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THE

LEGISLATIVE ASSEMBLY DEBATES

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Volume I, 1938

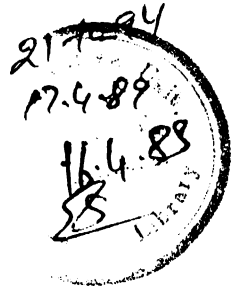
(31st January to 22nd February, 1938)

SEVENTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,

1938



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A

Legislative Assembly.

President :

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

Deputy President :

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

Panel of Chairmen :

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

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Assistants of the Secretary :

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Marshal :

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

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

MR. M. GHIASUDDIN, M.L.A.

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

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

CONTENTS.

VOLUME I.—31st January to 22nd February, 1938.

	PAGES.		PAGE.
MONDAY, 31ST JANUARY, 1938—		TUESDAY, 1ST FEBRUARY, 1938—<i>contd.</i>	
Members Sworn	1—2	Motion for Adjournment <i>re</i> Refusal of the Under Secretary of State to consult the Provincial Governments <i>re</i> introduction of the Federation—Not moved	170—71
Starred Questions and Answers	2—32	Message from His Excellency the Governor General	171
Unstarred Questions and Answers	33—37	Panel of Chairmen	171
Statements laid on the Table	38—68	Committee on Petitions	171
Motion for Adjournment <i>re</i> Mechanisation of the British Portion of the Indian Army—Talked out	69, 111—34.	The Indian Companies (Amendment) Bill—Passed as amended	172—74
Governor General's assent to Bills	69	The Indian Tea Control Bill—Referred to Select Committee	174—76
Message from the Council of State	69—79	The manœuvres, Field Firing and Artillery Practice Bill—Passed as Amended	176—206
The Trade Disputes (Amendment) Bill—Appointment of certain Members to the Select Committee	79	The Destructive Insects and Pests (Amendment) Bill—Motion to consider adopted	206—13
The Workmen's Compensation (Amendment) Bill—Appointment of certain Members to the Select Committee	79	WEDNESDAY, 2ND FEBRUARY, 1938—	
The Indian Companies (Amendment) Bill—Discussion on the consideration of clauses not concluded	80—88	Member Sworn	215
The Repealing Bill—Passed as amended	88—92	Starred Questions and Answers	215—43
The Indian Tea Control Bill—Discussion on the motion to refer to Select Committee not concluded	92—111	Unstarred Questions and Answers	243—46
TUESDAY, 1ST FEBRUARY, 1938—		Statements laid on the Table	247
Member Sworn	135	The Import of Drugs Bill—Appointment of Sir Muhammad Yamin Khan to the Select Committee	247
Starred Questions and Answers	135—70	The Destructive Insects and Pests (Amendment) Bill—Discussion on the consideration of clauses not concluded	247—49
Unstarred Question and Answer	170		

	PAGES.		PAGES.
THURSDAY, 3RD FEBRUARY, 1938—		FRIDAY, 4TH FEBRUARY, 1938—	
Starred Questions and Answers	251—72	Member Sworn	325
Unstarred Questions and Answers	272—74	Starred Questions and Answers	325—37
Motion for Adjournment <i>re</i> Transfer of certain Villages in Merwara District to the Administrations of Jodhpur and Udaipur States—Disallowed by the Governor General	275, 293—94.	Short Notice Questions and Answers	337—39
The Durgah Khawaja Saheb (Amendment) Bill—Passed as amended	275—81	Unstarred Questions and Answers	339—42
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 386)—Motion to continue adopted	282	Motion for Adjournment <i>re</i> Export of Cotton to Japan contrary to the announcement of the Japanese Government—Disallowed	342—44
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 205)—Motion to continue adopted	282	Resolution <i>re</i> —	
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 103)—Motion to continue adopted	282	Constituent Assembly—Debate adjourned <i>sine die</i>	344—45
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 167)—Motion to continue adopted	283	Employment of Indians and payment of adequate wages to them by aided or subsidised industries—Adopted	345—78
The Child Marriage Restraint (Amendment) Bill—Passed as amended	283—93, 294—318.	Constitution of a Standing Committee for the Indian Army—Discussion not concluded	378—93
The Muslim Dissolution of Marriage Bill—Discussion on the motion to circulate not concluded	318—23	MONDAY, 7TH FEBRUARY, 1938—	
The Indian Tea Control Bill—Appointment of certain Members to Select Committee	323	Starred Questions and Answers	395—412
		Short Notice Questions and Answers	412—17
		Motion for Adjournment <i>re</i> Ban put by the Government of the Punjab on Prof. N. G. Ranga, M.L.A.—Disallowed	418
		Election of Members to the Public Accounts Committee	418—19
		The Control of Coastal Traffic of India Bill—Appointment of certain Members to the Select Committee	419
		The Destructive Insects and Pests (Amendment) Bill—Passed as amended	419—26

	PAGES.		PAGES.
MONDAY, 7TH FEBRUARY, 1938—<i>contd.</i>		THURSDAY, 10TH FEBRUARY, 1938—<i>contd.</i>	
The Commercial Documents Evidence Bill—Referred to Select Committee . . .	426—31	The Indian Tea Control Bill—Presentation of the Report of the Select Committee . . .	558
The Dangerous Drugs (Amendment) Bill—Passed as amended . . .	431—35	MONDAY, 14TH FEBRUARY, 1938—	
The Criminal Law Amendment Bill—Circulated . . .	436	Member Sworn . . .	559
TUESDAY, 8TH FEBRUARY, 1938—		Starred questions and answers . . .	559—85
Starred Questions and Answers . . .	439—44	Message from His Excellency the Governor-General . . .	585
Unstarred Question and Answer . . .	444—45	The Workmen's Compensation (Amendment) Bill—Presentation of the Report of the Select Committee . . .	585
The Insurance Bill—Amendments made by the Council of State agreed to, subject to further amendments . . .	446—66	Presentation of the Railway Budget for 1938-39 . . .	585—92
WEDNESDAY, 9TH FEBRUARY, 1938—		Election of the Standing Committee for the Department of Commerce . . .	593—94
Starred Questions and Answers . . .	467—80	Election of the Standing Committee for the Department of Education, Health and Lands . . .	595
Unstarred Question and Answer . . .	480	The Stamp Duties Unification Bill—Introduced . . .	596
Election of Members to the Public Accounts Committee . . .	480	The Indian Oaths (Amendment) Bill—Referred to Select Committee . . .	596—600
The Indian Railways (Amendment) Bill (Insertion of new section 42-B)—Circulated . . .	481—95	TUESDAY, 15TH FEBRUARY, 1938—	
THURSDAY, 10TH FEBRUARY, 1938—		Member Sworn . . .	601
Member Sworn . . .	497	Starred Questions and Answers . . .	601—34
Starred Questions and Answers . . .	497—507	Short notice Question and Answer . . .	634—35
Short Notice Question and Answer . . .	507—08	Unstarred Questions and Answers . . .	635
Statements laid on the table . . .	508	Statements laid on the Table . . .	635—42
The Muslim Dissolution of Marriage Bill—Circulated . . .	509—13	Motion for Adjournment <i>re</i> failure to safeguard the interests of India in the Financial Settlement between India and Burma—Not moved . . .	643—44
The Child Marriage Restraint (Amendment) Bill—Discussion on the motion to refer to Select Committee not concluded . . .	513—58		

	PAGES.		PAGES.
TUESDAY, 15TH FEBRUARY, 1938—<i>contd.</i>		THURSDAY, 17TH FEBRUARY, 1938—<i>contd.</i>	
Resolution re—		Unstarred Question and Answer	789
Constitution of a Standing Committee for the Indian Army—Adopted as amended	644—64	Motion for Adjournment <i>re</i> Dispersal of the crowd in front of the Legislative Assembly Chamber under section 144 by the District Magistrate, Delhi—Disallowed	790—91
Establishment of a University at Peshawar—Discussion not concluded	665—86	The Railway Budget—General Discussion	791—834
Statement of Business	686—87	FRIDAY, 18TH FEBRUARY, 1938—	
WEDNESDAY, 16TH FEBRUARY, 1938—		Member Sworn	835
Starred Questions and Answers	689—715	Starred Questions and Answers	835—53
Unstarred Questions and Answers	716—17	Unstarred Questions and Answers	853
Motion for Adjournment <i>re</i> —		Statements laid on the Table	854
Failure of the Home Member to meet a deputation for protesting against Government's support to the Child Marriage Restraint (Amendment) Bill—Disallowed	718—19	Message from the Council of State	854
Constitutional crisis occasioned by exercise of powers conferred by section 126 of the Government of India Act—Disallowed	719—23	Election of the Standing Committee for the Labour Department	855
The Child Marriage Restraint (Amendment) Bill—Referred to Select Committee	723—42	Election of Members to the Standing Committee on Pilgrimage to the Hedjaz	856
The Code of Criminal Procedure (Amendment) Bill (Amendment of Section 103)—Motion to circulate negatived	742—58	The Stamp Duties Unification Bill—Motion to consider not moved	856
The Code of Criminal Procedure (Amendment) Bill (Amendment of Section 167)—Discussion on the motion to circulate not concluded	758—64	The Indian Tea Control Bill—Motion to consider adopted	856—67
THURSDAY, 17TH FEBRUARY, 1938—		MONDAY, 21ST FEBRUARY, 1938—	
Member Sworn	765	Starred Questions and Answers	869—86
Starred Questions and Answers	765—89	Unstarred Questions and Answers	886—88
		Motion for Adjournment <i>re</i> Arrest of Haji Akbar Ali Khan, a member of the Frontier Legislative Assembly—Ruled out of order	888—89
		Message from the Council of State	889

