it a fact that he is being detained in a small, unhealthy, dark room in Delhi Fort, the flooring of which is uneven, the roof and walls are full of cob-webs and are damp and where no arrangement has been made for daily sweepings?

(h) What amenities of life are granted to him? Is he permitted to make representations to the authorities and write letters to his relations?

(i) Is it a fact that representations by his son to the Delhi authorities for better treatment according to his status in life have not been even acknowledged? If so, why? Is it a fact that the Deputy Commissioner and the Chief Commissioner of Delhi have declined to grant an interview to Dalip Singh's son who wanted to make representation in person?

The Honourable Sir Reginald Maxwell: (a) and (b). Dalip Singh Gill was arrested on the 1st November, 1940, and detained up to the 31st December, 1940, under rule 129 of the Defence of India Rules.

(c) and (d). No. No such action is required in respect of persons detained under rules 129 and 26 of the Defence of India Rules.

(e) An order for his detention under rule 26 was issued by the Central Government on the 31st December, 1940. The issue of the order under rule 26 was deferred because the case was under further investigation.

(f) He was in the first instance confined in the Delhi Fort, but has recently been transferred to the Delhi District Jail.

(g) While detained in the Delhi Fort he was accommodated in a properly constructed detention cell, with a wide verandah and electric light.

(h) The prisoner is treated in the same way as other security prisoners. The reply to the latter portion of this part of the question is in the affirmative.

(i) The Superintendent of Police in charge of the Delhi Criminal Investigation Department has given more than one interview to the prisoner's son and acting under the instructions of the Chief Commissioner and the District Magistrate has given replies to the various inquiries made by him.

RE-ARREST OF PROF. N. G. RANGA, M.L.A.

195. ***Mr. Govind V. Deshmukh:** (a) Will the Honourable the Home Member please state if his attention has been drawn to the news published on page 1 of the *Hindustan Times* of the 18th February, 1941, about the re-arrest of Prof. N. G. Ranga, M.L.A. (Central), immediately after his release on last Tuesday and his being taken to the Vellore Central Jail?

(b) What were the activities of Prof. N. G. Ranga prior to or after his release which led to his re-arrest?

(c) Had his intention to attend this session of the Assembly anything to do with his arrest?

(d) Was this arrest made under the rules made under the Defence of India Act?

(e) Were the Government of India consulted with reference to Prof. Ranga's arrest?

(f) Are Government prepared to take steps to see that he is permitted to attend at least this session of the Legislative Assembly? If not, why not?

The Honourable Sir Reginald Maxwell: (a) to (d). I have seen the report in question. It is a fact that Prof. Ranga has been detained by order

of the Government of Madras under rule 26 of the Defence of India Rules, but I have no information of the reasons which led to his re-arrest.

(e) No.

(f) As the Government of India are not responsible for the circumstances which have prevented Prof. Ranga from attending this Session, it does not rest with them to permit or not to permit his attendance.

Mr. Govind V. Deshmukh: May I know if the Honourable Member will enquire from the Local Government of Madras what were the reasons which led to the arrest of Prof. Ranga?

The Honourable Sir Reginald Maxwell: I shall probably hear the reasons in the ordinary course from the Madras Government.

Mr. Lalchand Navalrai: May I know if any Honourable Member of this House is arrested under the orders of a Provincial Government, are the Government of India consulted beforehand or not?

The Honourable Sir Reginald Maxwell: No, Sir; not necessarily.

Mr. Lalchand Navalrai: The Honourable Member says "Not necessarily". May I know if sometimes consultation takes place? What is the idea?

The Honourable Sir Reginald Maxwell: I am not aware of any case in which the Government of India have been so consulted, because the powers exercised are those of Provincial Governments.

Mr. Lalchand Navalrai: Would the Honourable Member, therefore, in fairness to Honourable Members of this House ask the Provincial Governments to consult the Government of India before a Member of this House is handicapped in the sense of not attending the House?

The Honourable Sir Reginald Maxwell: The Government of India are not responsible for a matter which rests with Provincial Governments.

Mr. Lalchand Navalrai: May I know from the Honourable Member if summons is issued by the Viceroy or the Governor General in Council for the attendance of a Member of this House and if his attendance is prevented in that manner by the action of a Local Government, would not the Government of India interfere in that matter and make a rule that the Government of India should at least be consulted before a Member of this House is arrested and detained?

The Honourable Sir Reginald Maxwell: The summons is issued by the Governor General, and not by the Government of India.

Mr. Govind V. Deshmukh: Would Government see that an Honourable Member of this House who wishes to exercise his privilege of attending this House as a Member is not denied that privilege?

The Honourable Sir Reginald Maxwell: It is open to him to exercise his privilege if he can get here, but the Government of India are not responsible for the circumstances which prevent him from getting here.

Sardar Sant Singh: If an Honourable Member of this House becomes inconvenient to a Local Government on account of the questions he puts and the speeches he makes in this House, and if on that account a Local Government arrests him under the Defence of India Act, will the Government of India interfere in that case?

The Honourable Sir Reginald Maxwell: That is a hypothetical question.

Mr. Lalchand Navalrai: May I know from the Honourable Member if he would enquire into the facts, that this gentleman was released and then again rearrested? What were the causes for that? Are the Government of India going to enquire into them or not?

The Honourable Sir Reginald Maxwell: I have already informed the Honourable Member that I have no information as to the reasons which led to his re-arrest.

Mr. Lalchand Navalrai: I am asking Government to enquire into that.

The Honourable Sir Reginald Maxwell: As I have said, the matter rests entirely with the Provincial Government and it is for them to judge whether it is necessary for them to exercise the powers lawfully conferred upon them under the Government of India Act and the Rules.

Mr. Govind V. Deshmukh: Will the Honourable Member enquire from the Local Government whether they are willing to allow Prof. Ranga to attend the meetings of this Assembly subject to the condition that he does not deliver any lectures or address public meetings here?

The Honourable Sir Reginald Maxwell: I have explained that the Government of India have no special interest in the matter.

Qazi Muhammad Ahmad Kazmi: Have Government no interest in the matter that an elected Member of this Assembly should attend this House at the time of a Session?

The Honourable Sir Reginald Maxwell: No, Sir. As I have already said the Government of India are only concerned with Honourable Members when they get here. If anything prevents them from coming here, such as a railway accident or otherwise, the Government of India cannot help it.

Qazi Muhammad Ahmad Kazmi: Would the Government of India at least make an enquiry as to whether Prof. Ranga has been detained only on account of certain suspicions against him or that it was in pursuance of some act that was done by him that he was re-arrested and detained?

The Honourable Sir Reginald Maxwell: It can be assumed that the Government of Madras must have had very grave reasons for placing Prof. Ranga or any other person under detention.

Sardar Sant Singh: May I know whether in the case of those provinces where the Constitution is suspended under section 93 of the Government of India Act, it is or it is not within the power of the Governor General or Governor General in Council to supervise the acts of the Local Governments?

The Honourable Sir Reginald Maxwell: No, Sir. The existence of a section 93 situation makes no difference to the powers of the Government of India.

Mr. Govind V. Deshmukh: In view of the answer that the Local Government had suspicions to put Prof. Ranga under arrest, how does the Honourable Member reconcile the former answer that the Government of India did not know the reasons for his arrest? How can this be explained?

The Honourable Sir Reginald Maxwell: I do not follow the Honourable Member's question.

Mr. Govind V. Deshmukh: Just now a reply was given to my Honourable friend, Mr. Kazmi, that the Local Government entertained reasonable suspicions for putting Prof. Ranga under arrest and shortly before another reply was given to me that Government do not know the reasons. Does the Honourable Member now wish to convey to the House that he had reasons to think that the Local Government had suspicions to put him under arrest? If so, what are the reasons and what are the suspicions?

The Honourable Sir Reginald Maxwell: What I said was that I assume that the Government of Madras had very grave reasons for placing Prof. Ranga or any other person in detention.

Qazi Muhammad Ahmad Kazmi: Is the Honourable Member prepared to go beyond this presumption and make a real inquiry as to whether it was only on account of suspicion or of any overt act that he has been detained?

The Honourable Sir Reginald Maxwell: No, Sir; the Government of India do not ordinarily inquire into every case of detention and, as I have attempted to explain, they had no special reason for doing so in the case of Prof. Ranga.

CASUALTIES AMONG INDIAN ARMY IN EGYPT, AFRICA AND NEAR EAST.

†196. ***Mr. Muhammad Nauman:** Will the Defence Secretary be pleased to state:

- (a) the total number of Indians, soldiers, officers and other military employees, killed in and around Egypt and in other encounters with Italy in African territories, or Near East area, on land and sea, from June, 1939, to December, 1940;
- (b) the number of Muslims and non-Muslims so killed in the different battles or expeditions; and
- (c) the total number of Indians, soldiers and officers, sent out from India to Egyptian front from January, 1939 to December, 1940?

Mr. C. M. G. Ogilvie: (a) A statement has been laid on the Table.
 (b) The number of Muslims killed is 22 and of non-Muslims 52.
 (c) It is not in the public interest to answer this part of the question.

†Answer to this question laid on the table, the questioner being absent.

Total number of Indians killed from the outbreak of war to December 31, 1940.

	Muslims.	Non-Muslims.	Total.
<i>Somaliland.</i>			
Indian Other Ranks	3	1	4*
* Includes 1 died of wounds.			
<i>Egypt.</i>			
V. C. Os.	1	1	2
Indian Other ranks	12	10	22
<i>Sudan.</i>			
Indian other Ranks	6	40	46*
*Includes 10 died of wounds.			
<i>Reported Missing believed killed.</i>			
<i>Somaliland.</i>			
Indian Other Ranks	10	1	11

INDIAN ARMAMENTS SENT TO EGYPT.

†197. ***Mr. Muhammad Nauman:** (a) Will the Defence Secretary be pleased to state what armaments have been sent to Egyptian front from India since January, 1939.

(b) What is the approximate value of those armaments, and have His Majesty's Government paid for them on "Cash and Carry" basis?

Mr. C. M. G. Ogilvie: (a) It is not in the public interest to answer this question.

(b) It is not in the public interest to reveal the value. As regards arrangements with His Majesty's Government, I refer the Honourable Member to the statement made by Honourable the Finance Member in his Budget speech in the Legislative Assembly on the 29th February, 1940.

INDIANS RECRUITED FOR THE REGULAR ARMY.

†198. ***Mr. Muhammad Nauman:** Will the Defence Secretary be pleased to state:

- (a) the total number of Indians recruited for the regular army from 1st June, 1938, to 31st December, 1940;
- (b) the total number of Muslims so recruited from 1st June, 1938, to 31st December, 1940, all over India; and
- (c) whether Indian soldiers are being recruited on a permanent basis as soldiers in the Indian army, or on contract terms for some specified period or with terms for the duration of war?

Mr. C. M. G. Ogilvie: (a) and (b). It would not be in the public interest to publish these figures.

(c) With effect from the 25th September, 1939, every enrolment or engagement in the Indian Army is for the duration of the war and 12 months thereafter, if necessary.

†Answer to this question laid on the table, the questioner being absent.

INDIAN EMERGENCY COMMISSIONED OFFICERS.

†199. *Mr. Muhammad Nauman: (a) Will the Defence Secretary be pleased to state the terms of the contract of the Indian Emergency Commissioned Officers?

(b) What will happen to them on the expiry of their term of contract?

(c) Do the Government of India take any responsibility to absorb them in the permanent army, or in any other Government service after the expiry of the contract, or on the termination of this war?

(d) What pension is allowed to the wives and children of Emergency Commission Officers, if they are killed in action?

Mr. C. M. G. Ogilvie: (a), (b) and (c). Indian Emergency Commissioned Officers engage to serve for the duration of the war and for so long thereafter as their services may be required. There can be no express guarantee that permanent commissions or other permanent Government employment will be found for officers commissioned for the emergency, but every endeavour will be made to absorb as many as possible, and a scheme for the protection of their interests is now under the active consideration of Government.

(d) The rates of pension for the families of Emergency Commissioned Officers of His Majesty's Indian Land Forces are contained in Army Instruction (India) No. 133 of 1940, a copy of which is in the Library of the House.

PENSIONS OF THE FAMILY OF INDIAN SOLDIERS AND OFFICERS KILLED IN OR MADE PRISONERS OF WAR.

†200. *Mr. Muhammad Nauman: (a) Will the Defence Secretary be pleased to state the arrangement arrived at between His Majesty's Government and the Government of India with regard to the pensions of the family and children of the Indian soldiers and officers killed in action during this war either on European Frontier, Egyptian Frontier or the Near East area and Africa?

(b) What pensions are given to the families and children of British soldiers killed in action, if they are in the regular army?

(c) What pension is paid to the families, if their men are in the "Auxiliary Force" and are killed in action during the war?

(d) What amounts are paid to the wives and children of the British and Indian soldiers and British and Indian officers when they are prisoners of war in the hands of the enemies?

Mr. C. M. G. Ogilvie: (a) If, as I assume, the Honourable Member wishes to learn the details of any financial arrangement that may have been concluded in this connexion, the answer is that the question is still being discussed with His Majesty's Government.

(b) and (c). The grant of pensions to the families of British soldiers, as well as of members of the Auxiliary Force (India), killed in action during the war, are governed by the terms of the Royal Warrant reproduced as an appendix to Army Instruction (India) No. 4 of 1941.

†Answer to this question laid on the table, the questioner being absent.

(d) The rules on the subject are laid down in Army Instructions (India) Nos. 273, 275 and 372 of 1940.

Copies of all these orders will be found in the Library of the House.

HIGHER INITIAL SALARY FOR ANGLO-INDIANS ON RAILWAYS.

†201. ***Bhai Parma Nand:** (a) Will the Honourable the Home Member please state whether it is a fact that the Railway Board has made a rule in accordance with which all Anglo-Indians are recruited on an initial salary of Rs. 55 per mensem, while Indians are employed on the same job on Rs. 30 or below? If it is not so, what is the fact?

(b) Is it a fact that the principle governing the fixation of pay is the nature of work or employment and not the consideration of the past history of any community? If not, what is the fact?

(c) Will the Honourable Member please state particulars of the Anglo-Indians recruited on Rs. 55 per mensem detailed for services with the Expeditionary Forces out of India?

(d) If no Anglo-Indian from any Railway is detailed for service under Defence Department, what are the reasons therefor?

(e) Do Government propose to discontinue the extra allowance of Rs. 25 per mensem granted to Anglo-Indians for joining the Auxiliary Force when they are not required for service during the present war? If not, why not?

The Honourable Sir Reginald Maxwell: (a) and (b). I would refer the Honourable Member to the reply given by me on the 22nd February, 1941, to Dr. Sir Ziauddin Ahmad's starred question No. 123.

(c) A number of Anglo-Indians have volunteered for service and been recruited into Railway Units of the Corps of Indian Engineers. I cannot give details.

(d) Does not arise.

(e) As I have explained in my reply to Dr. Sir Ziauddin Ahmad's starred question No. 123, the minimum rate of 55 for Anglo-Indian is fixed in view of the provisions of section 242 (2) of the Government of India Act, 1935. It has nothing to do with liability to military service overseas, nor is the Auxiliary Force liable to such service.

UNSTARRED QUESTION AND ANSWER.

HIGHER INITIAL SALARY FOR ANGLO-INDIANS ON RAILWAYS.

64. **Maulvi Muhammad Abdul Ghani:** (a) Will the Honourable the Home Member please state whether it is a fact that the Railway Board had instructed the General Manager and Agent of the Bengal and North Western Railway Company, Limited, that all Anglo-Indians are to be recruited on an initial pay of Rs. 55 per mensem?

(b) Is it a fact that to meet the extra expenditure incurred in the provision of Anglo-Indians, the Indians are recruited for the jobs, on which Anglo-Indians are employed, on Rs. 15 per mensem?

†Answer to this question laid on the table, the questioner being absent.

(c) Is it a fact that the standard of education and living of present day Indians are in no wise inferior to that of Anglo-Indians?

(d) Will the Honourable Member please state the reasons for the discrimination in the employment of members of different communities on the same job, when the fundamental principle for the fixation of pay is "the nature of employment" and not the community to which one belongs?

The Honourable Sir Reginald Maxwell: (a), (c) and (d). I would refer the Honourable Member to the reply given by me on the 22nd February, 1941, to Dr. Sir Ziauddin Ahmad's starred question No. 123.

(b) The information is being obtained and will be supplied in due course.

MESSAGES FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, two Messages have been received from the Council of State. The first Message runs as follows :

"I am directed to inform you that the Council of State at its meeting held on the 26th February, 1941, agreed without any amendment to the Bill to provide for the reduction temporarily of the amounts payable as instalments of the sum to be deposited by an insurer under section 7 of the Insurance Act, 1938, which was passed by the Legislative Assembly at its meeting held on the 14th February, 1941."

Sir, the second Message is as follows :

"I am directed to inform you that the Bill further to amend the law relating to fraudulent marks on merchandise, which was passed by the Legislative Assembly at its meeting held on the 17th February, 1941, was passed by the Council of State at its meeting held on the 26th February, 1941, with the amendments shown in the enclosed statement.

The Council of State requests the concurrence of the Legislative Assembly in the amendments."

Sir, I lay on the table the Bill as amended by the Council of State.

THE RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

SECOND STAGE—*contd.*

DEMAND NO. 1—RAILWAY BOARD.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume discussion of the Railway Budget and deal with the Demands for Grants.

Dearness Allowance for Railway Employees.

Mr. C. C. Miller (Bengal : European): Sir, I beg to move :

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

I wish to discuss on this motion the report of the Court of Inquiry to investigate the question of dearness allowance for railway employees. In order to discuss this question thoroughly it is necessary in the first place to consider the scale of wages existing on the Great Indian Peninsula Railway system, since it is in relation to those wages that the railway employees have claimed a dearness allowance. The scale is three-fold:

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First, the Manmad scale which was introduced in 1920; secondly, the Chandwani scale introduced in 1930; and thirdly, what is known as the revised scale which was introduced in 1935 with retrospective effect to 1931. Taking the Manmad scale first, this scale embodied various allowances which had been introduced during the four years' war and also certain increases of pay; and there is evidence to show that at the time it was accepted by the staff with gratitude. I think, Sir, most Honourable Members of this House will be able to cast their minds back to 1920 when India in common with many other countries was living in a fool's paradise of illusory wealth and they will also remember the years of disillusionment of constantly dropping prices and of leanness which followed. In that year, taking the year 1914 as 100, the Bombay cost of living index stood at the figure of 183, a figure which has never been approached since that time.

The next scale, the Chandwani scale, was introduced in 1930. This introduced a certain amelioration, particularly in the lot of the lower paid employees. But if no objection was taken to the Manmad scale it is difficult to see how any objection can have been taken to the Chandwani scale, since if any employee was adversely affected by the latter he was allowed to remain on the Manmad scale.

Thus far I think it will be conceded that the advantage lay with the railway employees in comparison with others, particularly the primary producers who were in less sheltered occupations, who had to bear the full force of the economic blizzard.

I now turn to what is known as the revised scale which was introduced in 1935 with retrospective effect to 1931. There was undoubtedly a real hardship in that the scale took such a time to prepare,—four years in fact seems almost unnecessary time,—and that it applied retrospectively. On the other hand, I think the general view might be that it was time that those in sheltered occupations endured a little bit of the hardship which was falling to others. But one thing must be remembered about this Chandwani scale and that is that it affected only entrants to service after July, 1931, and that the number who were affected is in consequence relatively a very small one. The figures of the total Great Indian Peninsula Railway employees are something over 44,000 and the figures of those who are on the revised scale are a little over 8,000. It, therefore, is obvious that rather more than four-fifths of the railway employees were still on the Manmad or Chandwani scales and rather less than one-fifth were affected by the revised scale.

The facts that I have given are not, I think, disputed; and they form the main basis for the employers' contention that a claim for dearness allowance is not at present established. The finding of the court, however, recommends a dearness allowance of somewhat substantial proportions, and rather surprisingly goes on to express the hope that this dearness allowance may not be treated as an allowance at all but may be incorporated as an integral part of the wages of those who receive it.

I, therefore, now turn to the Report itself. In support of their case the employers have quoted freely from the cost of living indices in various centres within their administration, and particularly from the cost of living indices relating to Bombay city. The court have disputed these figures and particularly in relation to Bombay city have corrected them in an

upward direction. The time at my disposal does not permit me scope to examine all the figures relating to all the six centres concerned and so I will concentrate on the cost of living figures for Bombay city and the finding of the court in that direction.

These findings are based on a comparison of the periods September, 1939, to August, 1940 with September, 1938 to August, 1939, that is to say, to the last year before the war and the first post-war year. On this standard the Bombay figures show a rise of seven points in the first year of war. The court, however, subsequently comes to the conclusion that the actual rise was eleven points, and because it is known that the Bombay Labour Office spends considerable care and skill on the compilation of these figures, it behoves us to consider the evidence in regard to this alleged inaccuracy. In the first place, one feels bound to observe that the evidence of 40 or so witnesses is somewhat meagre to correct carefully compiled official figures and it must also be noted that this evidence for the larger part emanates from railwaymen and for the smaller part from shopkeepers. I think it is a fair contention that in circumstances such as these the evidence of shopkeepers is the more valuable, for two reasons, one, that it is less biased, and, secondly, because shopkeepers are likely to keep more accurate accounts. But I would state that I use the expression "less biased" advisedly, because I do not think that any sellers are likely to object to an accretion of wealth in the hands of their customers. Another point to be observed is that the more reliable evidence came from persons of a higher grade than those who were actually affected by the findings of the report. This is perhaps inevitable, but I do not find any evidence that the implications of such evidence were considered; that is to say, there may be more difference, let us say, in the rise of a higher grade of rice than in the rise of a very considerably lower grade of rice.

But in particular I would like to draw the attention of the House to the opening lines of the rather important paragraph, No. 29 on page 16. It says :

"Analysing the statements we have found that a larger number of them contain prices for August 1939 and July 1940 than for any other pair of months separated by the outbreak of the war."

Now, I claim with some pride the possession of a singularly ingenuous and simple mind, but even to my simplicity there appears a certain suspicion about this matter. It is very difficult to visualise a man who keeps an account for August, 1939, and again for July, 1940, but does not keep any accounts in the interim. It must be remembered that August, 1939, represents the very last month of peace and July, 1940, represents the very last month of war before the court sat. Its first session was, I think, towards the end of August. However, the court proceeds on that basis. To continue perusal of this important paragraph, which relates to the items of fuel and food in the cost of living indices, it would appear from this paragraph that where the official figures are not disputed they are accepted : on the other hand, when they are disputed the evidence against them is accepted; and yet from this somewhat one-sided handling, the official figures emerge extremely creditably, because the court finds only a fractional increase as regards these two items. In the following paragraph, No. 30, which deals with house rents, the official figures are accepted and then we come to the very difficult item of clothing. Here the Bombay Labour Office admits that there may have been defects as it is an

[Mr. C. C. Miller.]

extraordinarily difficult subject to cover. The Railway Administration concedes a rise of from 10 to 13 points, and the Railway Federation on the other hand claims a rise of 25 points. In this contentious question only seven witnesses are examined by the court, and their evidence varies enormously; but to the layman at least the following salient point seems to emerge. Witness No. 3 seems to be, according to the findings of the court, the best witness whom they examined and on two occasions he receives special eulogy from the court. Witness No. 3 finds that the increase in his clothing bill was from 6 to 12 per cent., but admittedly with the proviso that he has recently purchased inferior cloth. Well, I think that is what we all do. In times of stress we have to cut our coat according to our cloth. We either buy fewer clothes, or inferior cloth or do both, and it would seem that the evidence of Witness No. 3 that his expenditure on clothing has increased by 6 to 12 per cent. very largely confirms the admission of the Railway Administration of a rise from 10 to 13 per cent.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exhausted his time.

Mr. C. C. Miller: Might I be allowed three more minutes, Sir?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can conclude his speech now.

Mr. C. C. Miller: Thank you. The next item is the Miscellaneous group in which "travelling" is the principal consideration. Here the administration claims 8 per cent. and the Federation claims 35 per cent. on account of the increased rates of motor buses and steamers. Well, the claim of the administration is that a great majority of the railway men who travel do so on free passes, and that if there is a very considerable enhancement of steamer and bus rate, that enhancement is surely offset by the allowance of 8 per cent. which they receive. The Court, however, does not adjudicate on this point, but merely details the conflicting claims which are as follows :

"Railway Administration 109;

The official figure admitted to be defective in regard to clothing 106, and the Railway Federation claim 114."

Having made this statement, the Court then proceeds to apply to the official figures from September, 1939 to August, 1940, a correction of 6 points which represents the contention of the Federation only in respect of July, 1940. So, the effect is that prices in the whole of the first post-war year are calculated on the basis of the prices in July, 1940, and on this basis the Federation claims an increase of 13 per cent., while the Administration admits an increase of 8 per cent. The Court finds a figure merely midway between these points of 11 per cent. I think it must be admitted that the evidence in support of this finding is somewhat flimsy. Only six witnesses appear to have been examined in all, and of those, there are two, Nos. 2 and 3, whose evidence very largely confirms the view of the Administration. Witness No. 29 on the face of his accounts shows an extremely small increase in living, but his accounts are so complicated by his hospitality and other factors that perhaps they had better not be considered at all, whilst two other witnesses produce evidence which does not cover this all important point of clothing at all.

I have dealt at some length with this question, Sir, because it constitutes the first term of reference of the Court and therefore it seems to us to be particularly important. I will not discuss the findings of the Court, because they are under the consideration of the Government, but I would remark on this point that the Government of Bengal have recently announced their decision to introduce a dearness allowance of Re. 1 to all employees on a salary of Rs. 30 or under, and that this grant is based on the price of the cheapest common rice.

But before I sit down, Sir, there are two or three points which merit consideration and to which I should like to refer briefly. There is the question of the balanced diet considered in paragraph 76 which is closely connected with the question of the "poverty line" considered in paragraph 91. I think it might be advanced that it is doubtful if either the balanced diet or the "poverty line" comes within the purview of the Court, but at least it must be conceded that these questions depend entirely on the cost at the time of its various ingredients. Perhaps it will best illustrate my point if I state that the same Court sitting in 1920 on the basis of the cost of living at that time would in all probability have found the "poverty line" somewhere in the neighbourhood of Rs. 60 a month.

Another point is the recommendation of the Court that the question of the dearness allowance should be the subject of quarterly revision based on a definite rise or fall of 5 points in the cost of living indices. This recommendation is to a certain extent negated by the hope expressed by the Court at page 116 of their Report that the allowances recommended may be retained as an integral part of the wages of those who receive it. We would also advocate periodical revision of conditions, but we should oppose very strongly indeed any suggestion that definite allowances to meet transient circumstances should ever be included as an integral part in wages

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has much exceeded his time. He should now wind up his speech.

Mr. C. C. Miller: And, finally, Sir, the question of the composition of such Courts of Inquiry has given us much food for thought. It seems that these economic questions go much beyond the purview of the ordinary procedure of a civil court and should perhaps be entrusted to persons who have day to day contact with labour, and who are thoroughly conversant with the conditions under which labour lives, feeds and clothes itself. Besides people with such qualifications, that rather rare person, the experienced statistician, is of particular value in such a capacity. I would suggest for the consideration of Government the advisability of the maintenance of a permanent or semi-permanent panel of persons well qualified to act on such Courts, who would in course of time acquire valuable experience for this special duty. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. N. M. Joshi (Nominated Non-official): Mr. President, I feel that in discussing this Report we are at a disadvantage from one point of view. The Government of India have not yet announced what action

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they propose to take on the Report of the Court of Inquiry, and unless we know what action Government propose to take, it is somewhat difficult for us to discuss this subject thoroughly. However, as the question has been raised for discussion, I would say a few words on what has fallen from the Honourable Member who represents the European Group on this question.

At the outset, Sir, I would like to say that although the Government of India took a long time to appoint a Court of Inquiry to go into the question of the dearness allowance, the railwaymen must be grateful to them for having agreed at last to the appointment of a Court of Enquiry. The cost of living was going up and the Government hesitated for a long time. However, as they appointed a Court of Enquiry I need not say anything more except that, whenever the workers ask for a Court of Enquiry the Government of India should not hesitate to give an enquiry. If the workers ask for an enquiry, the Government will not lose anything else except the salaries of the court, by the appointment of a Court of Enquiry.