	PAGES.		PAGES.
MONDAY, 21ST FEBRUARY, 1938—contd.		TUESDAY, 22ND FEBRUARY, 1938— contd.	
The Railway Budget—List of Demands	890—938	The Railway Budget—List of Demands—contd. . .	950—99
Demand No. 1—Railway Board	891—938	Demand No. 1—Railway Board—contd. . . .	950—95
Provident Fund for low paid employees . .	892—95	Composition of Staff attached to the Office of the Conciliation Officer—Col. Wagstaff—in Calcutta	950—53
Railwaymen's grievances	895—907	Imposition of undue Demands made by the Railway Board for House Rent of Railway Employees of G. I. P. Railway . .	955—58
Policy behind increased output of State Railway Collieries . . .	907—28	Salaries of Railway Improvers and Apprentices in service before introduction of pre-co-ordinated Rates of Pay and New Scales of Pay with special reference to E. I. Railway . . .	958—59
Advertising for Drivers and Guards on the G. I. P. and E. I. Railways on terms in Violation of the Railway Board Notification .	928—31	Difficulty in obtaining leave legitimately due to Staff owing to reduction in Staff . .	959—61
Violation of Rules governing the Payment of Wages Act	931—32	Policy of Rates and Freight affecting Commerce and Industry	962—78
Deprivation of Passes to Railway Employees .	932—35	Failure of the Railway Board to enforce the Home Department Resolution re 25 per cent. services to Muslims in Railway Services	978—95
Violation by Railway Administrations of Railway Board Rules governing Promotion of Subordinate Staff .	935—38	Demand No. 6E—Working Expenses—Expenses of Traffic Department .	995—99
Composition of Staff attached to the Office of the Conciliation Officer—Col. Wagstaff—in Calcutta . . .	938	Economy	995—99
TUESDAY, 22ND FEBRUARY, 1938—		Message from the Council of State	999
Starred Questions and Answers	939—50		

LEGISLATIVE ASSEMBLY.

Monday. 21st February, 1938.

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.

INCREASE IN SPEED OF TRAINS.

390. ***Mr. M. Asaf Ali** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will the Honourable the Railway Member state:

- (a) whether all railways have been asked to consider the possibility of increasing the speed of trains in pursuance of the Wedgewood Committee Report;
- (b) whether they have received replies from the various railways; and
- (c) whether the speed of trains has been increased; if so, in which railways?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) and (c). I would refer the Honourable Member to the remarks appearing in connection with paragraphs 59, 60 and 171 of the statement showing the action taken on Chapters III to XI of the Indian Railway Enquiry Committee's Report (1937), a copy of which was distributed to the House with the Railway Budget papers on the 14th instant.

Mr. Sami Vencatachalam Chetty: Are the Government aware that the Grand Trunk Express continues to be as sluggardly as before?

The Honourable Sir Thomas Stewart: That does not arise out of this question.

STATUTORY RAILWAY AUTHORITY.

391. ***Mr. M. Asaf Ali** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will the Honourable the Railway Member state:

- (a) when the statutory railway authority is expected to be established; and
- (b) what will be the powers of this House over the railways after it is established?

The Honourable Sir Thomas Stewart: (a) and (b). I would refer the Honourable Member to the reply given to starred question No. 573 asked by him in this House on the 16th September, 1937.

Mr. B. Das: Have Government made any further progress about the establishment of the Statutory Authority since that reply was given?

The Honourable Sir Thomas Stewart: I do not understand what the Honourable Member means by progress.

Mr. B. Das: Have Government come to any further decision since that reply was given?

The Honourable Sir Thomas Stewart: No, Sir.

PROPOSAL TO OPEN A COMBINED POST AND TELEGRAPH OFFICE AT PATRAKHOLA TEA ESTATE IN SYLHET.

392. ***Mr. Brojendra Narayan Chaudhury:** Will the Honourable Member in charge of Communications (Postal) please state:

- (a) if it is proposed to open a combined Post and Telegraph Office at Patrakhola Tea Estate in Sylhet;
- (b) if it is also proposed in consequence to convert the existing combined office at Adampore which is only three miles from Patrakhola, into a Branch Office;
- (c) for how long the Adampore Office has been in existence;
- (d) whether it has been suggested by the people of the locality that the above proposals be substituted by the following:

A combined office at Khurma, which is five miles from Adampore and nearer to Kamalpur, a big trade centre;

- (e) if Government are aware that the proceedings of the Assam Legislative Council and Assembly disclose the fact that planters sometimes put vexatious and insulting obstructions to those who go to or pass through their garden; and
- (f) whether Government propose to locate the new Post Office outside a tea garden?

The Honourable Sir Thomas Stewart: (a) and (b). Yes.

(c) As a Branch Post Office since 1891 and as a combined Post and Telegraph Office since 1897.

(d) Yes.

(e) Government have no information.

(f) No. Steps are always taken when any public Post and Telegraph Office is opened in a tea estate to ensure free public access to the office.

Mr. Brojendra Narayan Chaudhury: Will the Honourable Member inquire if the people of the locality headed by Sjt. Kelish Ranjan Deb did not represent to the postal authorities suggesting that Khurma should be made a combined office?

The Honourable Sir Thomas Stewart: The relative advantages of Khurma and Patrakhola have been investigated, and the decision come to is that the advantages of Patrakhola are greater than those of Khurma.

Mr. Brojendra Narayan Chaudhury: Will the Honourable Member inquire if Kamalpur is not a big trading centre, and if Khurma is not nearer to Kamalpur than to Patraakhola?

The Honourable Sir Thomas Stewart: I have no information.

Mr. Brojendra Narayan Chaudhury: Will he kindly inquire?

The Honourable Sir Thomas Stewart: No, Sir.

Mr. Brojendra Narayan Chaudhury: Not even in the interests of postal revenue?

The Honourable Sir Thomas Stewart: The question has been thoroughly investigated.

Mr. Brojendra Narayan Chaudhury: With regard to (e), has not the attention of the Honourable Member . . .

Mr. President (The Honourable Sir Abdur Rahim): Next question.

CONSTRUCTION OF AN OVERBRIDGE AT GONDIA RAILWAY STATION.

393. ***Mr. B. Das** (on behalf of Mr. Govind V. Deshmukh): Will the Honourable Member for Railways and Communications please state:

- (a) if he is aware that Gondia in the Central Provinces is an important business town and a railway junction for several railway lines and that a railway line passes through the heart of the town, and that there are no overbridges for the use of carts, cars, or pedestrians and that the level crossings of the railway have to be crossed over to get from one side of the town to the other and that frequently the gates are closed for shunting of goods trains or for allowing trains to pass;
- (b) if the public of this town as well as the Municipality of this town drew the attention of the Government of the Central Provinces and the Bengal Nagpur Railway a number of times to this great inconvenience which results in loss of time and congestion in traffic;
- (c) whether in a meeting of the Bengal Nagpur Railway Local Advisory Committee held on the 10th August, 1928, the Chairman of the said Committee also agreed that an overbridge or subway at the west end level crossing of Gondia appeared to be necessary; and
- (d) if he proposes to remove this inconvenience early by getting an overbridge constructed and directing the railway authorities concerned, pending the construction of the overbridge, to adopt such measures as will get rid of the congestion of traffic at the gates near the crossings and facilitate the crossing of carts and pedestrians?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) Government have no information.

(c) Yes.

(d) In 1928 the Railway enquired from the Central Provinces Government whether they would be willing to agree to the road authorities bearing their share of the cost of an overbridge at the west end of Gondia station. No answer has been received as yet. The Railway is again investigating the possibility of adopting such measures as will eliminate the present congestion of road traffic at the level crossing gates. It is, however, doubtful whether any improvement is possible.

MEASURES OF ECONOMY ON RAILWAYS.

394. ***Mr. M. Asaf Ali** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will the Honourable the Railway Member state:

- (a) what measures of economy, recommended by the Wedgewood Committee have already been carried out; and
- (b) what has been the approximate saving out of the carrying out of these measures?

The Honourable Sir Thomas Stewart: (a) I would refer the Honourable Member to the statement showing the action taken by the Railway Department (Railway Board) on the paragraphs in Chapters III to XI of the Indian Railway Enquiry Committee's Report, a copy of which has been placed in the Library of the House.

(b) I regret it is impracticable at this stage to attempt even an approximate estimate of the savings that may accrue. I shall endeavour, however, either through the medium of the Annual Administration Report or otherwise to keep the House informed, from time to time, of the results achieved.

Mr. Lalchand Navalrai: May I know, Sir, if a Bill in order to put into effect the recommendations of the Wedgewood Committee's Report is going to be introduced in this House?

The Honourable Sir Thomas Stewart: Sir, that, I submit, does not arise out of the question relating to economy.

Mr. Lalchand Navalrai: May I know if a Bill is introduced in this House and it is passed, will it entail economy?

The Honourable Sir Thomas Stewart: Not necessarily, Sir.

Mr. Lalchand Navalrai: What are the reasons

Mr. President (The Honourable Sir Abdur Rahim): You cannot discuss it.

Mr. Lalchand Navalrai: I am not discussing it, but I am asking what are the reasons

Mr. President (The Honourable Sir Abdur Rahim): Yes, it is discussing . . .

Mr. Lalchand Navalrai: The Honourable Member has not

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member may have another opinion; that is another matter.

PROVISION OF WATER PASSAGES THROUGH RAILWAY EMBANKMENTS IN ASSAM.

395. ***Mr. Brojendra Narayan Chaudhury:** Will the Honourable Member in charge of Communications please state:

- (a) if he is aware that a Committee under the Chairmanship of Mr. Miles, Engineer to the Government of India, was set up in 1929 to examine cases of obstruction to discharge of flood water caused by Railway embankments in Assam;
- (b) if the Committee inspected Sylhet-Kulaura branch of the Assam Bengal Railway and recommended opening of further water passages to equalise water level on either side;
- (c) if any gauges have been put up to test water levels and new passages opened; if not, why further water passages have not yet been provided; and
- (d) if he is aware that year after year the crops in Pergana Renga, between Fenchuganj and Moglabazar Railway stations, are being damaged by excessive floods and that local people have been protesting at public conferences, sending representations to the district officer and Assam Government who say that this subject is not primarily the concern of the Provincial Government?

The Honourable Sir Thomas Stewart: (a) Yes.

(b), (c), and (d). The Honourable Member is referred to the reply given to question No. 797 in this House on 11th March, 1935, and to the further information laid on the table on 3rd April, 1935.

WATER PASSAGES ON THE BENGAL AND NORTH WESTERN RAILWAY.

396. ***Mr. Brojendra Narayan Chaudhury:** Will the Honourable Member in charge of Communications please state if Government have budgeted money for opening further water passages between Sonepur and Chupra on the Bengal and North Western Railway?

The Honourable Sir Thomas Stewart: A project for raising the bank, for doubling the line and for increasing the number of bridges on the main line of the Bengal and North Western Railway between Sonepur and Chapra, has been sanctioned. Rs. 4½ lakhs have been provided in the budget for 1938-39 to cover the cost of land. Funds to cover the other costs of the project will be provided by the Company.

Mr. Brojendra Narayan Chaudhury: What is the reason for opening out further water passages after the limitation period of ten years as provided in the Railways Act?

The Honourable Sir Thomas Stewart: The reason for carrying out this work is that it was considered necessary to do so.

Mr. Brojendra Narayan Chaudhury: Is the damage to crops one of the reasons?

The Honourable Sir Thomas Stewart: I should require notice of that question.

RAILWAY ENGINE ACCIDENT ON THE RAMGANGA BRIDGE.

397. ***Mr. Brojendra Narayan Chaudhury:** Will the Honourable Member in charge of Communications please state:

- (a) if the engine of Kasganj-Lucknow passenger train broke down on the Ramganga bridge in the month of November last heavily shaking the entire train;
- (b) if Government are aware that the Ramganga accident and the Bamrauli disaster coming in quick succession after the Bihta disaster, have unnerved the public mind; and
- (c) if Government are prepared to issue a comparative statement about safety of travelling by railways in India, Great Britain and the United States of America, taking into consideration the number of passengers carried, speed and frequency of trains, to allay the public mind?

The Honourable Sir Thomas Stewart: (a) The Agent, Rohilkund and Kumaon Railway, states that the right side connecting rod of the engine of No. 7-Up broke while the train was passing over the Ramganga Bridge, and that the driver promptly brought the train to a stop.

(b) This is a matter of opinion, but I can assure the Honourable Member that there has been no relaxation of effort to ensure the safe running of trains.

(c) Such statistics, as are available of Railways in other countries, do not provide a comparable basis. I will, however, endeavour to obtain figures showing casualties among passengers in relation to train miles and will place a statement on the table when these have been received.

Mr. Badri Dutt Pande: Is it a fact that all the railway engines of the Rohilkund and Kumaon Railway are of the old pattern and the new pattern has not been introduced?

The Honourable Sir Thomas Stewart: I should require notice of that.

SLEEPING ACCOMMODATION FOR LOWER CLASS RAILWAY PASSENGERS.

398. ***Mr. Brojendra Narayan Chaudhury:** Will the Honourable Member for Railways please state:

- (a) if, as a matter of fact, the human necessity of sleeping at night was taken into consideration in fixing the present scale of space allowed for lower class railway passengers;
- (b) if the scale is not the same for short distance, long distance, day journey and all night journeys;
- (c) if Government, in fixing the scale, consulted medical opinion to ascertain if this scale would not be injurious to the health of passengers undertaking all night journeys;

- (d) if so, when and who are the experts consulted; and
- (e) if Government have considered whether an allowance of extra space for night journeys with slightly additional fares would be attractive and a paying proposition?

The Honourable Sir Thomas Stewart: (a) The human need for sleep is too generally appreciated to have been overlooked. Economic considerations prohibit the provision of lying down accommodation for passengers paying only the lowest fares and Indian Railways do not differ from railways in other parts of the world, on which night journeys are performed. In modern long distance lower class coaching stock both floor area and cubic space per passenger have been appreciably increased, and luggage racks provided upon which passengers may sleep when the racks are not occupied by luggage.

(b) The minimum scale of accommodation laid down in lower class coaches is the same for short or long journeys and during day or night.

(c) No. The minimum scale of accommodation laid down has been arrived at after mature consideration, and Government have no reason to believe that it would affect the health of passengers undertaking all night journeys.

(d) Does not arise.

(e) Examination of similar proposals in the past has shown that economic considerations prohibit the provision of anything in the nature of guaranteed sleeping accommodation for passengers paying less than second class fares.

Mr. Brojendra Narayan Chaudhury: Have any experiments been made on the lines suggested in (e)?

The Honourable Sir Thomas Stewart: No, Sir.

Mr. Brojendra Narayan Chaudhury: Will the Government kindly make an experiment?

The Honourable Sir Thomas Stewart: It is not a question of experiment. It is a question of calculation, and calculations have been made.

Mr. Lalchand Navalrai: In building these new carriages, will the Honourable Member make an arrangement like the West that there should be sleeping accommodation paid for?

The Honourable Sir Thomas Stewart: No, Sir.

Mr. Lalchand Navalrai: Why not?

The Honourable Sir Thomas Stewart: Government are of opinion that it would not be a commercial proposition.

Mr. Abdul Qaiyum: May I know why Government do not introduce sleeping carriages at a little extra cost?

The Honourable Sir Thomas Stewart: As I have already informed the Honourable Member on my right, Government are of opinion that it would not be a commercial proposition.

Mr. Lalchand Navalrai: When Government have not tried the experiment, how are they in a position to say that it would not be a paying proposition?

(No answer.)

RECRUITMENTS TO AND SERVICE RULES OF THE ALL-INDIA RADIO DEPARTMENT.

399. ***Mr. M. Asaf Ali** (on behalf of Mr. Mohan Lal Saksena): (a) Will the Honourable Member for Communications be pleased to state how many and what appointments have been made in the All-India Radio Department without reference to (1) the Public Service Commission, (2) Selection Committee or Board, and (3) without advertising the post, and by whom these appointments have been made?

(b) Is it a fact that there are no definite rules for appointment and dismissal in the All-India Radio Service, and the Controller or the Directors of Stations appoint or dismiss employees in their own discretion? If so, what guarantees of security of tenure are provided for the All-India Radio Service?

(c) Why are posts carrying salaries of more than Rs. 75 per mensem not usually advertised to secure the best qualified persons, and why is the selection left to the Controller? Is he conversant with any Indian language, Indian music, any vernacular literature or drama?

(d) How many (1) employees, and (2) probationers of the All-India Radio Service have been dismissed or discharged within the last two years, and against how many of these employees were regular charges framed before their services were dispensed with?

The Honourable Sir Thomas Stewart: (a) Since August, 1935, appointments to 65 posts on the programme and engineering side have been made without advertising and without reference to the Federal Public Service Commission or Selection Committees. Of these, three of the higher Gazetted posts were filled by the Government of India. The remainder, consisting of the Editor, *Awaz*, Announcers, Programme Assistants, Technical Assistants and probationers, were filled by the Controller of Broadcasting under powers delegated to him.

(b) The reply to the first part of the question is in the negative. The second part does not arise.

(c) Posts are advertised except when the number of applications already received is sufficiently large to allow a suitable selection to be made without inviting further applications. The Controller is competent to make these appointments but orders recently issued contemplate that wherever possible selections to programme and technical posts should be made on the advice of Selection Committees.

(d) Eighteen persons in all have been discharged, of whom fifteen were either probationers or were appointed to posts on probation. Two Officers were discharged after regular proceedings and one owing to the abolition of his post.

Mr. M. Asaf Ali: May I know when these powers were delegated to the Controller?

The Honourable Sir Thomas Stewart: I require notice of that, if the Honourable Member wants any particular date.

Mr. M. Asaf Ali: I was not asking for any particular date. I only wanted to know when this power was delegated to the Controller, because I remember quite definitely during the last Session an assurance was given that no appointment would be made without reference to the Selection Board and without advertisement. Has the Controller observed this?

The Honourable Sir Thomas Stewart: If the Honourable Member will give me a more exact reference to the assurance that is said to have been given, I shall then attempt to answer his question.

Mr. Manu Subedar: What is your reply to the second part of (c)—Is he conversant with any Indian language, Indian music, any vernacular literature or drama?

The Honourable Sir Thomas Stewart: The second part does not arise in view of the fact that I have said that wherever possible selection committees should be utilised.

Mr. Manu Subedar: The Honourable Member has not read the second part of (c) which asks whether the Controller of Broadcasting is conversant with Indian music, vernacular literature or drama?

The Honourable Sir Thomas Stewart: What do you mean by "conversant"?

Mr. Manu Subedar: Whether he knows any of these things.

The Honourable Sir Thomas Stewart: Yes.

Mr. Manu Subedar: Are Government aware that there is discontent with such puny knowledge which the Controller has got regarding these matters among the lovers of Indian music, especially in regard to programmes?