I would like to say as regards the report itself that, without going into details, after reading the report my own impression was that it was a good report, if one should venture to express an opinion on a detailed report of this kind in one word. On the whole, the report has done justice to railwaymen, to some sections of railwaymen I should have said. They have recommended an increase of two rupees on a flat rate basis for the lowest paid railway employees. They have made certain categories of railway employees—those who get Rs. 35 in Bombay city, those who live in urban areas getting Rs. 30, and those who live in rural areas getting Rs. 25. These three sections of the railway employees on the Great Indian Peninsula Railway have been allowed an allowance of Rs. 3 at a flat rate. I feel, Sir, that the recommendation of the Committee is, on the whole, very fair and their proposal of a flat rate is also very fair and just. Those who get the smallest wages will get a larger proportion of increase. To those who get larger salaries the proportion of increase will be smaller. I think this is a right principle on which dearness allowance should be granted. I should have very much liked that the enquiry committee should not have confined their recommendations for dearness allowance only to those who get Rs. 35 and less. If you go through the report, you will find that the Court of Enquiry was convinced that there was a good case for dearness allowance even to those who were paid more than Rs. 35, but it seems to me that the court was somehow very much frightened by the amount of money which it may cost the Government to give dearness allowance to a larger number of railway employees.

Mr. M. S. Aney (Berar: Non-Muhammadan): They did not know the railway surplus then.

Mr. N. M. Joshi: It is the undercurrent of the report—they show by various statements that they have made that they would have very much liked to recommend allowances even to those who get more than Rs. 35, but they felt that they must take into consideration the cost the Government may have to incur for paying dearness allowance. They have taken that into consideration.

Mr. M. S. Aney: Should they not?

Mr. N. M. Joshi: It is not the business of the court to take that into consideration. When a court is appointed to enquire into whether dearness allowance should be granted and to which sections of the employees

Mr. M. S. Aney: and to what extent .

Mr. N. M. Joshi: the court should decide on the merits. It is for the Government then to say whether they have got the money or not, and not for the court.

Mr. M. S. Aney: Is the paymaster's view not to be considered?

Mr. N. M. Joshi: It is the view, which I take, is not the duty of the court.

Then the report also, I think, rightly, lays down certain minimum. I did not quite follow what was said about the minimum being different if the court had sat in 1920. Well, Sir, the minimum will certainly differ. The populations all over the world go on improving their standard of living generally and what may have been considered to be a minimum in 1920 cannot certainly be accepted as the minimum in 1940. That is quite clear. We all want the standard of life of the people in this country to go up. I do not think there is any section of the public, any section of this Legislature, which will not approve that the standard of life of the people must go up, and it is not surprising that what may have been considered to be minimum in 1920 should not be accepted as a minimum in 1940. That is what we want, and the court very rightly took into consideration the fact that what may have been considered a minimum in 1920 cannot be accepted as a minimum in 1940. I do not know whether they have made sufficient allowance for the rise in the standard of life, but the principle that they lay down is sound.

It was said on behalf of the European Group that the need for such an allowance for those people who are under Manmad and Chandwani rates of pay was not established, and the Honourable Member who spoke for the Group quoted certain figures and challenged certain statements regarding the cost of living indices given by the Court of Enquiry. It is difficult to deal with these detailed figures just on the spur of the moment. I am not going to do that. What I feel is this, that, on the whole, the court has acted wisely in taking the figures of the Bombay Labour Office as the basis. It was not possible for any court to prepare its own cost of living index. They, therefore, took the Bombay figures, the Sholapur figures and certain other figures as the basis and then the court proceeded to make certain corrections and alterations which were necessary on account of the facts which were placed before them. If the court had not done that, the court could not have finished its work for a long time. I think the court was very wise, and moreover, I would like the European Group to consider this. In figures of this kind, there cannot be any finality. Neither in India nor anywhere else in the world can you get perfect figures on this question. Therefore, if a properly established Government Department produces certain figures after collecting facts for a

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long time, I think we should be wise in accepting them as a substantial basis. Where we find that there is need for change and that need is proved on the evidence which the court declares to be sound

Mr. L. C. Buss (Nominated Non-Official): On entirely inadequate evidence.

Mr. N. M. Joshi: In this matter I would certainly go by what the court says than by what one of the Parties say. The European Group represents the administration, the employers. Well, they produce certain evidence, the representatives of the workers produce certain evidence. My general inclination under such circumstances will be to accept the view of the court as the third party. We may not like the findings of the court but still if we have to take action that action ought to be taken according to the advice of the court, I think, we shall have to accept that position.

Mr. M. S. Aney: You are in safe company.

Mr. N. M. Joshi: Yes. I would not like to advise Government not to accept the finding of the court and accept the finding of the European Group.

An Honourable Member: Mr. Joshi's finding.

Mr. N. M. Joshi: I am not asking that my view should be taken. I would like the European Group to remember one point. After all what has the court done. They have asked for certain increases or additional allowances to be granted. They are not raising the standard of life of the people at all. We must remember this, that by giving this allowance people are not going to be better off than they were before. These allowances are intended only to prevent the standard of life going down. In these war days many people are getting more money. Some people are getting larger salary and some are making more profits. I do not know whether we can find out what profits these employers have made during war times. The proceeds of the excess-profits tax may be some index but that cannot be the true index. Most of these people, the employers, have made large profits during the war and what the Court of Inquiry does about the poor employees is not that they should get more on account of the war at all but their standard of life should not go down very much. That is what the court has done. As regards those people who are making profits and Government allow them to make profits I find that these very people come to the Legislature and say that if the standard of life of the employees is going down, the loss should not be compensated by Government. Well, Sir, there are other points in the speech but it is difficult to deal with all of them especially on a subject of this kind but the Honourable Member said that the evidence of the railway employees is not so reliable. The evidence of the shop-keepers is somewhat better but not quite so reliable. The only evidence which he thinks is reliable is the evidence of the officers. He said that the evidence of the better paid railway employees is more reliable.

Mr. G. O. Miller: On a point of explanation. I was merely quoting from the report—that the evidence of one particular witness was exceptionally reliable.

Mr. N. M. Joshi: What did the report say? The evidence of one witness was reliable?

Mr. C. C. Miller: One particular witness. I was referring to the top of page 21, para. 37, witness No. 3, whose candour and meticulous accuracy of statement was most impressive.

Mr. N. M. Joshi: It is quite possible that one of the witnesses was quite reliable but my impression from the speech of the Honourable Member was that he felt that particular classes of witnesses were more reliable. If he does not maintain that, I have nothing more to say. In my own judgment, there are good witnesses in every class of people, good witnesses among the railway employees, good witnesses among the shopkeepers and I am prepared to concede there may be good witnesses even amongst the officers. I do not agree that there is more reliance to be placed upon the evidence of particular sections of the witnesses. As regards the warning which the Honourable Member has given that Government should not make these allowances permanent, I think he need not be in a hurry. Let the Government consider first the question of giving these allowances and when these allowances have continued for some time, it will be time enough to consider whether we should allow the standard of life of the people which had been maintained at a certain level to go down. It will all depend upon the circumstances at the time.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. N. M. Joshi: I shall finish soon. The Honourable Member made a suggestion that the Government of India should have a sort of permanent panel of chairmen to deal with such questions. I would not object to 'panel of chairmen'.

Lastly, I would like the Government of India to do one thing, that they lost a good deal of time in appointing the court and they should not now take any more time in coming to a decision as regards the finding of the court. There is already unrest among the railwaymen. I find that in Bombay there have been some meetings of the railwaymen. They are pressing that the Government of India should start paying the dearness allowance immediately and I, therefore, hope that the Government of India will not lose time in giving effect to the recommendations of the Court of Inquiry. I would say one thing more to the Government of India. Although the Court of Inquiry has recommended the dearness allowance to people who get Rs. 35 and less, they should consider also the question of those people who get more than Rs. 35. As regards giving effect to the recommendation made by a Court of Inquiry, I have no doubt that the Government of India will feel it to be their duty to accept in their entirety the recommendations of the Court of Inquiry. Having appointed a Court of Inquiry, having appointed people like the Chairman of the Court of Inquiry, a man who is a High Court Judge, who has also a good deal of experience of work in the Government of India, I think it is the bounden duty of Government to accept in their entirety the recommenda-

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tions of the Court of Inquiry. I hope, Sir, the Government of India will do that and will also take into consideration the claims of those people who get more than Rs. 35.

Mr. T. Chapman-Mortimer (Bengal: European): Sir, Mr. Joshi, I think, has misunderstood the point of view expressed by my Honourable colleague from Bengal and he has misunderstood also the point of view of this Group as a whole. We are not criticising the findings of the court. What my Honourable colleague just now criticised was the methods by which they reached these findings. We feel that these questions of wage rates and their relation to the cost of living are fundamental and vitally important questions, affecting not merely the particular industry, whose position at a particular time is under the consideration of some court set up for some special purpose, but affecting all industries throughout the country; and, of course, in particular in this case Government, themselves, in relation to their servants in other employment than the railways. Mr. Miller, I am quite sure, intended to cast no reflection on the court and we all share the view of Mr. Joshi that its distinguished members did their best to examine this question fairly. They did their best; but that does not deny us the right of criticising some of the methods by which they conducted the inquiry. That is all Mr. Miller, as I understood it, attempted to suggest. It is not in any way suggested that wages should not be adjusted to a rise in the cost of living. There is no Member of this Group and no Member of this House who desires to see any reduction in the standard of living of the people of this country. On the contrary, as Mr. Joshi quite rightly pointed out, a rise in the standard of living is in the best interests of the whole country. That, however, does not mean that we should be blind to the fact that, as in England so here, there is a danger that certain classes in the country may, owing to their favourable position—because their industry does not feel the full blast of competition—establish for themselves wage rates out of consonance with the wage rates applicable in industry not so favourably situated. That is all the point Mr. Miller sought to make and I should like to take this opportunity of clearing up any doubt that may remain in Mr. Joshi's mind on that point. Sir, I support the motion.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, on this point I think we should accept the findings as well as the reasons for those findings of the Court. The question arose on this point with regard to the dearness of the prices of certain articles and the demand, as such prices have risen, for giving an allowance to the employees. Now, the question came directly between the employees and the employers, and when the demand was made by the employees, that the question should be decided by an independent tribunal, I think it was wise on the part of Government to refer this question to the tribunal that they have formed.

Now, coming to the tribunal itself, it is alleged that it would have been better if some commercial people should have decided this question. It appears to me that that would be more or less a question between the parties again, and the parties would be deciding between themselves, or

the employees would also have asked that some of their own members should also be on the committee. Therefore, I think that the Committee that has been appointed is the only independent committee of judges who have decided the question. It cannot be said that the commercial people would have decided this question better. On the contrary, I am submitting that these judges are most competent to go into any question that has been placed before them. They are deciding tough and very difficult questions and they are deciding on evidence, and they judge it from the point of view of the evidence that comes before them, and, therefore, I am submitting that that Committee was the best Committee that has decided it. Now, with regard to what the last speaker, the Honourable Mr. Chapman-Mortimer, said, *viz.*, that they do not criticize the findings of the Court of Enquiry, but that they have taken some exception to the methods by which those findings were found, well, the methods were very good, better than the ordinary methods of calling for evidence, the evidence of employees, the evidence of employers and of some other commercial people. Now, when I saw that the European Group had put this point forward, I was putting the question to myself whether they put it forward for the purpose of opposing any dearness allowance being given to the employees or that they were supporting it. I should have thought that when a committee of judges was appointed and they have taken evidence and they have come to a certain conclusion, then, in fairness, they would not oppose it, but the thought occurred to me as to who they were and I found that they were the employers. . .

An Honourable Member: Oh, oh!

Mr. L. C. Buss: Surprising conclusion!

Mr. Lalchand Navalrai: . . . surprising only from this point of view that they want to impede the allowance being given to their own clerks and other employees who also would require to be put on the same level or given a certain dearness allowance. Therefore, I say, they are right from their point of view in coming forward and putting forth this point, but at any rate I for one do not see eye to eye with them, nor have they given any reasons. Having said that they are not criticising the findings, I would ask them the plain question—"do they accept the findings or not?"

Mr. L. C. Buss: That does not arise.

Mr. Lalchand Navalrai: It is only putting forth a matter in a manner which I submit is only in their own interest. Sir, we are accustomed to the evasive answers given from the Treasury Benches.

An Honourable Member from the Treasury Benches: Never, never.

Mr. Lalchand Navalrai: Sir, coming to the question—I sometimes forget what time is left for me to complete my speech (Interruptions). . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Mr. Lalchand Navalrai: Now, coming to the question of the method by which this report has been made, I submit that they have said that one witness gave exceptionally acceptable evidence—Mr. Joshi said “reliable evidence”, but I do not think they said “reliable”—what they say is, “excellent evidence”; but what are the judges to do? They cannot decide on the basis of the evidence of one witness, and the evidence of other witnesses may even vary; it is therefore that judges are appointed to take evidence and to come to a conclusion on the whole of the evidence put together. Therefore, Sir, they having come to a conclusion on the facts, I should say that the facts should be accepted; the evidence should not be challenged unless and until they have accepted evidence which is false or which nobody would accept. But that is not alleged. Here it is said that the evidence of some witness is taken which in some other light may have a different effect. But that happens between the judges too. But having considered on the whole what the evidence is and having come to some decision, I submit that there should be no question with regard to the merits on which they have given their findings. Now, it is said that the reference was made to the scales of these employees and it was said that there was one scale, the Manmad scale and the other the Chhandwani scale, as they called it. Now, why were they asked for to be revised? Because they considered that the pay or salary was not sufficient in comparison with the work they were doing—and that is what is being done by the Government, they are scrutinizing these and they are considering whether to give them some rise in that direction. Therefore, it cannot be said that if to some extent it was revised and some help was given to them, it was wrong; as my Honourable friend, Mr. Joshi, said, their standard of living has to be improved and that is done in the case of everybody. As he pointed out, if there is anything being done in order not to accept the report, that will be, on the contrary, bringing down their standard of living. In that case, I submit, the question of scales should not arise here. Besides, the Committee knew that there were other scales also and all these matters were put before them and having considered them, they came to this conclusion.