The Honourable Sir Thomas Stewart: I take the Honourable Member's word for it.

Mr. M. Asaf Ali: The question is a very simple one. Is he conversant with any Indian language, Indian music, any vernacular literature or drama? Is the answer "yes"?

The Honourable Sir Thomas Stewart: No, Sir. My question to the Honourable Member was what he meant by "conversant".

Mr. M. Asaf Ali: Does he know any of these things?

The Honourable Sir Thomas Stewart: He has some knowledge of them.

Mr. M. Asaf Ali: What particular language?

The Honourable Sir Thomas Stewart: What is generally known as "Hindustani".

Mr. Abdul Qayyum: May I know how applications are received without advertisement?

The Honourable Sir Thomas Stewart: If the Honourable Member had any official experience, he would know how easy it is to get applications without advertisement.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether these officers in charge of day programmes are being appointed through the selection board?

The Honourable Sir Thomas Stewart: I have said that under the instructions now subsisting as far as possible, programme and technical assistants will be chosen with the aid of Selection Boards.

Mr. Lalchand Navalrai: That would also imply that the change in those officers for the purpose of getting the programme carried will also be done in that manner?

The Honourable Sir Thomas Stewart: I am afraid I do not understand what the Honourable Member means by "a change of officers".

Mr. Lalchand Navalrai: I mean a change in the name. Supposing one man is working; he goes out, and another man comes in.

The Honourable Sir Thomas Stewart: Most certainly not; the ordinary routine transfer of officers cannot be referred to Selection Committees; that is an impossible proposition.

Mr. Abdul Qaiyum: Will Government frame rules that applications received without being called for will not be considered,—because that means that people who are in touch with the subordinates in that Department secure an undue advantage over others?

The Honourable Sir Thomas Stewart: No, Sir. I see no reason to change the procedure I have described in my answer to part (c).

Mr. Abdul Qaiyum: Possibly Government might be able to get better men if these posts were duly advertised?

The Honourable Sir Thomas Stewart: Not necessarily, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

ADVISORY COUNCIL OF THE ALL-INDIA RADIO.

400. ***Mr. M. Asaf Ali** (on behalf of Mr. Mohan Lal Saxena): (a) Will the Honourable Member for Communications please state how many meetings of the Advisory Council of the All-India Radio were convened during the course of the last year, and how many of their recommendations were carried out?

(b) What are the functions of the Advisory Council of the All-India Radio, and do they include the consideration of *all* the programmes broadcast?

(c) Are they in a position to consider the programmes of other than the Delhi Station? If not, why not, and further why have no advisory

councils been so far constituted in respect of Bombay, Calcutta, Lahore, and Peshawar, which have been working for some time?

The Honourable Sir Thomas Stewart: (a) Two meetings of the Advisory Council were held during the last year. Of the seven specific recommendations made by the Council, six have been accepted and one is under the consideration of Government.

(b) The functions of the Advisory Council are stated in the press note dated the 21st August, which was laid on the table in reply to part (a) of the Honourable Mr. Hossain Imam's question No. 224 in the Council of State on the 2nd October, 1937. Its functions are purely advisory and include consideration of programmes broadcast from Delhi.

(c) No, Sir. The Advisory Council was constituted for the Delhi Station alone, as an experiment. The establishment of Advisory Councils for other stations will be considered in the light of experience gained at Delhi.

Mr. M. Asaf Ali: May I ask what has been the exact result of the experiment which has been carried out with respect to the Delhi Station, and why are the Government not prepared to appoint an Advisory Council or Committee for other stations also?

The Honourable Sir Thomas Stewart: I have never said for a moment that Government were averse to appointing Advisory Councils in other stations.

Mr. Manu Subedar: May I ask when Government expect to come to a decision on this subject?

The Honourable Sir Thomas Stewart: I expect the decision will be taken in the reasonably near future.

Mr. Abdul Qaiyum: May I ask how long the Delhi Advisory Council has been in existence?

The Honourable Sir Thomas Stewart: The *Communique* announcing the Committee's composition is dated the 21st August, 1936.

Mr. Abdul Qaiyum: Is not that a long enough period? Have not Government had enough time to come to a decision?

Mr. President (The Honourable Sir Abdur Rahim): That is arguing. Next question.

INSIDE CATCHES FITTED IN UPPER CLASS COMPARTMENTS ON THE EAST INDIAN RAILWAY.

401. ***Mr. Abdul Qaiyum** (on behalf of Mr. Sri Prakasa): Will the Honourable Member for Railways state:

- (a) if it is a fact that catches are fitted in first and second class compartments on the East Indian Railway which effectively close the doors from the inside;
- (b) if persons inside a compartment use these catches to close the doors with the result that passengers at wayside stations at night find it difficult to get admission; and

- (c) if Government propose to consider the desirability of taking away these catches?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) Government have not received any complaints, but recognise that difficulties may occasionally arise due to the necessity for waking up the occupants.

(c) If there is any general feeling that these catches should be removed, Government have no doubt that members of the Advisory Committees on the various Railways will bring it up for discussion at their meetings.

LATE RUNNING OF CERTAIN TRAINS ON THE EAST INDIAN RAILWAY.

402. ***Mr. Abdul Qaiyum** (on behalf of Mr. Sri Prakasa): Will the Honourable Member for Railways state:

- (a) if it is a fact for some time past the mail and express trains on the East Indian Railway have been running very late; if so, why, and
- (b) if the speed of the mail and express trains on the East Indian Railway has been lately reduced and if so, whether Government are prepared to consider the desirability of changing the time-table accordingly, so that passengers may not be kept waiting for long periods of time at railway stations as at present?

The Honourable Sir Thomas Stewart: (a) Yes. Without a detailed analysis of the detention caused to each train, it is not practicable to say to what extent each of the several factors that normally affect the punctuality of a train, such as crossing other trains, speed restrictions, and the like has contributed to the trains running late.

(b) Government have no information as regards the first part of the question. As regards the second part, it is understood that the East Indian Railway Administration have, under consideration, changes in their time tables to have effect from 1st April, next.

Mr. Badri Dutt Pande: Is it a fact that since the Bihta disaster almost all the East Indian Railway trains are running late?

The Honourable Sir Thomas Stewart: I am unable to tell the Honourable Member whether it is since or before the Bihta disaster that there has been this failure to run up to the timings given in the time-tables.

NON-ADMISSION OF PRESS AND PUBLIC TO THE MEETINGS OF THE BOMBAY PORT TRUST.

403. ***Mr. N. M. Joshi:** (a) Is the Honourable Member for Communications aware that there is nothing in the existing Bombay Port Trust Act to preclude attendance of the Press or the public at the meetings of the Port Trust Board and that such attendance is a matter entirely within the discretion of the Board?

(b) Will he be pleased to state whether the Bombay Port Trustees have recently considered the question of admitting the Press and the public to the Board meetings?

(c) If so, will he be pleased to state what the decision of the Trustees was and lay on the table of the House a copy of the minutes of the Board meeting which discussed the above question?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) No.

(c) Does not arise.

NON-PUBLICATION OF THE MINUTES OF THE MEETINGS OF THE BOMBAY PORT TRUST.

404. ***Mr. N. M. Joshi:** (a) Is the Honourable Member for Communications aware that the minutes of the Madras Port Trust Board meetings are published, but the minutes of the Board meetings of other major Port authorities like the Bombay Port Trust are not published?

(b) Will he state whether he proposes to issue the necessary orders or make the necessary amendments in the various Port Trust Acts so that the Port Authority of every major Port shall be required to publish the full official minutes of its Board meetings in the Government Gazette?

The Honourable Sir Thomas Stewart: (a) and (b). The Madras Port Trust Act requires the publication of the minutes in the local official Gazette. The other Acts do not require such publication, but I understand that it is the practice of some of the other Port Trusts to publish a summary of the proceedings in the press. I am not prepared to undertake any amendment of the Acts to make the publication of minutes in the Gazettes obligatory, but I shall enquire into the existing practice and consider the Honourable Member's suggestion.

MAKING THE MINUTES OF THE MEETINGS OF THE BOMBAY PORT TRUST OPEN TO PUBLIC INSPECTION.

405. ***Mr. N. M. Joshi:** (a) Is the Honourable Member for Communications aware that in the Acts of several major Port Trusts, like the Bombay Port Trust, there is no provision for the official minutes being open to the inspection of the public?

(b) Is he aware that the Chittagong Act provides for the inspection of the minutes by the public?

(c) Will he be pleased to state whether the Trustees of Bombay and other major Ports are prepared to keep the minutes of their Board meetings open to the inspection of the public?

(d) Will he be pleased to state whether he is proposing to make the necessary amendments in the Acts of Bombay Port Trust and such other Trusts so as to provide that the minutes of their Board meetings shall be open to the inspection of the public?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) Yes, but discretion is vested in the Chairman to withhold such portions of the minutes as he thinks fit.

(c) I have no information on the subject, but I shall make enquiries.

(d) I shall consider the Honourable Member's suggestion.

SUPPLY OF COPIES OF THE MINUTES OF THE MEETINGS OF THE BOMBAY PORT TRUST TO THE PUBLIC.

406. ***Mr. N. M. Joshi:** (a) Will the Honourable Member for Communications be pleased to state whether copies of the full official minutes of the Board meetings of the Bombay Port Trust and of the Port Authorities at other major Ports are available to the public on request?

(b) If not, will he be pleased to state whether he proposes to make the necessary amendments in the various Port Trust Acts so as to provide that copies of the full official minutes of the Board meetings shall be supplied, on demand, to any commercial or public bodies or public libraries or any member of the public on payment, if necessary, of a reasonable price? If not, why not?