Now, Sir, the report recommends that dearness allowance should be given only to those who are drawing from Rs. 30 to Rs. 35. I have been saying that this scale of pay is certainly not sufficient to extend help to those who are suffering on account of the dearness. Therefore, it is the duty of the Communications Member to consider this problem from all points of view and see whether this dearness allowance cannot be extended to people drawing up to Rs. 60 a month. In that case, a question of economy will arise. That question, I think, should be left to the Government to solve. We are accustomed to receive the reply from the Government even when a case has been made out for some expenditure that now it is a question of economy. They generally say that they have not got much money and therefore they cannot incur that expenditure. I do not think such a thought would enter into the mind of the Honourable the Railway Member in this case especially when there is so much surplus with him. Therefore, I submit that the report has not definitely stated that this dearness allowance should be given only to those who are drawing Rs. 30 or Rs. 35 and therefore the question of extending this allowance also to those who are drawing a salary of Rs. 60 or Rs. 65 should also be considered. I believe the report was made at a time when the increase

in the revenues of the railways was not known to the Judges. Had they known that there would be such a surplus, I believe they would have had no hesitation in recommending that the allowance should be given to persons who are drawing a salary up to Rs. 60.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time-limit already.

Mr. Lalchand Navalrai: May I request you, Sir, to give me one or two minutes more as you have given to others.

Mr. President (The Honourable Sir Abdur Rahim): Very well.

Mr. Lalchand Navalrai: Thank you, Sir.

Now, Sir, I come to the question that this report should be considered and disposed of very early. This matter has already taken a long time and the employees are getting restless. If the employees feel that their grievances are reasonable and they deserve relief and then delays are made, naturally they look upon such an attitude as unfair. They get very much exercised over it and, as we have now been hearing, matters have come to such a pass that they had a meeting in Bombay and they are now proposing to have some strikes. I think, therefore, it would be wise on the part of the Railway Member to give his own opinion at once. In doing this there should be no difficulty. The report has now been discussed on the floor of the House and therefore it should be disposed of as early as possible. I would again urge upon the Communications Member that he should try his best to see that the relief is extended up to the pay of Rs. 60 otherwise there will be trouble again over this dearness allowance. I hope the Honourable Member will accept the evidence which has been judicially found out to be the evidence on which the report is based.

Sir F. E. James (Madras: European): Sir, before the Honourable the Communications Member intervenes, I should like to emphasise two points that have been made. But before doing so, perhaps I may say a word about my Honourable friend, Mr. Lalchand Navalrai, who was instigated by his Leader to throw a direct challenge to us whether or not we accept the recommendations of the report. That is an entirely irrelevant question and directed to the wrong quarter. We are not responsible for this report and we are not responsible for the administration of the railways. If my Honourable friend wanted to get a Yes or No, he should have asked the Communications Member.

Mr. M. S. Aney: He has already got the reply from what the Honourable Member has been saying.

Sir F. E. James: There are some questions on which you cannot give a direct reply by saying Yes or No. Suppose I ask Mr. Lalchand Navalrai if he has stopped beating his wife? If he says, Yes, he admits that he has done so; and if he says No, then his guilt is proved. But that is not meant seriously. The points are these: First of all, there is the question of the Bombay figures. The report recommends that the Central Government should make an inquiry into the basis on which these figures are

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calculated. I should like to ask the Honourable Member whether Government have made up their minds as to whether they are going to conduct such an inquiry and what machinery they are going to use. I would like to take the opportunity of emphasising the importance of statistics in these matters. I know that in South India we had the greatest difficulty in regard to the calculation of dearness allowances in various areas on account of the lack of adequate figures for cost of living in certain districts and on account of the faulty method of preparing such statistics as were available. I am sorry the Honourable Member for Industries is not here, but there were rumours that legislation was projected dealing with the matter of statistics and giving Governments both at the Centre and in the Provinces, certain powers with regard to these matters. I would stress the vital importance of adequate statistics in dealing with matters of this complexity.

The second point I wish to make is this. My Honourable friend, Mr. Miller, has recommended that there should be a panel in existence from which persons may be chosen for membership of these Courts of Enquiries. I hope my Honourable friend, the Communications Member, will not shelter behind the provision of the Trade Disputes Act dealing with Courts of Enquiries. That provision lays down that such a court shall consist of an independent Chairman and such other independent persons as the appointing authority thinks fit. That is quite true. 'Independent' there does not mean independence of any direct knowledge of labour or industrial problems. I am not saying a word about the personnel of the court; but may I suggest that the practice which is followed in the United Kingdom should be looked into when Government deal with this matter. For there, there is a panel in existence of persons with direct knowledge of industry and labour from which the personnel of a Court of Enquiry or similar body is drawn. Therefore, I hope that on these two points, the Honourable Member for Communications will be able to give us some definite information.

The Honourable Sir Andrew Olow (Member for Railways and Communications): Sir, I have listened with interest to the thoughtful criticisms on the report made by the first two speakers. I include Mr. Joshi amongst its critics because although he has not, like Mr. Miller, indicated where he thought the views in the report were open to question, on the strength of an undercurrent which he detected but which I have failed to find, he obviously thought their finding was wrong. He went on, however, to say that Government must accept the views of the Court and apparently of all Courts of this type because they appointed them and because the Court consisted, as it certainly did consist on this occasion, of experienced men who brought great care to their task. That was rather an astonishing proposition when at an earlier stage in his speech he did recognise that the Court, for reasons which I would not question for a moment, did not take into consideration certain factors which were reserved for Government to consider. I refer in particular to the factor of expenditure. The capacity to pay is obviously a very relevant matter in a question of this kind and one which cannot be considered by looking at railways in isolation. There is another factor alluded to by Mr. Chapman-Mortimer when he referred to the danger that certain sheltered trades would build up a standard which was out of consonance

with that prevailing outside the artificial shelter. That was not a point that was raised before the Court, but I think they would almost certainly have ruled it as outside the terms of reference and rightly so if it had been raised.

There are, in other words, considerations which Government must take into account in dealing with a report of this kind, considerations which the Court has regarded as outside its purview, but which it would recognise are completely relevant to the final decision. Surely, it is a little extraordinary to urge in one breath that Government should stand by everything that the Court of Enquiry says, when Mr. Lalchand Navalrai and Mr. Joshi say at the same time that the workmen need not stand by them. Their argument is the Court has found that nothing should be given to those getting above Rs. 85, but we do not agree with that view nor should you. They cannot have it both ways. If reports of this kind are to be sacrosanct, that their recommendations cannot be varied, they must be sacrosanct for both parties.

Mr. Lalchand Navalrai: Not necessarily, we believe the evidence.

The Honourable Sir Andrew Olow: But, unfortunately, there is no means available of enforcing the views of a Court of this kind on a large body of workmen who feel that they are mistaken.

Reference has been made by most of the speakers to the scantiness of evidence. Mr. Miller, in particular, pointed that out and I do not think that Mr. Lalchand Navalrai, in stating if one good witness comes forward that is a sufficient basis, was on very strong grounds. I recognise that in civil courts if you have evidence, however scanty, on one side, which appears to be uncontroverted, the Court has often no option but to accept that on the ground that rebutting evidence has not been produced. But I do not share Mr. Lalchand Navalrai's love of civil court methods and practice in dealing with a big question of this kind. It is a question not merely of economics but of human relationships. I will concede that for that scantiness of evidence, we are perhaps in some degree to blame and we contemplate now taking steps to remedy the defects which the Court held. It is clear that they were hampered by the fact that over large areas of the line on which they conducted their investigations there was practically no evidence as regards movements in the cost of living. We contemplate setting up machinery of a more or less permanent character which will include persons who are experts in economic and statistical investigation.

I have myself felt that that is the sound method of laying a foundation for the future and I think it is a sounder method than having panels of Chairman who can conduct *ad hoc* investigations. These gentlemen, however eminent they may be, who are drawn away from other avocations from time to time to make investigations which have necessarily to be conducted fairly speedily and without all the examination of the background which they themselves would like, are handicapped; and while Courts of Enquiry serve a useful purpose in certain circumstances, I feel the House will agree that they are not the ideal method of reaching solutions on questions of this kind. I recognise that my Honourable friend, Sir Frederick James, was speaking with probably other forms of industrial dispute in view, particularly as he referred to industrial courts and

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other machinery in England, but that is a matter for my Honourable Colleague, the Labour Member, because of course the appointment of Courts of Enquiry is primarily the concern of the Labour Department and not of the Department which I represent.

I wish that I were in a position to tell the House exactly where we stand in respect of this particular issue, but I think it would be unwise for me to do so, but I would tell them as far as I can what stage we have reached. We have been in consultation and in correspondence with the All-India Federation on the subject and we are at the moment awaiting some views from them. Discussions have been proceeding not exactly on the basis of the report and that, I think, will indicate to Honourable Members that it does not necessarily involve the endorsement of everything in the report. But I do not think it would be fitting for me at this stage when the negotiations are incomplete to give to the House any indication of our actual views on the conclusions reached by Mr. Justice Rau and his Colleagues. I feel sure that the European Group will be the first to recognise that if you can reach a solution by the methods of industrial negotiation that forms a sounder basis than a report on academic and economic lines whatever your views may be on the findings they have reached. We shall endeavour to keep the Standing Finance Committee in touch with any important changes in the situation and I ask the House to defer their conclusions on any decisions we may have reached to a later date.

Mr. M. S. Aney: Sir, may I ask one question? It may not be that the exact basis that is given here may have been accepted by Government, but is the trend of negotiations with a view to find out what would be the proper increase in certain cases?

The Honourable Sir Andrew Clow: I think the Honourable Member is entitled to draw whatever inferences will follow from the fact that we did make a provisional budget for war allowances.

Mr. O. O. Miller: Sir, I ask for leave of the House to withdraw this motion.

The motion was, by leave of the Assembly, withdrawn.

Policy of Selection for Certain Posts as obtains in Railway Administrations and Railway Board with Particular Reference to Medical Appointments.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I move!

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The object of this motion, as is clear from the agenda, is to discuss the policy of selection for certain posts as obtains in Railway Administrations and Railway Board with particular reference to medical appointments. Grave injustice is at times perpetrated on loyal and qualified employees, subordinates as well as officials, by higher authorities, not excluding the Railway Board. This is particularly in evidence when these promotions come under the category of selection posts. I do not mean

to suggest for a moment that there should be no selection at all. There may be a certain particularly senior man who has not the initiative or the qualities to satisfy a selection for a higher post; but in such cases the discovery of the lack of these qualifications on the part of the senior man concerned cannot be said to have arisen overnight. It must be possible for every fair-minded selection committee or officers who make such report to inform this man what he lacks so that he may improve himself and better his chances at any further selection. The object of this provision is to enable the defective senior hand to work out any defect; but by adopting this procedure of selection you will do him a service and will improve the efficiency of the administration as also of the subordinate. But this provision is honoured more in the breach than in the observance. The result is that the aggrieved subordinates make frequent appeals, and the outcome of that is that they earn the displeasure of their official.

Now, Sir, I do not claim that any official is infallible, but I do state, without fear of contradiction, that one of the very important matters that railway officials observe is to keep up their *izzat* or official prestige. In all railway matters, I may explain, there are three sides to the picture; that is, the official side, the subordinate side and the right side. In selection posts it is the same thing; and in what I am going to say I do not want to paint the lily whiter or to make the coffin look blacker. But I do hope that if in making these observations I do perchance mention a name I shall not be adding one more nail in that coffin, and I want the Honourable Member to see that that is not done. Let me first take the case of a subordinate, a well known instance on the East Indian Railway, of a subordinate who had acted as a Traffic Inspector for years. He was even sent to the Traffic Training School at Chandausi and did excellent service there. But when a vacancy occurred he was considered unfit to officiate as a lower gazetted officer. It so happened that the Chief Operating Superintendent at that time, now happily not there, got very displeased with him over a certain incident that happened, may be in shikar or somewhere else, and he entered something in his record of service to his detriment and then left the railway. That record has damned him for the rest of his life and today every successor in that post of Chief Operating Superintendent reads that and the man is still considered as unfit. That man was considered unfit even by an officer who a short while previously had testified to his efficiency. Therein comes this official *izzat* and prestige. This is not a case that I am making out; it is a case that the Railway Board can easily ascertain. This man has not only been refused his position as Traffic Inspector; he has been degraded further. The poignancy of the situation comes here. When his name was put up for selection as Traffic Inspector, which he had held for years before with credit, he was outclassed and considered unfit. Thus the man because he was pronounced in peculiar circumstances as unqualified,—wrongly, I submit,—is now unfit for an Inspector's post; and no reason has been given to this man despite his frequent appeals and no defect has been pointed out to him. And even today the man does not know why he was disqualified.

Now, from the subordinate we go to the official grades. In the cases I have in mind,—I am sorry to make this distinction,—the senior officer

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concerned who was passed over was a Muhammadan, Hindu or an Anglo-Indian, and the junior who was preferred was an Englishman. I am not saying this with any desire to make an invidious distinction but that is a fact which is undeniable. The usual procedure in these cases has been to appoint a junior officer in an officiating capacity or vacancy, of course by selection, and then if a protest is made it is explained away verbally; and when the senior man submits a memorial to the Governor General, the reply given is that for appointment to officiating posts on any particular railway, seniority in the general cadre in the State Railway establishment is not given much weight, and that when the vacancy is permanently filled this consideration would arise. I refrain from indulging in any details; but I am familiar with a particular case which came recently to my notice—by recently I mean within a year. That officer is still occupying a very high appointment on the railway. But I should like that the Railway Member will place on the table the pile of demi-official correspondence that passed between him and the Agent concerned, whether that man is kept out of a job. They will not do it and they cannot do it. I will not talk any more about that.

I have not quoted, as I say, the exact words of the Government's decision in all these cases which have occurred, but there is no doubt that Government do resort to this method of doing these things. I submit, it should not be necessary for an officer to submit any protest when he has been superseded. I claim the privilege of knowing very many railway officials whom I count as my friends and who have the highest sense of honour, and I say that if a particular official, though senior in service, felt that he had not any reasonable claim for promotion, he would not himself protest against such supersession. Indeed in two cases I have in mind the Government of India rectified the error as a result of the protest submitted, which only goes to substantiate my statement.