The Honourable Sir Thomas Stewart: (a) So far as I am aware, they are not.

(b) I shall give careful consideration to the proposal of the Honourable Member.

REDUCTION IN THE PRICE OF POSTCARDS.

407. ***Mr. Thirumala Rao** (on behalf of Mr. C. N. Muthuranga Mudaliar): (a) Will the Honourable Member for Communications please state whether it is a fact that there is a surplus revenue under the head 'Posts and Telegraphs' during the current year?

(b) If so, are Government prepared to consider the advisability of reducing the price of post cards from nine pies to six pies?

The Honourable Sir Thomas Stewart: (a) and (b). I am afraid I must ask the Honourable Member to await the Budget statement of my Honourable colleague, the Finance Member, towards the end of this month.

ESTABLISHMENT OF POST OFFICES BETWEEN TIRUKKOILUR AND SANKARAPURAM IN SOUTH ARCOT DISTRICT.

408. ***Mr. Thirumala Rao** (on behalf of Mr. C. N. Muthuranga Mudaliar): (a) Will the Honourable Member for Communications please state how many post offices are there between Tirukkoilur and Sankarapuram, a distance of 25 miles in the South Arcot District?

(b) If there are no post offices between these two places, do Government propose to consider the advisability of establishing one or two experimental post offices there?

The Honourable Sir Thomas Stewart: (a) None on the direct route.

(b) The matter is within the competence of the Postmaster General to whom a copy of the Honourable Member's question will be forwarded for such action as he may consider suitable.

PAUCITY OF POST OFFICES IN KALLAKURICHI TALUQ, SOUTH ARCOT DISTRICT.

409. ***Mr. Thirumala Rao** (on behalf of Mr. C. N. Muthuranga Mudaliar): (a) Will the Honourable Member for Communications please state if it is a fact that there are very few post offices in the Kallakurichi Taluq, South Arcot District?

(b) If so, are Government prepared to consider the advisability of opening more village post offices in that taluq?

The Honourable Sir Thomas Stewart: (a) There are 19 Post Offices in the taluq. Whether this number corresponds to the description of the Honourable Member is a matter of opinion.

(b) The matter is within the competence of the Postmaster-General to whom a copy of this question is being forwarded for such action as he may consider necessary.

POSTAL DELIVERIES IN THE HILL AREAS OF KALLAKURICHI TALUQ, SOUTH ARCOT DISTRICT.

410. ***Mr. Thirumala Rao** (on behalf of Mr. C. N. Muthuranga Mudaliar):

(a) Will the Honourable Member for Communications please state whether it is a fact that the hill areas of the Kallakurichi Taluq, South Arcot District, were being served by only one postal delivery in a week?

(b) Is it a fact that even this weekly service was discontinued lately, and that the area is now deprived of all postal communication?

(c) Are Government prepared to consider the advisability of restoring postal facilities to the hill area and give at least two deliveries a week?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) No.

(c) The first part of the question does not arise. The number of articles for the hill area is so few that two deliveries per week are not justified.

RECONSTRUCTION OF QUETTA.

411. ***Mr. Badri Dutt Pande:** (a) Will the Foreign Secretary be pleased to state what progress has been made with the reconstruction of the Quetta town?

(b) What has been the expenditure so far?

(c) How much money has been allotted for the reconstruction in the city of houses for widows and destitutes?

(d) What was the number of applications from widows and destitutes?

Sir Aubrey Metcalfe: (a) 63 shops and 93 residential houses have been constructed on earthquake proof lines.

(b) Rs. 43,938.

(c) Rs. 2,05,000.

(d) 368, out of which 206 have been passed, 54 were rejected and 108 are under consideration.

Mr. Lalchand Navalrai: May I know if these houses have been built by private people or by Government?

Sir Aubrey Metcalfe: These houses have been built by private persons.

Mr. Badri Dutt Pande: With reference to the answer to clause (d), may I inquire what was the reason for rejecting such a large number of applications from such people?

Sir Aubrey Metcalfe: Mainly because they did not comply with the building code which has been laid down.

FAQIR OF IPI'S LETTER TO PANDIT JAWAHARLAL NEHRU.

†412. ***Mr. M. Ananthasayanam Ayyangar:** (a) Will the Secretary for External Affairs state whether the attention of Government has been drawn to the Associated Press of India's message reported in the *Hindu* of the 27th January, 1938, regarding the criticism made by Pandit Jawahar Lal Nehru on the frontier policy of Government?

(b) Are Government aware that the Fakir of Ipi has invited the Congress President to visit his territory and to verify the truth of the accusation against him regarding raids into the British territory?

(c) What have the operations in the frontier cost during the year 1937?

(d) What is the total loss of life sustained by our troops in the operations, and the loss sustained by the tribesmen?

Sir Aubrey Metcalfe: (a) Yes.

(b) Government has no information beyond what is contained in the press reports.

(c) and (d). Attention of the Honourable Member is invited to the reply given by the Defence Secretary on 7th February, 1938, to question No. 170 by Mr. Abdul Qaiyum. As regards enemy casualties, it is estimated that between the 25th November, 1936, and the 15th December, 1937, 880 persons were killed and 800 severely wounded. No figures are available for persons slightly wounded.

BRANCH LINE PROJECT FROM CHINNA-SALEM TO TIRUVANNAMALAI ON THE SOUTH INDIAN RAILWAY.

413. ***Mr. Thirumala Rao** (on behalf of Mr. C. N. Muthuranga Mudaliar): (a) Will the Honourable the Railway Member please state whether there was any proposal to construct a branch railway line from Chinna-Salem (South Arcot District) to Tiruvannamalai on the South Indian Railway?

(b) Was the said line included in the programme of projected railway lines?

(c) Is it a fact that a Resolution of the District Board, South Arcot, regarding the above proposal was sent to the Railway Board?

(d) Is it a fact that a number of representations have been made by the public and local bodies to Government, pressing for the opening of the above branch line?

(e) Do Government propose to consider the advisability of expediting the construction of this branch line?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) This line was included in a list of projects investigated by the Special Engineer, Road Development, of the Madras Government. It was rejected by him on the ground that the area was at present well served by roads and railways, and proposals for improvements to the former were

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

on foot. It was rejected also by the South Indian Railway to whom the Madras Government forwarded the Special Engineer's report for comments, as it was not considered to be a remunerative proposition.

(c) Yes.

(d) Yes.

(e) No. This line cannot be justified financially.

PAUCITY OF SINDHIS ON THE NORTH WESTERN RAILWAY.

414. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to place on the table a statement showing how many Sindhis, Hindus and Muslims, respectively, are employed in the subordinate and higher grades on the North Western Railway and what is their proportion to those residents of the Punjab similarly employed on the North Western Railway?

(b) Are Government aware that the Sindhis, both Hindus and Muslims, complain that their number employed on the North Western Railway is much smaller than they are entitled to? Is this a fact?

(c) What is their proportion and on what system is it based?

The Honourable Sir Thomas Stewart: (a) Staff statistics are not prepared by Provinces, and Government do not consider that the labour and cost involved in collecting the information would be justified by the results to be obtained.

(b) Government have seen the representation on the subject which my Honourable friend submitted some four years ago to the Honourable Member for Commerce and Railways. Government do not accept the policy of recruitment into railway services on a Provincial basis, but they consider that the system of recruitment through Selection Boards, held in the offices controlling the areas in which the staff are likely to be employed on appointment, affords opportunity to inhabitants of all territories, served by the North Western Railway, to enter its service.

(c) In view of the replies to parts (a) and (b) above, this does not arise.

Mr. Lalchand Navalrai: May I ask if the Honourable Member knows that the system of recruitment that has been followed at present has proved detrimental to the Sindhis?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to the answer that was given to his representation some four years ago in which it was categorically stated that the existing system did not prejudice Sindhis.

Mr. Lalchand Navalrai: May I know if the system has since been revised or re-considered because since then four years have elapsed?

The Honourable Sir Thomas Stewart: No, Sir: there has been no such change in the circumstances as to justify the re-consideration of the question.

Seth Haji Sir Abdoolah Haroon: Is it not a fact that the present system does not allow the Sindhis to get into the Government Railway Service?

Is it not also a fact that the present system of recruitment by the North Western Railway does not allow a sufficient number of Sindhi Hindus and Muhammadans to be taken into service, especially so far as the Karachi Division is concerned?

The Honourable Sir Thomas Stewart: My information is that the present system does not prejudice the Sindhis in matters of recruitment.

Mr. Lalchand Navalrai: Does the Honourable Member know that there is a request from the Sindhis that there should not be double selection, i.e., one by the Karachi District Committee and the other in Lahore?

The Honourable Sir Thomas Stewart: I am prepared to take the Honourable Member's word for it that there have been such protests.

Mr. Lalchand Navalrai: Will the Honourable Member then look into that question at least?

The Honourable Sir Thomas Stewart: No, Sir. I can see no objection myself.

HOLDING OF SELECTION FOR RECRUITMENT OF THE SINDHI SUBORDINATE STAFF FINALLY AT KARACHI.

415. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways please state whether Government propose to hold the selection for the recruitment of the Sindhi subordinate staff finally at Karachi?

(b) Are Government aware of the complaint that they are put to much inconvenience, expense and disadvantage by double selection finally held at Lahore? If so, why are they put to such inconvenience?

The Honourable Sir Thomas Stewart: (a) and (b). No. This is a matter within the competence of the Agent, North Western Railway, to decide, and Government do not propose to interfere.

Mr. Lalchand Navalrai: Will the Honourable Member kindly send a copy of this question and answer to the Agent? That will do some good.

The Honourable Sir Thomas Stewart: As a special concession, yes.

Mr. Lalchand Navalrai: Thank you very much.

UNSTARRED QUESTIONS AND ANSWERS.

DEFALCATION CASES AGAINST EXTRA-DEPARTMENTAL POSTAL OFFICERS.

32. **Mr. Brojendra Narayan Chaudhury:** Will the Honourable Member in charge of Communications please state:

- (a) the number of defalcation cases against extra-departmental postal officers (i) inquired into by the department and (ii) made over for inquiry to the Police, (iii) instituted in court, (iv) conviction obtained, (v) amount of money or money value involved, (vi) amount recovered from actual defaulters, (vii) amount recovered from other officers and (viii) amounts which could not be recovered, in the whole of India and in the districts of Sylhet and Cachar in particular; and

- (b) the total budget for salary and allowances of extra-departmental employees and the same budget figure for Sylhet and Cachar?

The Honourable Sir Thomas Stewart: (a) The information is not readily available and its collection would involve an expenditure of time and labour which Government do not consider to be justified.

(b) Extra Departmental employees are not paid salaries. The total amount provided in the Budget for the current financial year for allowances to be paid to them for the Department as a whole is Rs. 30,88,000. The figure for Sylhet and Cachar Districts is Rs. 44,000.

AMALGAMATION OF CLERICAL GRADES IN THE DIVISIONAL OFFICES ON THE NORTH WESTERN RAILWAY.

33. Mr. Lalchand Navalrai: Will the Honourable Member for Railways be pleased to state:

- (a) whether it is a fact that clerks in grade I, employed in the Divisional and Extra-Divisional Offices on the North Western Railway, have been representing their cases for amalgamation of grades I and II, for the last seven years or so;
- (b) whether it is a fact that the Agent, North Western Railway, in 1930 acknowledged the grievances of grade I clerks as genuine and recommended to the Railway Board, *vide* his letter No. 501-E./39, dated the 22nd January, 1930, that grades I and II should be amalgamated immediately, as the scale of grade I clerks which ceases at a rate of pay, *i.e.*, Rs. 60 was an unduly poor remuneration for the services rendered;
- (c) whether it is a fact that in actual practice there exists no line of demarcation in the duties entrusted to clerks grades I and II;
- (d) whether it is a fact that this has been admitted by the various Divisional Superintendents who recommended amalgamation of grades I and II; if so, whether no effect has been given to such recommendations;
- (e) whether it is a fact that the scale of pay of the two corresponding classes of clerks in the Railway Accounts Department were amalgamated in 1935, chiefly on the grounds that the duties of the class clerks were identical; and
- (f) whether it is a fact that a good number of higher grade posts in the clerical branches in the various Divisional Offices are being abolished; if so, how Government propose to give relief to the lowest paid clerks in the Divisional Offices on the North Western Railway; whether they propose to amalgamate grades I and II, so that a clerk reaches a decent maximum of Rs. 95?

The Honourable Sir Thomas Stewart: (a) Government have seen certain representations made by the staff referred to by the Honourable Member.

(b) I would refer the Honourable Member to the reply given to parts (c) and (d) of starred question No. 1046 asked by him in this House on 9th March, 1936.

(c) and (d). Government have no information.

(e) I would refer the Honourable Member to the reply given to part (a) of unstarred question No. 288 asked by Mr. M. S. Aney in this House on the 9th March, 1936. The scale of pay of clerks, grades II and III, were amalgamated for administrative convenience.

(f) The abolition of higher grade clerical posts is a matter within the competence of the Agent, North Western Railway, and Government are not prepared to interfere.

MOTION FOR ADJOURNMENT.

ARREST OF HAJI AKBAR ALI KHAN, A MEMBER OF THE FRONTIER LEGISLATIVE ASSEMBLY.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjourning the business of the Assembly from Mr. Abdul Qaiyum to the following effect:

"That the Assembly do now adjourn to discuss a definite matter of urgent public importance of recent occurrence, namely, the arrest of Haji Akbar Ali Khan, a member of the Frontier Legislative Assembly at Miranshah, Waziristan."

Is it the mere arrest of the Member of the Frontier Assembly on account of which the Honourable Member wishes to adjourn the business of the Assembly?

Mr. Abdul Qaiyum (North-West Frontier Province: General): It is a matter of public importance.

Mr. President (The Honourable Sir Abdur Rahim): What has happened? You have given no information.

Mr. Abdul Qaiyum: Sir, if I am asked to give reasons for my motion of adjournment, then I shall say that it is a matter which may lead to a crisis in the Frontier Province like the one we recently had in the United Provinces and Bihar. The political authorities have stepped in and they have arrested a prominent worker and a Member of the Frontier Assembly on the eve of the Budget Session of that Assembly. It might have very serious repercussions and a crisis may also develop in that corner of India. I, therefore, consider it a matter of urgent public importance.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection to the motion for adjournment?

Sir Aburey Metcalfe (Secretary, External Affairs Department): Yes, Sir. First of all, I should like to take objection on the ground that the rules lay down quite clearly that the Government Member in charge should receive notice before the commencement of the session. I received notice of the motion only 10 minutes ago after 11 O'clock.

Mr. President (The Honourable Sir Abdur Rahim): Did you give any notice to the Honourable Member in charge?

Mr. Abdul Qaiyum: I gave all the three copies of the motion for adjournment to the Secretary, one of which was intended for the Honourable Member in charge.

Mr. President (The Honourable Sir Abdur Rahim): It is not the business of the Secretary to distribute notices like that.

Mr. Abdul Qaiyum: I had noted in my notice to the Secretary that I am attaching one copy for the Honourable the President and one copy for the Foreign Secretary.

Mr. President (The Honourable Sir Abdur Rahim): It ought to have been sent to the Government Member by the Honourable Member himself.

Mr. Abdul Qaiyum: The Honourable Member was not here and I could not go after him and find him out.

Sir Aubrey Metcalfe: May I say on a point of explanation that I was in the House at five minutes to eleven.

Mr. Abdul Qaiyum: Then the Secretary should have returned the notice to me forthwith.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to know the rules.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Is it necessary for the Honourable Members to go to the houses of the Government Members and give them copies of notices of motions?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must find out the means of communicating the notice to the Government Member. This is being done every day: what is the good of raising these objections.

Mr. Abdul Qaiyum: If the notice had been returned to me . . .

Mr. President (The Honourable Sir Abdur Rahim): The Secretary is under no obligation to return the notice so that it may be sent to the proper person. The Honourable Member ought to know to whom the notice is to be sent.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): At least, the Secretary of the Legislative Assembly Department is under an obligation to hand over a notice received from an Honourable Member of the House

Mr. President (The Honourable Sir Abdur Rahim): No, the rules require that the Honourable Member must send the notice himself. It is bound to raise all sorts of complications if the Secretary were to accept such notices for the Member of the Government concerned. The motion is out of order.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following message has been received from the Council of State:

"With reference to the provisions of sub-rule (4) of rule 36 of the Indian Legislative Rules, I am directed to inform you that the Council of State has, at its meeting held on Thursday, the 17th February, 1938, agreed to the Bill to consolidate and amend the law relating to the business of insurance as further amended by the Legislative Assembly at its meeting held on Tuesday, the 8th February, 1938."

THE RAILWAY BUDGET—LIST OF DEMANDS

SECOND STAGE.

Mr. President (The Honourable Sir Abdur Rahim): Before the discussion of the Demands for Grants relating to Railways begins, I may inform the House that, so far as I know, no arrangement has been arrived at, which is usual in such cases, between the different Groups and, therefore, the only way I can deal with these motions is to take them up in the order in which they are printed. I may mention that the first motion is in the name of Mr. Ram Narayan Singh. It is a motion for the refusal of supplies to the Railway Board.

Mr. M. Asaf Ali (Delhi: General): May I just say a word about this? So far as the question of the arrangement is concerned, it is agreed now that the European Group and the unattached Members may take the whole day today and in the course of the day

Mr. President (The Honourable Sir Abdur Rahim): I do not know anything about this arrangement and, therefore, I have got to go on with the list of amendments as it is printed.

Mr. M. Asaf Ali: Even in that case, the result would be exactly the same.

Mr. President (The Honourable Sir Abdur Rahim): If the result would be the same, let it be.

Mr. M. Asaf Ali: Most probably it will lead to the convenience of everybody if

Mr. President (The Honourable Sir Abdur Rahim): I understand from the Honourable Member (Mr. Asaf Ali) himself that the first and second motions are not going to be moved.

Mr. M. Asaf Ali: Yes, that is so.

Mr. President (The Honourable Sir Abdur Rahim): In that case, the next motion stands in the name of Mr. Joshi and he belongs to the Group of unattached members.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): I rise on a point of order. Will you kindly inform the House what time limit you are going to impose?

Mr. President (The Honourable Sir Abdur Rahim): I cannot impose any time limit. The usual time limit that has been arranged by the House in the past is 20 minutes for the Mover of the motion and 15 minutes for the other speakers. If that is agreeable to everybody, I shall enforce it.

Honourable Members: Yes, it is agreeable to us.

Lieut.-Colonel Sir Henry Gidney: Sir, there is another point. There are many Members who have tabled similar motions. Will they have the privilege of talking on those motions out of their turn?

Mr. President (The Honourable Sir Abdur Rahim): They are entitled to speak on any motion that is before the House.

Mr. M. Asaf Ali: It is only for this reason that I wanted the arrangement to be understood because, I think, it will be in the interests of everybody if this arrangement is agreed to.