I would like to know how selection is made. How is the selection made? The procedure is interesting. Sometimes it is by seniority of service; sometimes accumulation of war service is put on record and his record as a war officer is added on to the civilian record; at times, it is grade of salary; at other times it is other qualifications. Sometimes it is the blue-eyed, curly-headed, flaxen-hair lad who is your man. How is this selection made? When a vacancy occurs, for instance, in the post of Chief Medical Officer on one of the State Railways, is a Selection Board formed for the purpose? If so, who constitutes this Board? Being a professional appointment, is a professional expert, uninfluenced by railway interests, invited to serve on that Board to decide from the professional point of view as to the man's suitability and the ability of the candidate who appear for selection? What are the materials that are placed before the Board in respect of each candidate who may come from different corners of the country, say, for one appointment? If it is done by a process of elimination from a list of all eligible candidates, what are the standards prescribed for such elimination? Are the reasons for such elimination communicated to the persons concerned so as to enable them to improve themselves in those respects in which they are said to be deficient? Considering the fact that for such posts of heads of departments in various railways persons are selected from a combined list of State Railway officers, are there any standards prescribed by the Railway Board to guide

General Managers in recommending the various candidates? I know, for instance, in some cases seniority in service is taken as the main consideration for recommendation. In others, the salary of the officials concerned is taken into consideration, and on this ground a person who happened to join the Railway earlier than the generous revision in salary which took place in 1921 may appear junior to another who joined later. Others still are selected on the basis of the higher qualification of the individual concerned and efficiency in the districts. For the post of Chief Medical Officer of a State Railway, I know, for instance, that every District Medical Officer of the State Railway Medical Cadre is eligible to be considered for promotion, provided he holds the D. P. H. degree. If, therefore, a senior and well reported District Medical Officer, holding the D. P. H. degree, who has not had a blot against him, is overlooked, there must be a definite reason why a junior man was preferred even for an officiating appointment. But, strangely enough, in a recent case the Government stated that they did not see any reason why the senior man should be preferred to the junior man. I would say, he should be preferred, firstly, because he is senior, secondly, because he has higher qualifications than the others, thirdly, because he possesses the D. P. H. degree even though it be an Indian degree, fourthly, because he has not had any hint that he was anything but an efficient officer from both the administrative and the professional standpoints, and lastly, because he was not told that any other qualification was needed of him to qualify him for the post of Chief Medical Officer which is his reward for his loyal and efficient service.

In conclusion, I am not attempting to influence this House to decide any particular case, but my object is to show that by this method of selection grave injustice is committed to the detriment of the interests of the officers affected, as also of the administration concerned. Such officers and subordinates become dissatisfied, whereas if they were informed of the actual defect in their work then and there, they would have no cause for complaint. In view of the fact that there is a rule to the effect that all adverse confidentialials should be communicated to the official or subordinate concerned, when one is superseded for no substantial reason, one feels that he has been unjustly dealt with either on account of prejudice against himself or as a result of favouritism or nepotism.

Sir, I have no nephew whose case I am trying to bolster up. When the case of an official is brought up, the Railway Board rejects it: in the case of the medical officer I have referred to, whose name is presented and highly recommended by the Agent, what does that Agent know about that medical officer? He knows about his Transportation Officer: the Chief Mechanical Engineer knows about his engineering staff; the Electrical Engineer knows about his electrical staff; but what do all these know about a doctor? Sweet all. Yet his name is sent up. Suppose there are three names sent up by the Agents to the Railway Board. What does the Railway Board know about it?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Lieut.-Colonel Sir Henry Gidney: It knows nothing. The result is that junior men have been selected for no reasons, and that is where the

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selection falls, and that is where the flood gates of nepotism are opened, and it creeps in and it creeps in to such an extent as to make the selection a farce.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The Honourable Sir Andrew Clow: Sir, in much of the speech of my Honourable friend, Sir Henry Gidney, he was talking in parables which were obscure even to me. In only one case was I able to follow him because he was clearly alluding to a case which has received my personal consideration. I am, therefore, at a loss in dealing with the general question of selection. He appeared to be alluding in the first instance to the case of a subordinate of which I had never heard until this morning and with which I am entirely unfamiliar.....

Lieut.-Colonel Sir Henry Gidney: I gave your deputy the name yesterday.

The Honourable Sir Andrew Clow: As I say, I did not hear it till this morning and I am entirely unfamiliar with the case. But my experience now runs over some time and it does not bear out his suggestion that a single unfavourable remark in an officer's character roll either debars him from promotion or results later in his degradation as was suggested in this case. So far from officers tending to accept blindly the views of their predecessors, I think it is rather a human failing to believe that one is a little wiser than one's predecessor and to feel that if one's predecessor has passed over or treated severely a particular man, one should bring an independent judgment to the case with perhaps a little bias in favour of the man who has been, as one is apt to suspect, rather unfairly treated.....

Mr. Lalchand Navalrai: Are you reading your own mind?

The Honourable Sir Andrew Clow: I think it is a very general human failing. I do not think I am the only one who suffers from that weakness.

Actually I think the cases in which we proceed by seniority and the cases in which we proceed by selection are fairly well demarcated and known to most railway officials. The complaint I have generally heard has not been that there is any dubiety on that point, but that methods of calculating seniority are apt to vary. As Sir Henry Gidney recognised, the combination, for example, in one Railway of officers who began under a Company and officers who began under the State, or the combination of officers drawing one scale of pay with officers drawing a different scale of pay for the same type of work, does raise difficulties in assigning seniority, but the ordinary rules are quite simple. Where we proceed to promote by seniority the senior man, if he is competent to fill the higher post, is promoted, even though there may be better men below him. If he is not promoted, then it is definitely supersession and he in a position to make a representation on that point. Where, however, we promote by selection,—and this

applies particularly to higher posts such as that of the head of a department, to which Sir Henry Gidney referred, we do not regard seniority normally, except where there is otherwise difficulty in deciding between the merits of the officers. It follows, therefore, that an officer who is not selected for a post of that nature is not superseded in the same sense as an officer who has failed to rise out of a grade from which promotion is by seniority. It does not mean even that he is unfit for the higher post. It does not even mean that it is any blot on his scutcheon; it does not necessarily mean that he has committed any faults in his career. He may be entirely fit and competent for the higher post, but you may select another man because you regard him as the better official in the circumstances. I think there is a common delusion among officers that if, when they are senior to their fellows they are not selected, they have been found unfit in their existing post, or the selecting authority is satisfied that they are incompetent to go higher. It is not a fair deduction. It is true in some cases; it is untrue in others. I have known quite a number of cases where a junior officer got a post and where later, on another vacancy occurring, his senior who had failed to obtain the post on the first occasion got the post on the second occasion, so that there was no question of his having been regarded as unfit to hold it.

Then, Sir Henry Gidney referred to the special case of a particular medical officer which is well-known to me, as I think I have studied all the papers on the case and brought the best judgment I could to bear upon it. He said—what do other officers know of the qualifications of a medical officer to hold a certain appointment? Well, I admit their knowledge is not complete, but it does go a very long way indeed. I think there is hardly a person in this House who would not be able to say whether a particular doctor had treated him better than another doctor or whether he had more confidence in this man than in the other. I am not sure that patients would not be able to judge of a doctor's qualifications better than the College of Surgeons. But when you are dealing with an appointment like that of a Chief Medical Officer, it has to be remembered that you are dealing with an appointment which is not merely medical, you are dealing with an appointment which is administrative.

Lieut.-Colonel Sir Henry Gidney: You mean medically administrative?

The Honourable Sir Andrew Olow: If I followed to its logical conclusion Sir Henry Gidney's dictum, it would obviously be impossible for any General Manager to make selections which in any way differed from the heads of the technical departments. It would be quite incompetent, if he was an engineer, to say I want this or that man as Traffic Superintendent; he would have to sign on the dotted line below the view of any traffic officers there happened to be in his railway. It would be completely incompetent for me, for example, to select any officer for an appointment on the Railway Board as all the officers there possess technical qualifications and are drawn from the specialised branches of the service.

Lieut.-Colonel Sir Henry Gidney: You are advised by your technical experts.

The Honourable Sir Andrew Olow: Yes, and I can assure my friend that in this case too I did not come to the conclusion I did when this

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officer's case came before me without advice from the medical side. Obviously, it is not for me to disclose that advice, but I can assure him that the conclusions which we reached were based both on medical advice and advice from administrative officers who were familiar with the merits of the man. We simply cannot in cases like this exclude officers who may not be doctors from coming to conclusions as to the suitability of a particular officer for a high administrative appointment. In the medical sphere or in any other sphere, you have got to form judgment based on the facts before you. You will be guided by the merits of the officers through records; you will be guided by reports on their personality, on their energy and of their administrative capacity; you will be guided by reports of their respective medical qualifications and by the views of those best acquainted with their capabilities and best able to form a judgment as to how they will serve in the rather difficult duties which are involved in a high administrative post. I can only say that in the case on which Sir Henry Gidney laid stress, I am satisfied to the best of my belief and ability that the choice made was the best we could make.

Lieut.-Colonel Sir Henry Gidney: May I ask the Honourable Member. in view of what he has said, whether in such matters of selecting professional men, he would be prepared to place such cases before the Public Service Commission? That would certainly be one way of getting a really good, unbiassed and scientific opinion.

The Honourable Sir Andrew Clow: No, Sir, I am not prepared to submit such things to the Public Service Commission, and I am sure that the Honourable Member did not mean to imply that while the Public Service Commission is unbiassed, I am biassed.....

Lieut.-Colonel Sir Henry Gidney: I did not mean that you are biassed.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member wish me to put this motion to the vote?

Lieut.-Colonel Sir Henry Gidney: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the demand under the head 'Railway Board' be reduced by Rs. 100." The motion was negatived.

Lieut.-Colonel Sir Henry Gidney: I have got one more motion, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Which one is that?

Lieut.-Colonel Sir Henry Gidney: No. 30.

Mr. President (The Honourable Sir Abdur Rahim): It is time allotted to European Group. If the European Group really mean that he is speaking on their behalf, then the Chair will allow him. The Chair wants to know if the European Group want this motion to be moved, No. 30?

Mr. L. O. Buss: No, Sir, not on behalf of the Group.

Mr. President (The Honourable Sir Abdur Rahim): Then,.....

Lieut.-Colonel Sir Henry Gidney: If that is so, I would like to know whether I should sit in this seat or leave it and the Group.

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not know what the Honourable Member means. The time is allotted to the European Group. If the European Group want this motion to be moved, No. 30, or any other motion, they are entitled to do so, and not otherwise.

Lieut.-Colonel Sir Henry Gidney: I am very sorry to stress my views again, I apologise; but will the Leader of the Group definitely say whether he has any objection to my moving it?

Mr. L. O. Buss: We have no objection to this motion being moved, but it will not be moved on behalf of the Group.

Mr. President (The Honourable Sir Abdur Rahim): That is the point; otherwise the rest of the time goes to the unattached Members.....

Mr. N. M. Joshi: May I suggest, Sir, that we adjourn now and meet after lunch?

Mr. President (The Honourable Sir Abdur Rahim): If that is the desire of the House, The Chair will do so.

Some Honourable Members: Yes, yes.

Sir F. E. James: Sir, it has in the past been the practice, which has been accepted by you on previous occasions, for the European Group, when it has not exhausted its time, to be willing, with your consent, and with the consent of the other Members of the House, for any part of the time which is remaining, to be taken up by Sir Henry Gidney who sits with us for the discussion of his grievances.....

Mr. President (The Honourable Sir Abdur Rahim): Yes, that is exactly what the Chair wants. If the European Group desire that this should be moved by Sir Henry Gidney as a Member of the European Group, that is another matter.

Sir F. E. James: That is the position, Sir, but it is not to be understood that this is a Group motion. That is the point.

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not know the difference.

Lieut.-Colonel Sir Henry Gidney: Sir, I know of one member who once moved a motion on which the European Group had not agreed.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will see that all these motions stand in his name alone and not

[Mr. President.]

on behalf of any members of the Group. But if the European Group allows him to move them as a member of that Group, that is another matter.

Lieut.-Colonel Sir Henry Gidney: That is the position.

Mr. President (The Honourable Sir Abdur Rahim): What is the position?

Mr. L. C. Buss: I am not quite clear as to where this discussion is leading, but we certainly have no objection to Sir Henry Gidney moving this motion as a Member of the Group.

Mr. President (The Honourable Sir Abdur Rahim): All right then.

Lieut.-Colonel Sir Henry Gidney: I won't be very long.

Mr. President (The Honourable Sir Abdur Rahim): There is not much use moving unless the Honourable Member allows the Member in charge time to enable him to reply.

Mr. M. S. Aney: He does not want a reply. He only wants to ventilate his grievance.

The Control of the Railway Board and Communications Member over Company-managed Railways with Special Reference to the South Indian Railway.

Lieut.-Colonel Sir Henry Gidney: Mr. National Congress, speak for yourself! The next motion I shall move is No. 30. I beg to move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

My Honourable friend is very familiar with the case, because I have already discussed this in *extenso*. The details of this case are well known to the Honourable the Communications Member. The Communications Member, in his reply to the general discussion, said that he could not interfere with a Company-managed railway. As all the details are known to him, there is no necessity for me to repeat them, but I wish to give the Honourable Member an opportunity to tell me and to other Honourable Members of this House whether, in fact, he means, as the representative of the Government of India and as the Government of India's representative of the Secretary of State, he has no power to interfere in the administration of a Company-managed railway when there is such a serious dereliction of duty as to endanger the safety of the public, which, after all, is the concern of the Member in charge? Here is an instance in which a man has been appointed who is absolutely unqualified from the medical point of view to occupy this post. It is not the Railway, it is not the Agent, it is not the Home Board, it is not the Chief Medical Officer and the Railway Board that have given opinions in support of him. Despite this, a medical man who is a misfit as a District Medical Officer has now been pronounced as fit to be the Chief Medical Officer. I do not want to prolong the point. I just want a reply from the Honourable Member whether he agrees with this, or whether he is prepared to take action, and I know some members of the

Group too agree with me in this most extraordinary case of gross injustice to a Britisher—not an Anglo-Indian, mind you, but a Britisher,—who, because he took the right action, because he exposed the railway, has been dismissed. We are given the vote, we are denied the voice. Here is a British officer who is a senior member thrown into the streets unemployed, simply because he exposed the conspiracy on the part of the Home Board to appoint a man who would never be accepted on any State Railway. If the Honourable Member will tell me that he would accept a man like that as the Chief Medical Officer of a State Railway, I will sit down and say no other word. But when you have a Board, 7,000 miles away, disregarding all the elements of justice and qualification, and appointing a misfit to this post, it is high time that the Government of India took some notice. Indeed, if I had power here and I had those benches full, I should have asked the House to move a Resolution to terminate the contract of the South Indian Railway. That is the only punishment which you can inflict on a railway which so unfairly and so shame-facedly goes against the rules which must govern the administration of every railway.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

“That the demand under the head ‘Railway Board’ be reduced by Rs. 100.”