Mr. President (The Honourable Sir Abdur Rahim): The Parties have not agreed to it and, therefore, I cannot enforce it.

Mr. M. Asaf Ali: The Parties have agreed to the arrangement that today should be given to the European Group and the unattached Members.

Mr. President (The Honourable Sir Abdur Rahim): Very well, I will ascertain the wishes of the House.

Is it agreed by every section of the House that the unattached Members and the European Group will occupy this morning, and this afternoon

Mr. N. M. Joshi (Nominated Non-Official): I cannot agree to that.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): It has been agreed to, Sir, that this morning be given to the unattached Members and this afternoon to the European Group; and, during this interval, we will come to some arrangement among all the other Parties as to what motions should be taken up during the rest of the three days.

Mr. President (The Honourable Sir Abdur Rahim): Let me first ascertain from the House whether this is agreed to by all sections.

The Honourable Sir Thomas Stewart (Member for Railways and Communications): May I make one representation? It has been agreed to that the Mover of a motion should have 20 minutes and other Members should have 15 minutes. As far as I am able, I shall endeavour to keep myself within the limit of 15 minutes, but I think it would be in accordance with precedents, were I given some indulgence if, in particular cases, my reply extends beyond 15 minutes.

Mr. M. Asaf Ali: May I say a word?

Mr. President (The Honourable Sir Abdur Rahim): Let me first ascertain whether this is agreed to?

Mr. M. Asaf Ali: No, Sir, it is not agreed to. If Mr. Joshi is not prepared to agree to any of our proposals, we do not agree to this time limit.

Mr. President (The Honourable Sir Abdur Rahim): In that case, let the motions be taken in order. Let the Demand be moved by the Honourable Member.

DEMAND NO. 1—RAILWAY BOARD.

The Honourable Sir Thomas Stewart: Sir, I beg to move:

- "That a sum not exceeding Rs. 9,00,000, 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, 1939, in respect of 'Railway Board'."

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

"That a sum not exceeding Rs. 9,00,000 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, 1939, in respect of 'Railway Board'."

Provident Fund for Low Paid Employees.

Mr. N. M. Joshi: Sir, I beg to move:

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

Sir, I am glad that this important motion is coming up for discussion as the first motion. At the same time you will agree with me, Sir, that it is inconvenient for Honourable Members to have to move their motions without having sufficient time

Mr. President (The Honourable Sir Abdur Rahim): Let me make it clear now that the time limit has not been agreed to by all Parties. I understand that Government do not agree to the time limit of 15 minutes to the reply on behalf of Government.

The Honourable Sir Thomas Stewart: No, Sir. I expressed no general disagreement. I was perfectly willing to accept 15 minutes or 20 minutes. All I asked for was that though I would be prepared to keep within the 15 or 20 minutes, in special cases, I should be allowed some indulgence to exceed that time limit as was done in the past.

Mr. President (The Honourable Sir Abdur Rahim): That is not agreed to.

Mr. M. Asaf Ali: I made my position perfectly clear. In the beginning there was general agreement in the House that today should be given to the unattached Members and to the European Group. They were also prepared to abide by this time limit of 20 minutes and 15 minutes. If there is no agreement on the first proposition, what is the use of agreeing to anything else?

Mr. President (The Honourable Sir Abdur Rahim): As regards that, I know there is no agreement as regards the order in which motions are to be moved. The question now is about the time limit.

Mr. M. Asaf Ali: Under these circumstances, we agree to no time limit.

Mr. N. M. Joshi: I was saying, Sir, that it is somewhat inconvenient to Honourable Members to speak on their motions without knowing when the motions are likely to come up for discussion.

My object in moving this motion is to draw the attention of the Government of India to the desirability of altering the rules for eligibility to provident fund for railway employees. Sir, for many years, employees of Indian railways have been given the privilege of being members of provident fund. On the whole the provision of this provident fund is of great use to the railway employees. Unfortunately, the provident fund rules are such that there are some classes of railway employees who are not eligible for being

members of the provident fund. Generally speaking, all the railway employees who get more than Rs. 30 per month are required to be members of the provident fund. Those who get, generally speaking, between Rs. 30 and Rs. 15 have the option of either becoming members of the provident fund or not becoming members of the provident fund, so that people who get less than Rs. 15 a month do not get the advantage of the provident fund. There is also another class of railway employees who do not get the benefit of the provident fund, that is, railway employees who are considered to be daily rated men who work in the workshops, unless they work for three years. These rules are disadvantageous to these two classes of people, that is, daily rated men and men who get Rs. 15 or less. The Royal Commission on Indian Labour gave their consideration to this question and they recommended that the rules regarding the provident fund should be changed. Those who get Rs. 20 and more and who have put in one year's service should be required to be members of the provident fund, that is provident fund should be compulsory to those employees of the Indian railways who get Rs. 20 and more. They also recommend that those employees of the Indian railways who get less than Rs. 20 should be given the option of either becoming members of the provident fund or not becoming members of the provident fund. Provident fund is of great use, as I have said, to the railway employees as a provision against their old age and also premature death. The necessity for providing against old age and premature death will be recognised by the Government of India and by Honourable Members of the Assembly. The Government of India provide pensions for some of their employees, and they also provide provident fund for their railway employees who get more than Rs. 15 a month. My suggestion, therefore, to the Government of India is that they should accept this recommendation of the Royal Commission.

I am sure the Honourable Member in charge of Railways will recognise the principle of providing against old age of even the poorer class of railway employees. I am sure he will recognise also that if there is any class of railway employees who needs the provident fund more, it is the lowest paid railway employees. The man who gets a thousand rupees a month can easily save enough for his old age, but a man who gets only Rs. 15 a month cannot save money to make provision for his old age. If, therefore, the Government of India had to exclude for some reasons some class of railway employees from the benefit of the provident fund, they should have excluded the more highly paid railway employees. Unfortunately, the Government of India always follow a wrong principle in the treatment of their employees. They generally give the benefits of the provident fund and other things first to those employees who need it least, and when the time comes for making provision for the lowest paid employees, they find it difficult to do so. I, therefore, feel that the Government of India will now recognise that as they have provided for their better paid employees by giving them provident funds, they should immediately take steps to make provision to enable the low paid railway employees to get the benefit of this. I am sure the Honourable Member will accept the principle, but I shall not be content with mere acceptance of principle. I do not think there is anybody who will not accept the principle. But what we need, Sir, is an immediate alteration of the rules so that the lowest paid employees will get the benefit of the provident fund.

[Mr. N. M. Joshi.]

I have no doubt that if the rules are changed and the recommendation of the Royal Commission is given effect to, it will cost the railways a few lakhs of rupees. But the railways during the last two or three years have been making profits. In 1935-36 they made a profit of $1\frac{1}{2}$ crores; in 1936-37 they expect to make a profit of $2\frac{1}{4}$ crores; and in the current year also they expect to make a profit of $2\frac{1}{4}$ crores. If they are making profits now it is time that they should do justice to the lowest paid employees. To tell the lower paid employees that for want of money the Government of India cannot give them a provident fund is to do a double injustice. In the first place it was wrong to first give the provident fund to the better paid employees and exclude the lower paid employees; and it is a double wrong again to tell the lowest paid employees that all our money has been spent in giving a generous provident fund to the better paid employees leaving no funds for them and that, therefore, they must wait. I, therefore, hope that the Government of India will find money, as they have surpluses, to alter the rules of the provident fund and give the benefit of the provident fund as recommended by the Royal Commission; that is to say, the provident fund should be made compulsory for those railway employees who get Rs. 20 and more, and voluntary for those who get less than Rs. 20. I hope, Sir, the House will accept my motion.

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

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

Lieut.-Colonel Sir Henry Gidney: Sir, not being a socialist it is not often that I find myself in agreement with my Honourable friend, Mr. Joshi; but on this occasion I whole-heartedly support him and for the very reasons he has given to this House. Sir, I only reiterate one of his chief reasons when I say that the mere meaning of the word "provident" is to be of providence to those who are able to be provident owing to the smallness of their pay. The higher paid servants of the railway who can easily make providence for their old age are given a very handsome provident fund whilst the lowest paid poor employees are deprived of it. Why? In principle and in practice I submit that is quite wrong. I do realise that the provision of a provident fund for the lower paid employees, who number many thousands, will incur a very serious liability on the revenues of the railways. But apart from this fact, there is this very important aspect of this demand and it is this—by giving inferior servants this provident fund you will encourage continuity of service; you will encourage a providence of something material for these poor labourers to look forward to in their old age. And you will, therefore, be fulfilling in practice and substance what is actually meant by the words "provident fund". Mr. Joshi has correctly pointed out, it should be the duty of the Railway Board first to consider the comforts and the providence, in their old age, of the poorer servants before considering the old age super-comforts of those of its servants who can by their larger salaries provide for themselves. Sir, the Royal Commission on Labour was very explicit on this point. They recommended it should be given to those servants getting Rs. 20 a month and leaving it to their option of those drawing a lower salary to contribute to this fund. I consider the Railway Board should follow that recommendation in its entirety. I, therefore, support this motion.