The Honourable Sir Andrew Olow: I am sorry that my Honourable friend, Sir Henry Gidney, has felt obliged to raise this case again. He is fully familiar with the facts and I think I know most of them, and I believe they are familiar to most Members of the House. He has put to me some questions which I can only describe as hypothetical. He asked me if I was prepared to take action in a case where the safety of the public was in danger. That is a hypothetical case. I must make it quite clear that, in my opinion, that issue does not arise at all in the present case.

Regarding the merits of an appointment there can be two opinions. I can only say, having, in this case also, taken high medical advice, I am advised that it is not correct to say that the man is unqualified for the post he holds. That being the case, there is no ground for any interference nor would I be entitled to interfere in any way. Sir Henry Gidney suggested that the remedy lay in cancelling the contract. As I have indicated, I am not prepared to accept his view of the facts, and even if I were, such a resolution as he suggests, would, I would gently suggest to him, be rather a futile procedure.

Lieut.-Colonel Sir Henry Gidney: May be.

The Honourable Sir Andrew Olow: The Company has done nothing which would justify cancellation of their contract.

Lieut.-Colonel Sir Henry Gidney: Yet you demand, D.P.H. qualification for every one of your men!

The Honourable Sir Andrew Olow: . . . and no question that would warrant even a consideration of that question has, in my view, arisen.

Lieut.-Colonel Sir Henry Gidney: Then abolish the Railway Board.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was negatived.

Lieut.-Colonel Sir Henry Gidney: The next motion that I move is . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will have to ask again the Leader of the European Group whether it is the wish of the Group that he should move it as a Member of the Group?

Mr. L. C. Buss: We have no objection to this being moved by the Honourable Member as a Member of the European Group.

Mr. President (The Honourable Sir Abdur Rahim): Very well.

Lieut.-Colonel Sir Henry Gidney: I thank you for your ruling on this matter. I shall not forget it.

Mr. President (The Honourable Sir Abdur Rahim): What is the ruling that the Honourable Member is referring to?

Lieut.-Colonel Sir Henry Gidney: That I have taken the permission of my Group to move the other amendments.

Mr. President (The Honourable Sir Abdur Rahim): Yes, the Chair simply wanted to know. There is no question of ruling at all. The Chair simply wanted to know whether the Honourable Member was speaking as a member of the Group or not. The arrangement was that the European Group would take up this morning for its motions.

Policy governing the alteration of date of birth of Railway Employees.

Lieut.-Colonel Sir Henry Gidney: I thought you had already agreed upon that. Now you have asked for an amplification of it. The next motion which I beg to move is No. 31:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

I shall say a few words on this. The Honourable Member and I have discussed this matter, and so the members of the Railway Board.

Sir, the present policy of the Railway Board in regard to the correction of errors in the age as entered in the service register of a railway employee, particularly a subordinate, presumes the infallibility of a human being. In 1934, in reply to a definite question from a Member of the Council of State, the Chief Commissioner of Railways stated:

"If an employee can prove that he is younger than shown in his service sheet, he automatically gets an extension of service."

Then, there was only the question of the kind of proof which could be accepted. But today, however, it appears the Railway Board has changed this policy, although this change of policy seems to affect only subordinates. I cannot understand the reasons which led to this change in policy.

I would like to know why it was found necessary to issue orders which are so directly contrary to the assurance given by a Senior Member of the Government after due consideration of all the issues involved—one no less than Sir Guthrie Russell who had been Chief Commissioner for Railways for years. I submit if assurances given by representatives of the Government can so easily be broken by the Government, this House will be at a very great disadvantage indeed. If it is suggested that the policy was changed because there was misuse of the privilege, I would like to remind the Government that the orders vested the final decision in the Agent; any allegation of that sort will, therefore, amount to a reflection on the Agents concerned. Incidentally, I may say that the Railway Board have declined to supply me with a copy of the order.

Apart from this general review of the position in regard to the policy governing these orders, let me refer to a particular Railway and the adverse manner in which these orders are applied contrary to the letter and spirit of those orders. Although the Railway Board have declined to furnish me with a copy of the order in question,—and let me again express my surprise—I have been privileged to see a copy of the circular which the General Manager of the E. I. Railway issued on the 14th February, 1939, no doubt conveying the revised orders of the Railway Board. On perusing the circular, I could quite understand why the Railway Board declined to send me a copy of their orders. For, whereas the Railway Board stated in reply to my representation that the "age of Railway servants as recorded at the time of their entry into service should not be altered unless it comes to light that the employee has obtained an advantage by a false declaration of his age as recorded, in which case he should be deprived of such advantage, or in the case of illiterate employees, it is proved that a clerical error has been made", the General Manager's circular states that "in the case of staff in the service of the Railway prior to the date of issue of the circular", the policy envisaged by the Chief Commissioner for Railways on the floor of the Council of State still held good. This is as it should be, and unless it is suggested that the General Manager of the East Indian Railway was wrong in issuing this circular, that policy should be observed in letter and in spirit. I am in a quagmire of doubt and uncertainty now—days in regard to the stability of Government policies and orders. They seem to be framed and issued without any thought, and easily revised regardless of the rights and interests of those affected. As I have not yet received any contradiction of these orders issued by the E. I. Railway, I presume they are still effective.

On this presumption, I would like to illustrate how injustices are perpetrated on subordinates by officialdom. A Mr. V. H. Barrett, Station Master, E. I. R., Sahebgunge, had through a genuine error given his date of birth as 15th November, 1885, at the time of his appointment to the Railway in 1911. I may immediately point out that he did not stand to gain nor did he gain any advantage by giving his age as 25 years 11 months, at the time of appointment; nor would he have lost the appointment had he given the correct age of which he came to know just two years ago. The genuineness of the error was also obvious from the fact that although he executed a fresh agreement in 1929, he did not take the opportunity to alter the date of his birth. Again, if Mr. Barrett is alleged to have submitted a false claim, with a view only to getting an extension of service, just a few years before he is about to retire after remaining quiet all these

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years, I would rebut such allegation by again pointing out that (a) he did not stand to gain anything by putting himself down as more aged than he actually was at the time of entering service and (b) he could have submitted the appeal prior to the issue of the revised order in 1939. In 1939, he casually came to know of how he was brought up from a very tender age by his relations, and how by a mere accident he discovered that he was in Hyderabad and baptised in a particular Church. It was then that he wrote for a copy of his baptism certificate which showed him his actual age.

Mr. President (The Honourable Sir Abdur Rahim): It is now Quarter past One.

Lieut.-Colonel Sir Henry Gidney: I shall finish soon. If an application submitted in these circumstances is not entertained in the face of the orders contained in the General Manager's circular of 14th February, 1939, then, with all respect to the authorities, I venture to submit that that circular ought not to have been on official record. It is stated therein, for instance:

"The General Manager in deciding the question of the alteration of the date of birth as recorded in the service agreement, should 'take into consideration the merits of each case'. The circular adds 'Sufficient proof must be produced to establish that the wrong age or date of birth was originally given through a genuine error'."

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot put this motion to the House. There is no time to reply.

Lieut.-Colonel Sir Henry Gidney: I do not want a reply. I am fully convinced that here again it is the *izzat* of the junior official who wrongly turned down the appeal acting for the General Manager that has stood in the way of the General Manager acting on his circular. It was also suggested that Mr. Barrett's appeal was not admitted because the administration feared that there would be many more such appeals. I submit justice should be rendered irrespective of the cost and trouble involved; otherwise, justice loses its high place in man's estimation.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. M. S. Aney, one of the Panel of Chairmen, in the Chair.

Grievances of Railway Workers.

Mr. N. M. Joshi: Mr. Chairman, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sir, before I begin to bring forward the grievances which I want to place before this House today, I would like to say a word to congratulate the Honourable the Communications Member upon his re-asserting the sound principle that promotions in railway service cannot be made on communal or racial grounds. When I state that, it does not mean that if any community, including the Muslim community, has a grievance that

certain employees or certain Muslim employees of the Government of India have not been done justice to, their grievances should not be considered. But I hold that it would be wrong for the Government of India to adopt the principle that promotions within the service should be made on racial or communal grounds. I hope, Sir, that the Muslim Members of this House will admit that it will be not in the interest even of their own community if promotions are going to be made on communal or racial grounds. If they accept the principle that promotions should not be made on racial or communal grounds, I think this House will sympathise with them if they can bring forward cases where Muslim employees were not given justice to in the matter of promotions.

Now, the second point on which I would like to say a word or two is the question of a provident fund for the low-paid employees of Indian Railways. Last year the Honourable the Communications Member was good enough to set apart a certain sum to enable him to make a beginning so as to include low-paid employees in the scheme of the railway provident fund. Sir, I learn that the method by which the Honourable the Communications Member is now implementing his promise of last year is that low-paid employees who have put in sixteen years' service will be brought under the scheme of the provident fund on a voluntary basis. I feel, Sir, in the first place that, as Railways have made large profits and the prosperity of the Railways will continue for some years, the Honourable the Communications Member should have extended his scheme and spent more money upon bringing into the scheme of the railway provident fund the low-paid employees immediately and brought them under the compulsory scheme and not on a voluntary basis. Sir, if the Railways are making profits, I think the claims of the low-paid employees should be considered first. The Honourable the Railway Member has become very solicitous about the general taxpayer; I do not wish to discuss the question whether the general taxpayer should be benefited or not out of the profits of the railway earnings. I myself feel that no one would like that the Railways should make a loss, but in my judgment it is wrong that we should make profits out of a public utility service as it is not a very good method of taxation. I do not wish to discuss that question, but I would like to urge upon the Railway Member that he should bring into the scheme of the Railway Provident Fund all the low-paid employees, and that too on a compulsory basis and not on a voluntary basis. I hope, Sir, he will do that immediately.

Then, Sir, the second point on which I would like to say a word is the question of the employees of the dismantled Railways. We have heard a good deal about the dismantled Railways—why dismantling was necessary I am not discussing that question—but I would like the Railway Member to tell the House how he has been providing for those employees who were serving on the dismantled Railways. I hope, Sir, these employees have not suffered on account of dismantling. Then the other point on which I would like to say a word is the annual report on the working of the Hours of Employment Regulations recently published. In this matter I would like, in the first place, to congratulate the Government of India upon their having adopted one or two suggestions of mine. In the first place, I have been insisting that the Supervisor of Railway Labour should not be under the Railway Board. That Supervisor was, I think, two or three years ago placed under the Labour Department. That was a

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reform. Then I also suggested that the officer who is to supervise the Hours of Work Regulations and the other regulations under the Indian Railways Act should not belong to the railway service. I had suggested that he should belong to the Indian Civil Service. That suggestion of mine has also been now accepted and I congratulate the Government of India upon that fact and even upon the selection which they have made. His report is one which on account of these reforms is a much better report than the report that I used to see before. In any case Mr. Khaleeli, the gentleman in charge, has shown courage to criticize the Railway Administration, as I had expected that an independent officer not belonging to the Railway Department would do. He has suggested certain improvements. He has said that in certain cases the Railway Departments have been very slow in accepting his suggestions. I think this freshness of mind has been very useful. But I would like the Honourable the Communications Member to assure this House that the suggestions made by this officer, who is the Supervisor of Railway Labour as well as the conciliator, will be considered seriously and will be given effect to. After all, the Government of India is a unitary Government and when one Department says that the Railway Administration was slow in accepting the recommendations of the officer in question, it does not do much credit to the Government of India. Secondly, I would like the Railway Board and the Railway Department to tell the House what action they had taken on the report made by the Supervisor of Railway Labour.

Then, Sir, I would like to make a suggestion that a large number of railway employees are still out of the scope of the hours of work Convention and the Convention regarding the weekly rest. I would like the Government of India now to take steps to bring all the railway labour under these regulations. It is true that they had taken the power to apply the Convention only to certain classes of railway employees but they have been doing that now for a number of years. It is more than 20 years since the Convention was passed and it is also many years since the Government of India accepted the responsibility of applying the Convention. It is now time that they should regulate the hours of work for all railway employees and not only of certain sections of the railway employees. Similarly, they should give all railway employees the benefit of 24 hours weekly rest. After all, a day of rest in a week is not a very big concession. If the Honourable Member himself does not get a day's rest in the week, I am quite sure he will himself feel the necessity for it. As a matter of fact, even in the case of those employees to whom the weekly rest day convention applies, the number who get the benefit is extremely small. On page 9 of the report we find that less than 30 per cent. of the employees to whom the regulations apply get the benefit of the weekly rest day convention. The highest percentage is 28. I think it is time the Government of India took steps to improve this situation. Then, I would like to make one suggestion to the Honourable Member in charge of the Department of labour. The officer who is at present in charge of these questions seems to be a competent officer and in my judgment, if I may say so, he has done his work well. But I would like the Honourable the Labour Member to appoint a very senior officer to this post when the next opportunity comes. After all, if you want the officer to carry weight with the General Managers of Indian Railways, he must be a senior officer. It does not mean at all that Mr. Khaleeli is not doing his

work well and has not done his work well. I think he has done his work very well and I congratulate the Honourable Member in charge of the Department for the appointment he has made. But a junior officer has his difficulties and I would, therefore, suggest that for this post a very senior officer should be appointed.

Then, Sir, there are some grievances of the railway employees to which I would now turn attention. Yesterday, I am told, my friend, Mr. Lalchand Navalrai, placed before the House the grievances of guards of First and Second grades, that the number of the Fourth grade was abolished and the number of the Third grade guards is also reduced.

Mr. Chairman (Mr. M. S. Aney): That question was discussed yesterday.

Mr. N. M. Joshi: I am not discussing that question now at all but I would simply request the Honourable Member to take the suggestion of my friend, Mr. Lalchand Navalrai, into serious consideration and remove the grievances. Last year I had placed before the Communications Member the grievances of some of the firemen of the North Western Railway. They are not being promoted and, although they are literate and some of them are educated up to the Matriculation standard, still they do not get adequate promotion. Their grievance is that men are taken from outside and those who are already in service do not, therefore, get sufficient chance.

Mr. Chairman (Mr. M. S. Aney): The Honourable Member's time is up.

Mr. N. M. Joshi: Well, Sir, there is only a minute which I would take and would like to finish my remarks very soon.

Then, there are some grievances of A and B grade firemen in the Jhansi division. They have got a number of grievances and I shall not place all of them before the House. I would suggest to the Honourable the Railway Member to take their grievances into consideration. One of their grievances is that A and B grade firemen are asked to work temporarily as drivers without any promotion. Some of these firemen have been working as temporary drivers for a number of years. Some of them are temporary drivers for six years and on account of that fact they are placed in a disadvantage. Their promotions are held up. They also complain that they do not get more than eight hours' rest at what are called home stations. I would like the Railway Member to look into the grievances of these firemen and drivers in the Jhansi division.

Then, Sir, I will mention only one more grievance and that comes from the typists on the Great Indian Peninsula Railway. These typists belong to the same class as the clerks, but the clerks are given better scales of pay than these typists. The complaint of these typists is that their scale of pay is not adequate and, therefore, they should get a better scale of pay. There are some clerks on the Great Indian Peninsula Railway who were recruited as clerks but were afterwards transferred for the convenience of the administration to typists' jobs. After being transferred to the typists' jobs, which was done for the convenience of the administration, they are being treated as typists, who get less advantageous scales of pay. I would like the Honourable the Railway Member to look into this grievance of the typists on the Great Indian Peninsula Railway. I have nothing more to say except that I hope the Honourable the Communications Member will accept my suggestions.

Mr. Chairman (Mr. M. S. Aney): Cut motion moved :

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. Lalchand Navalrai: Sir, Mr. Joshi, in concluding his speech, said that he had small grievances to refer to, and perhaps he is under the impression that the grievance of the Loco. Running Staff with respect to the firemen is a small one. But I should say that it is not a small grievance at all. Their grievance has remained unredressed for a very long time. I remember that the first gentleman who, along with Mr. Joshi, championed the cause of these firemen was the late Honourable Lala Shamlal of the Congress Party. He pleaded for the redress of these men, but no redress has yet been given. Now, Sir, without taking any further time on this prelude, I would submit that there are four grades of firemen. Grade IV is exclusively reserved for Europeans and Anglo-Indians. Grade III is restricted to literates who are matriculates, grade II is restricted to literates and grade I is open to illiterate labour. So far as grade IV is concerned, I do not see why it should remain the exclusive privilege of Europeans and Anglo-Indians to fill this grade. By this time we do see that Indian drivers also have become very competent, and they have been doing their work very efficiently and driving engines properly and safely. I would, therefore, submit that this grade IV should not remain exclusively for these men and this should be revised. In other words, I submit that these grades require revision, and the position has remained the same for a very long time past with the grievances that have been brought to the notice of the Government from time to time. Therefore, it is high time that these grades are revised, and they are brought to a level where there should be equality and also fairness to all of them.

Now, considering the question of grade III, they are reserved for matriculates who are directly recruited. The Honourable Member knows that even in grade II there are at present some matriculates, and they are exclusively kept in grade II only without any chance of promotion to grade III. There is no provision for taking these matriculates of grade II into grade III, because the latter class is directly recruited, and no promotions are allowed from the lower grade. I cannot understand this. Instead of rotting in grade II, they should also be promoted to grade III. Wherever the Government have found it necessary to have recourse to direct recruitment, they have fixed a ratio for promotion from the lower grade to higher grade and a certain other ratio for direct recruitment. In that manner there is no provision here. At present there are several matriculates who are in grade II and who are not being promoted to grade III. This is a grievance which the grade II people are feeling which should be considered sympathetically. Naturally they feel this keenly, because they have the same qualifications as grade III people.

Now, coming to the question of grade II and grade I, there also grade II firemen have great grievance. Grade II firemen get a pay of eleven annas to fourteen annas a day, whereas, grade I firemen get 8½ annas to 11 annas a day. There is a difference between the allowances they get. But grade I and grade II are joint for the purpose of seniority and promotion. One cannot possibly understand that when the two higher grades—grade III and grade IV—are exclusively reserved for matriculates and Europeans and Anglo-Indians, respectively, there is no reason why the two lower grades, I and II, should remain joint for the purpose of promotion. In view of this, the promotion of grade II firemen to the post of shunter

is impeded by a firemen in grade I because the latter happens to be senior. In grade I, there are several illiterate men and they have entered earlier than those in grade II. By reason of the fact that they have entered earlier, though they are illiterate, yet they get seniority over grade II firemen for getting the post of shunter. This is not fair. This is injustice.

There is another anomaly. A shunter who is promoted from grade II gets 15 annas to Rs. 1-1-0 a day, whereas a shunter who is promoted from grade I gets 13 annas to 15 annas a day. There is a difference in pay also. They say that the list of shunters of both grades of firemen is one. If there is a place of shunter which is to be filled by seniority, it must go to a grade I firemen, because there are many seniors there, as they have joined the service earlier, and when it goes to a grade I man, he gets the place of a shunter, but with the lower pay that has been fixed for shunters in grade I. I see no reason why this should be continued. Grade II firemen, although they get more pay than grade I, do not reach the position of shunters, and they are superseded by grade I firemen. This point also the Honourable Member should consider. This is causing great jealousy amongst them. Why should not this be removed? Their grievances have been recognised long ago. Why should it be that these two grades should remain joint for the purpose of promotion to shunters' grade? Why should it be that they should remain joint for seniority purposes? These grievances also were recognised by the General Managers, and they, therefore, laid down that it should be fifty-fifty. If the grades were not going to be separated and made on the same basis as grades III and IV, then at least this concession should be made that some posts should be exclusively reserved for grade II people, and some others for grade I people. That is the only equitable course. What happened? After only six months, that arrangement also has been done away with. Now, they are left again in the same position in which they are now. I, therefore, submit that there is no reason why they should not get at least fifty-fifty, so that they may feel satisfied, and justice will be done to them.

Then, Sir, I say that we suggest that these illiterate persons should not be allowed to drive trains, especially mail trains. If this suggestion is accepted, there will be safety and also economy. They will see to everything, they will see that the consumption of fuel is lessened. Repairs also will be attended to by them, and there will be punctuality and more efficiency. Sir, I support this motion.

The Honourable Sir Andrew Clow: Sir, I am sorry to have to dis-
 3 P.M. appoint my Honourable friend, Mr. Lalchand Navalrai, but I confess that my mind is completely fogged by his elaborate disquisition on grades, provisions and rules which, I admit frankly, are unknown to me. He gave me no previous notice that he was going to raise this issue and I should have to have an encyclopaedic mind if I could carry in my head the particulars or the reasons for grading or for promotions of various kinds. I shall read the Honourable Member's speech later and try to understand it; but I cannot promise that even with all his eloquence there will be any concessions in that direction. Mr. Joshi added to the points of which he had kindly given me notice some other points at the end of his speech and these also related to various grades. But as the grade began on the North Western Railway and seemed to end on the Jhansi Division, I confess I was equally confused in his case because the

[Sir Andrew Clow.]

Jhansi Division is on the Great Indian Peninsula Railway. If he was alluding to posts of men regularly officiating as drivers who had not been made permanent, I think I am correct in saying that some time ago the North Western Railway gave sanction to the creation of a number of additional posts.

Now, Sir, I come to matters of more general policy which Mr. Joshi raised. He followed his usual technique of putting down a rather general subject under which one can introduce at least a hundred subjects at one time. But one of them was of importance and that was the question of the Provident Fund. His argument was that the railways are now making large profits and he added with a bland optimism that they will continue to do so for some time. Well, the railways may be making substantial profits but they are not getting away with those profits. There is a railway convention and a debt to the general taxpayer that do not leave us very much to play about with. And it has got to be remembered that if you give any concessions on the Provident Fund these may last more than the lifetime of any one here because they will be given to men who may give 30 years' service and to men entering after that. So that you cannot on the strength of profits earned in an exceptional time like this make concessions that may prove embarrassing many years hence. You have got to take a long-term view in extending concessions of this kind.

His second plea was to apply compulsion in the matter. If we were prepared to extend the Provident Fund to everybody there might be some ground for doing that, but not a very strong ground, I suggest, at a time when we are told that our employees are being compelled to reduce their standard of living or find great difficulty in even maintaining the standard they previously enjoyed. But apparently the intention is that I should both provide the Government contribution from one pocket and then put my hand into another pocket and by means of an extra allowance enable the employee to pay his contribution too. Obviously if we have got to limit the concessions we give, it is better to make it voluntary in order that those men who, either because their needs are greater or because they find themselves in a better position to spare the money, could take advantage of the concession. I think this represents a concession of about eight per cent. on a man's pay, so that the House will realise that it is something pretty substantial.

He then alluded to the dismantled railway lines and raised the question of what would happen to the staff employed on them. We have issued instructions that these should, as far as possible, be absorbed. So long as men are willing to move elsewhere in railway employment, and that will not be true of everybody, I do not think there will be the slightest difficulty in absorbing the staff. The total length of lines we have dismantled or have given orders for dismantling is now somewhere about 240 miles, all single line and mostly serving parts of the country where traffic is poor and where the staff naturally is not extensive; and I do not think that any administration should have difficulty in providing for these men elsewhere.

Then he referred to the report on the hours of employment regulations in a speech directed, I gather, quite as much to my Honourable colleague on my right as to myself. I should like to make it clear that while we

have a member of my own service in the post just now it has never been accepted as a principle that it should be filled from outside the railways. There are obviously advantages both ways and even the most capable officer who has no previous railway experience goes with a considerable handicap to a very technical post of that kind. My Honourable friend, Mr. Joshi, said he was glad to find that the officer was not lacking in freshness or independence of mind. But I am sure he will concede that the railway officer who filled the post before him was lacking in neither of those qualities and was largely responsible for building up the system which Mr. Khaleeli is administering. He gave a very strange interpretation, however, of the table on page 9 of the report from which he drew the conclusion that only a small percentage of the staff covered by the regulations, 20 or 30 per cent were enjoying 24 hours' consecutive rest. The fact is that the 24 hours' consecutive rest is the minimum which the Convention requires; and if he will look at the other columns of the table he will find that they give percentages there of the staff who enjoy a calendar day's rest, 24 hours or more. These figures are very much larger and so far as I can see the two columns added up come to exactly or approximately 100 per cent. What the railways have done is in the case of the majority of the staff to go beyond the regulations of the Convention and to secure to the staff rest not merely for 24 hours which might begin at midday today and end at midday tomorrow but a whole calendar day which practically in all cases involves a considerably longer rest than 24 hours. He asked what action had been taken on the report. The points are receiving consideration in so far as they concern the Railway Department, but the report has only reached us this month; and apart from instructions to one railway on a matter raised by Mr. Khaleeli, I do not think we have had time to consider action in the majority of cases.

Mr. Chairman (Mr. M. S. Aney): The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was negatived.

Mr. Chairman (Mr. M. S. Aney): The Chair will put the demand now. There are no other cuts to be moved to demand No. 1. The question is:

"That a sum not exceeding Rs. 11,52,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Railway Board'."

The motion was adopted.

DEMAND No. 2—AUDIT.

The Honourable Sir Andrew Clow: Sir, I move:

"That a sum not exceeding Rs. 15,03,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Audit'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 15,03,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Audit'."

The motion was adopted.

DEMAND NO. 3—MISCELLANEOUS EXPENDITURE.

The Honourable Sir Andrew Olow: Sir, I move:

"That a sum not exceeding Rs. 11,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Miscellaneous Expenditure'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 11,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Miscellaneous Expenditure'."

The motion was adopted.

DEMAND NO. 5—PAYMENTS TO INDIAN STATES AND COMPANIES.

The Honourable Sir Andrew Olow: Sir, I move:

"That a sum not exceeding Rs. 3,75,20,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Payments to Indian States and Companies'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 3,75,20,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Payments to Indian States and Companies'."

The motion was adopted.

DEMAND NO. 6-A—WORKING EXPENSES—MAINTENANCE OF STRUCTURAL WORKS.

The Honourable Sir Andrew Olow: Sir, I move:

"That a sum not exceeding Rs. 8,33,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working expenses—Maintenance of Structural Works'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 8,33,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working expenses—Maintenance of Structural Works'."

The motion was adopted.

DEMAND NO. 6-B—WORKING EXPENSES—MAINTENANCE AND SUPPLY OF LOCOMOTIVE POWER.

The Honourable Sir Andrew Olow: Sir, I move:

"That a sum not exceeding Rs. 19,05,35,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working expenses—Maintenance and Supply of Locomotive Power'."

Mr. Chairman (Mr. M. S. Aney): Motion moved:

"That a sum not exceeding Rs. 19,05,35,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working expenses—Maintenance and Supply of Locomotive Power'."

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, I should like to have some information about this "maintenance and supply of locomotive power". This year only 25 locomotives are to be manufactured, if they can do it, at the Ajmer workshops; and as for the repairing of locomotives, their wheels and axles and other parts as well as boilers which are perhaps included in the locomotives, there is no knowing whether they can be obtained and when locomotives cannot be imported from foreign countries as was evident from yesterday's debate. The House would like to know in detail how this is being planned and whether these articles will be obtained and how much of this should be spent in our own workshops and how much will go for imported stores and locomotives and boilers.

The Honourable Sir Andrew Olow: Sir, the question of the construction of locomotives does not come under this grant at all. It comes under a later grant. This is really for working expenses—maintenance of power. Costs are necessarily very heavy: that includes our coal purchases; it includes the maintenance of sheds and repair shops and all works that are necessary to keep locomotives going.

Pandit Nilakantha Das: Do they include repairing?

The Honourable Sir Andrew Olow: It would include ordinary repair work. I have not got any further details than the Honourable Member will find in the books placed before him, giving particulars of the demands for grants; but I should think it very unlikely that under this head or any other head there will be any large sum under imported stores.

Pandit Nilakantha Das: I do not think all this money will be required.

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 19,05,35,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working expenses—Maintenance and Supply of Locomotive Power'."

The motion was adopted.

DEMAND No. 6-C—WORKING EXPENSES—MAINTENANCE OF CARRIAGE AND WAGON STOCK.

The Honourable Sir Andrew Olow: Sir, I move:

"That a sum not exceeding Rs. 6,56,90,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Maintenance of Carriage and Wagon Stock'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 6,56,90,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Maintenance of Carriage and Wagon Stock'."

The motion was adopted.

DEMAND NO. 6-D—WORKING EXPENSES—MAINTENANCE AND WORKING OF FERRY STEAMERS AND HARBOURS.

The Honourable Sir Andrew Clow: Sir, I move:

"That a sum not exceeding Rs. 32,97,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Maintenance and Working of Ferry Steamers and Harbours'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 32,97,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Maintenance and Working of Ferry Steamers and Harbours'."

The motion was adopted.

DEMAND NO. 6-E—WORKING EXPENSES—EXPENSES OF TRAFFIC DEPARTMENT.

The Honourable Sir Andrew Clow: Sir, I move:

"That a sum not exceeding Rs. 10,95,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Expenses of Traffic Department'."

Mr. Chairman (Mr. M. S. Aney): Motion moved:

"That a sum not exceeding Rs. 10,95,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Expenses of Traffic Department'."

Indianisation of Higher and Responsible Positions.

Pandit Nilakantha Das: Sir, I have a small cut here that the working expenses be reduced by Rs. 100.

Mr. Chairman (Mr. M. S. Aney): The Honourable Member can move it.

Pandit Nilakantha Das: Sir, I move:

"That the demand under the head 'Working Expenses—Expenses of Traffic Department' be reduced by Rs. 100."

I shall take only one minute. I want to know what the Department is doing for appointing Indians in the higher posts of the Railway Department. . . .

Mr. Chairman (Mr. M. S. Aney): What is the number of the Honourable Member's cut?

Pandit Nilakantha Das: It is No. 9 on late list, Sir.

I think the posts of General Manager and such other key posts should be included in this Traffic Department. So long we have not been able to get even one General Manager permanently for any of the railways. Perhaps on the E. B. R. there was an Indian appointed as General Manager for a time,—I do not know whether he has been made permanent,—but he was there for a time. There are many railways in this country, and the State is purchasing them one after another. We are also saying so much about Indianisation, but so long as the key posts, like the General Manager and others, are not Indianised, there is little meaning in Indianisation. I should like to know what is being done either to promote from the ranks or to recruit suitable Indians to positions like General Manager and others on our railways. If this is not done rapidly, and with a plan at a time like this, we do not know what would happen in the future, because Indians should take charge of these key positions, and they should no longer depend on people who have experience in other countries to run our railways. I should like to have some kind of undertaking from the Honourable Member in charge that there will be some kind of scheme or plan for recruiting Indians to these key positions as soon as possible.

Mr. Chairman (Mr. M. S. Aney): Cut motion moved:

"That the demand under the head 'Working Expenses—Expenses of Traffic Department' be reduced by Rs. 100."

The Honourable Sir Andrew Olow: Sir, I do not think most of the remarks made by my friend, Pandit Nilakantha Das, were quite germane to this grant, because this relates to the Traffic Department, and he seems to be talking about general administration which comes under the following demands. I may, however, say that he is mistaken in supposing that the General Manager of the Eastern Bengal Railway was only officiating for a short time. The present permanent General Manager of that railway is an Indian, and we have recently appointed an Indian to the important post of Chief Operating Superintendent on the East Indian Railway. This post comes in the Traffic Department and is a traffic post. I am afraid I could not accept the suggestion that there should be a plan for filling all the higher posts by Indians, because that would obviously involve discrimination in an objectionable form. We do not, in selecting officers, give preference to those who belong to one. . . .

Pandit Nilakantha Das: Are not people taken from the Department with special qualifications for technical and other branches; for instance, Sir Guthrie Russell, Mr. Ingoldby, and others were taken.

The Honourable Sir Andrew Olow: We certainly select people with special qualifications, and these men are both Europeans and Indians, but we do not make a special point of picking them, because they happen to belong to a particular community or race.

Mr. Chairman (Mr. M. S. Aney): Does the Honourable Member want the motion to be put?

Pandit Nilakantha Das: No, Sir.

Mr. Chairman (Mr. M. S. Aney): Then does he withdraw it?

Pandit Nilakantha Das: I should like to withdraw it with the leave of the House.

Mr. Chairman (Mr. M. S. Aney): Has the Honourable Member the leave of the House to withdraw his motion?

Several Honourable Members: Yes, Yes.

The motion was, by leave of the Assembly, withdrawn.

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 10,95,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Expenses of Traffic Department'."

The motion was adopted.

DEMAND NO. 6-F—WORKING EXPENSES—EXPENSES OF GENERAL DEPARTMENTS.

The Honourable Sir Andrew Olow: Sir, I move:

"That a sum not exceeding Rs. 4,03,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Expenses of General Departments'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 4,03,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Expenses of General Departments'."

The motion was adopted.

DEMAND NO. 6-G—WORKING EXPENSES—MISCELLANEOUS EXPENSES.

The Honourable Sir Andrew Olow: Sir, I move:

"That a sum not exceeding Rs. 4,74,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Miscellaneous Expenses'."

Mr. Chairman (Mr. M. S. Aney): Motion moved:

"That a sum not exceeding Rs. 4,74,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Miscellaneous Expenses'."

Sir F. E. James: May I ask one question? This demand includes a larger payment to the Defence Department as the railways' share of the ecclesiastical expenditure. I think that the grant has been increased from Rs. 2 to Rs. 5 lakhs. I take it that that is a readjustment as between departmental responsibilities, but I should like to know, if possible, on what basis the additional grant has been made, and whether this amount has been fixed for a period of years, or whether it is liable to revision each year.

The Honourable Sir Andrew Olw: The position is that the ecclesiastical expenditure of Government was reviewed by a committee two or three years ago. The subject had been raised by the Auditor General, and they found that there was no logical system on which the expenditure was assigned. The committee endeavoured to assign the expenditure on the strength of entitled persons, that is, persons who, by the conditions of their service, are entitled to ecclesiastical ministrations. The result of that was unfortunate for the railways, because it was discovered that the expenditure which they actually met from their own budget was considerably in defect of the allocation which the committee proposed. The increase, therefore, represents a re-allocation, and not an increase in actual expenditure by Government as a whole. It represents a larger charge on railway revenues with a corresponding saving to the general revenues. As regards review of the expenditure, I am not responsible for the ecclesiastical department, but I believe that the arrangement is that all ecclesiastical expenditure is reviewed on a quinquennial basis with a view to securing any reductions that may be justified in the light of changed conditions.

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 4,74,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Miscellaneous Expenses'."

The motion was adopted.

DEMAND No. 6-H—WORKING EXPENSES—EXPENSES OF ELECTRICAL DEPARTMENT.

The Honourable Sir Andrew Olw: Sir I move:

"That a sum not exceeding Rs. 3,75,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Expenses of Electrical Department'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 3,75,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Expenses of Electrical Department'."

The motion was adopted.

DEMAND NO. 7.—WORKING EXPENSES—APPROPRIATION TO DEPRECIATION FUND.

The Honourable Sir Andrew Olow: Sir I move:

"That a sum not exceeding Rs. 12,68,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Appropriation to Depreciation Fund'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 12,68,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Working Expenses—Appropriation to Depreciation Fund'."

The motion was adopted.

DEMAND NO. 8.—INTEREST CHARGES.

The Honourable Sir Andrew Olow: Sir I move:

"That a sum not exceeding Rs. 2,63,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Interest Charges'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 2,63,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Interest Charges'."

The motion was adopted.

DEMAND NO. 10.—APPROPRIATION TO RESERVE.

The Honourable Sir Andrew Olow: Sir I move:

"That a sum not exceeding Rs. 1,64,84,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Appropriation to Reserve'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 1,64,84,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'Appropriation to Reserve'."

The motion was adopted.

DEMAND NO. 11.—NEW CONSTRUCTION.

The Honourable Sir Andrew Olow: Sir I move:

"That a sum not exceeding Rs. 11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'New Construction'."

Mr. Chairman (Mr. M. S. Aney): The question is:

"That a sum not exceeding Rs. 11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of 'New Construction'."

The motion was adopted.

DEMAND NO. 12.—OPEN LINE WORKS.

The Honourable Sir Andrew Clow: Sir I move:

“That a sum not exceeding Rs. 15,54,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of ‘Open Line Works’.”

Mr. Chairman (Mr. M. S. Aney): Motion moved:

“That a sum not exceeding Rs. 15,54,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of ‘Open Line Works’.”

Mr. Lalchand Navalrai: I would like to draw the attention of the Honourable Member with regard to the open line that he has opened very recently between Larkana and Jacobabad. A stitch in time saves nine, but that policy has not been followed in building this line. The line has been built, but it is very dusty and dirty. No ballast has been put upon it at all. At present trains are running very slowly, and there is loss of time. Therefore, it is very necessary that from that point of view also ballast ought to be put on this line. There is also another question in connection with this. When this line was built, they put up an island platform at the Larkana station. But there again economy is being made which is, in my opinion, false economy. The bridge that has been put on that platform is not a whole bridge at all. I referred this point to the Honourable Member by a letter, and he gave me again the question of economy. He said that they cannot spare so much money, but the point was that when the plans and estimates were prepared, this whole bridge towards the town side was provided for, and, at the local Advisory Committee, it was pressed upon the General Manager that the whole bridge should be built, so that people may come from the townside. Now, they go to the other side by a crossing, and they then go from the back door. Now, they have built only a bridge to go to the platform, and not to the town, with the same difficulty that you have got to pass the crossing, and there is so much delay. That complaint has been brought to the Honourable Member's notice. Therefore, Sir, these two things are very important. At this time I do not want to take up the time of the House any more, because we are expecting some holiday, at least of an hour or so. The Honourable Member knows these two things with regard to ballasting the line and also with regard to the whole bridge being built, which will remove so much of inconvenience which has been complained of since a very long time.

The Honourable Sir Andrew Clow: My Honourable friend is hard to please. The preceding grant during which he was enjoying a little holiday related entirely to Sind—every rupee to be spent in that province and the only province distinguished by a whole grant for itself in the course of this budget. This grant here relates, of course, not to the opening of new lines but to the maintenance of open lines. I am aware of the dissatisfaction with the ballast provided on two of the four feeder lines that have been built in Sind but the provision of stone ballast would have added very largely to the expense and might have jeopardised in fact the building of the line altogether if we had had to incur that expenditure.

Sir F. E. James: Sind is very short of ballast too.

The Honourable Sir Andrew Clow: Metaphorically? I am afraid I cannot remedy that. As regards the Larkana station, I am afraid that, if the letter I sent to the Honourable Member has failed to convince him, no speech of mine will have any different effect. I can only say that I have actually had the honour of visiting Larkana and seeing the place for myself, and I cannot give him any further satisfaction than that.

Pandit Nilakantha Das: Sir, I have got an amendment to this demand.

Mr. Chairman (Mr. M. S. Aney): The Honourable Member cannot move it now. He can speak on it if he likes.

Pandit Nilakantha Das: I wish to bring to the notice of the Honourable Member a few facts about the shed at Puri railway station platform. I do not know if the Honourable Member has seen the Puri station. It has got four platforms and some seven or eight trains start from it every day, and seven or eight trains come to it every day, and Puri is a place of pilgrimage. Now, the platforms are very long and people come down from the trains and they wait on the platforms. Perhaps our friends know that Puri has got 50 inches of rain every year and particularly at the time of the great car festival of Puri, there is practically incessant rain and I should request the Honourable Member to see to it that provision is made to build a shed on the platform. Of course, it belongs to the Bengal Nagpur Railway. I may point out that during the last three years, and for the first time in its life, the railway is giving some money to the Government and now, it will be perhaps easy for the Honourable Member to direct the railway to put a shed on that platform. Another difficulty is that the Bengal Nagpur Railway has only one line. Except from Howrah to Khargpur, all other lines are single lines and the stations are generally on one side. There is no overbridge and between Puri and Howrah many trains generally start and there are crossings at wayside stations. So, I should like that the Honourable Member should see to it that some crossing stations should be fixed and on those stations particularly, the platforms should be so extended as to hold two trains standing end, i.e., meeting end to end, one from one side and other from the other side, so that passengers from both the trains can reach the platform. These are the two difficulties. The B. N. R. is somewhat rich in these three years and there is also the prospect of its being rich year after year. I draw the attention of the Honourable Member to the necessity for these amenities. These two things should be done.

Mr. J. H. F. Raper (Government of India: Nominated Official): I would inform the Honourable Member that this matter has had the attention of the Bengal Nagpur Railway Company, and they have decided to construct two waiting sheds, one on each platform, when funds are available. There would, of course, be the difficulty in getting steel, even if funds were available. With regard to the platform, I understood the suggestion was that the platform should be lengthened. That means . . .

Pandit Nilakantha Das: . . . should be extended to hold two trains.

Sardar Sant Singh: One over the other.

Mr. J. H. F. Raper: It is now an unusual arrangement to build a very long platform so as to receive two trains, for a scissors crossing is required in the centre and the length becomes excessive

Sir F. E. James: Make it of rubber, so that you can stretch it.

Mr. J. H. F. Raper: I am afraid that is impossible, and the lengthening of the platforms so as to receive two trains does not seem to be a practical proposition.

Mr. Chairman (Mr. M. S. Aney): The question is:

“That a sum not exceeding Rs. 15,54,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1942, in respect of ‘Open Line Works’.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 28th February, 1941.