The Honourable Sir Thomas Stewart: Sir, I shall reply very briefly indeed to this motion which has been moved by my Honourable friend, Mr. Joshi. As he said, the Government of India and, I am sure, every Honourable Member of this House, are entirely in sympathy with the root idea underlying the motion that he has moved, the root idea being that as far as possible not only railway servants but every individual in this country should be assured a comfortable old age after retiring from their employment or ceasing to work. But I hope Mr. Joshi will forgive me if I characterise his proposal as purely utopian in the present circumstances. His proposal is not one which is new to us; it has been under the consideration of the Railway Board before, and it has been rejected as impracticable. Mr. Joshi would have us believe that the cost of his proposal is a few lakhs. My Honourable friend, Sir Henry Gidney, did not even get as far as lakhs. But to get down to actual figures, the calculations which we have made show that to introduce such a provident fund system over the railway systems of India would cost half a crore of rupees per year; and in respect of State Railways alone it would cost something like 27½ lakhs per year. Now, Mr. Joshi has said that we can easily afford this money. He is cheered by the thought that in the past two years there has been a surplus of 1½ crores in one year and 2½ in another; and he now feels so confident of the secured position of the railways in future that he believes that the Government of India can without hesitation undertake a recurring liability for the future of 27½ lakhs. Now I should like, as the Railway Member, to be so

12 Noon. assured of the position of the railways as he is, but even if I were assured in my own mind that there was twenty-seven and a half lakhs to spare each year, I do not think that I should hand it over without any further consideration to a body of say 300,000 of our employees. I believe there are competing claims. There are the Provincial Governments and the men, women and children who live in the provinces. There is the general user of the railway, the third class passenger for whom so many claims are made on the floor of this House. Could I not get better value for my 27½ lakhs in improving the accommodation for the third class passenger or in reducing his fares. There are, I believe, something like 40 crores of third class passengers: have they the greater claim or have the 300,000 of our employees. For myself I have no doubt as to who should get the benefit of any money that could be spared, and for this reason I resist the cut motion.

Mr. President (The Honourable Sir Abdur Rahim): I have always treated these motions as amendments. There is no right of reply.

The question is:

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

The motion was negatived.

Railwaymen's Grievances.

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

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

The object of this motion is to draw the attention of the Government of India and of the Legislature to the urgency of removing some of the important grievances from which railway employees have suffered and are suffering. Sir, the first grievance which I would like to place before the House is as regards recognition of certain trade unions of railway employees. I do not know, Sir, what the policy of the Government of

[Mr. N. M. Joshi.]

India is as regards recognition of their trade unions, but today it is a fact that on some of the important railways the most important trade unions of their employees are not recognised. The Bengal Nagpur Railway does not recognise the Bengal Nagpur Railway Indian Labour Union. It is a very important union. It has more than 25,000 members, and it has been in existence for a very long time. Sir, the withdrawal of recognition of this union has a long history, but I shall not tire the House by narrating all the facts. Last year, Sir, or year before last there was a strike on the Bengal Nagpur Railway. After the strike was settled the Agent of the Railway one day informed the president of the union that he had withdrawn the recognition of that union. The Government of India appointed Mr. Mudie to inquire into some of the matters connected with the strike, and Mr. Mudie on some grounds defended the action of the Agent. His main argument was that the union was under the influence of outsiders. Now, Sir, the Royal Commission on Labour has considered the question of the influence of outsiders on trade unions. The Commission came to the conclusion that under the present circumstances the help of outsiders is absolutely necessary for the proper growth and for the proper working of trade unions. Therefore, it was very wrong of Mr. Mudie to try to defend the action of the Agent of the Railway on the ground that the union was under the influence of outsiders. Then, Sir, he gave certain other grounds: he said that the union did certain things which he did not approve of and the Agent did not approve of. I raised the question of the withdrawal of recognition by way of a question at the last Assembly Session. The Honourable Member in charge of Railways at that time suggested that if the union was reorganised it would be recognised. Then I made certain suggestions to the Honourable Member in charge of Railways about the reorganisation of the union. He agreed, and then I made these suggestions to the union itself. The union has agreed and reorganised itself. After reorganisation the union approached the Agent. The Agent seems to be sympathetic, he discussed the question with the president of the union and also with some of the representatives of the union. Unfortunately, Sir, the matter is being delayed. The Agent, although he seems to be sympathetic, I am afraid, is meeting with some difficulties, and my fear is that the difficulties are not from the Agent himself—from the talks which the Agent had with the representatives of the union, the Agent seems to be satisfied. He attended the annual general meeting of the union, and he actually made a speech at the annual general meeting. Still the Agent finds it difficult to recognise the union. Last year the Honourable Member in charge of Railways, Sir Sultan Ahmad, said that the Bengal Nagpur Railway, being a company-managed railway, the Government of India could not dictate to the Agent to recognise the union. It seems to me, Sir, that although the Government of India could not dictate to the Agent to recognise the union, they are prepared to dictate to the Agent not to recognise the union. I, therefore, suggest to the Government of India that if they are standing in the way of the Agent in the matter of recognising the union, they should not do so. On the other hand, I would suggest to the Government of India to use their influence with their Agents to secure recognition for unions on their Railways. Now, Sir, besides the Bengal Nagpur Railway Union, on the Bombay, Baroda and Central India Railway also there is a union which is not recognised. My friend, Mr. Jamnadas Mehta, whom most of the members in this House know, is the president of that union. This

Union, so far as I know, is working on very right lines. Still the Agent who had taken away its recognition has not restored it. Then, Sir, the Madras and Southern Mahratta Railway Union is not recognised. I, therefore, suggest to the Government of India that they should take a very sympathetic view of the matter and recognise that a properly conducted trade union is a great help to the railway administration itself, and do their best to secure recognition for unions which are working on Indian railways.

Now, Sir, I shall not take up the time of the House by dealing with this question of the recognition of trade unions. I shall now deal with some other grievances on some of which the Royal Commission has made recommendations supporting the demands of the railwaymen. Sir, the first question is about medical examination. The Indian railways hold periodical medical examination of their employees. This examination is held, not only for those people who have work on the trains, in whose case perhaps a re-examination may be necessary, but the re-examination is held even of other staff, and the Royal Commission made a recommendation, as regards this subject, that where an employee is not satisfied that the report on his health made by the doctor appointed by the railway, the railway employee should have a right to secure consultation and advice of a private doctor. Unfortunately, the Government of India do not accept this recommendation of the Royal Commission. The Government of India suggest that as they are responsible for the safety of the Indian railways they must accept the opinion of their Chief Medical Officer. I am not suggesting that the Government of India should not accept the opinion of their Chief Medical Officer. What I am suggesting is this: that before the Government of India come to any decision, where a railway employee feels that the report of a railway medical doctor is not fair, the employee should have a right to bring into consultation a private medical doctor. The opinion of the private medical doctor should be before the Chief Medical Officer and the Government of India before they come to a final decision. This practice of giving a railway employee the right to bring the opinion of a private doctor as an advice or help to the railway doctor is followed in many countries and the recommendation of the Royal Commission is a very sound one, and I hope that the Government of India will see their way to accept this recommendation.

Then, there is the question of hours of work on Indian railways. I have two grievances on that point. In the first place, although the Government of India have ratified a convention of the International Labour Organisation binding themselves to regulate the hours of work on certain classes of railway work, the Government of India have not given full effect even to their ratification. The complaint was made at one of the meetings of the governing body of the International Labour Organisation that the Government of India had not carried out their international obligation. At the meeting the Government of India representative said that the Government would give effect and carry out their obligations as soon as possible. Unfortunately, we have been waiting to see that the Government of India would carry out their international obligation. It is now more than two years since the Government of India made that promise to the governing body and they have not yet done so. The Government of India are giving effect to those regulations one by one on different railways; it is true that they have applied those regulations to some of the important railways. But, there are many railways still to which the

[Mr. N. M. Joshi.]

regulations regarding the hours of work do not apply. I would like the Government of India both from the point of view of the welfare of their employees as well as from the point of view of their duty to carry out an international obligation, to apply the hours of work regulation to all the employees of the Indian railways. That is one of my grievances.

My second grievance is that the hours of work on Indian railways are too long. The hours of work regulation lays down that the hours of work shall not exceed sixty hours a week, *i.e.*, about ten hours for daily work. I feel that that period for daily work is too long. Most of the countries in Europe do not take more than eight hours work from their railway employees, and in India also the Government of India have passed the Factory Act, reducing the hours of work from 60 to 54; and if the hours of work in factories could be reduced from 60 to 54, it is time that the hours of work on railways also should now be reduced.

Then, there is another grievance. That is that trade unions which are recognised are not allowed to make representations to the Agent regarding the individual grievances of their members. Here also the Royal Commission has recommended that the trade unions should be allowed to make representations to the Agents or the railway authority as regards the grievances of individual members. The Government of India do not agree to that recommendation of the Royal Commission, and I would like them to reconsider their decision and accept the recommendation of the Royal Commission.

The Government of India announced that they have appointed a Conciliation Officer and they propose to appoint also an advisory committee to advise the Government of India or the Railway Agents on the points in dispute with the railway employees. In this connection I would like to state that the appointment of a Conciliation Officer and the appointment of an advisory committee is not carrying out the recommendation of the Royal Commission on this point. The Royal Commission recommended that a joint board should be appointed in order that the questions in dispute between the railway authorities and the employees on the Indian railways should be discussed and a settlement should be arrived at. I would have liked the Government of India to accept the carefully thought out recommendation of the Royal Commission. The Government of India have not done so. They have appointed a Conciliation Officer; unfortunately, this officer, I am told, has been asked to remain in touch with or receive complaints only from recognised unions. We are in this position. A Conciliation Officer has been appointed and he has been receiving his salary; but he is asked not to deal with unrecognised unions. He has been appointed in Calcutta; the most important railway near Calcutta with which this officer will have to deal is the Bengal Nagpur Railway; unfortunately, the largest union on that line is not recognised, with the result that the Conciliation Officer cannot be made use of by the employees of the Bengal Nagpur Railway. I would like the Government of India in any case to permit the Conciliation Officer to take complaints even from unrecognised unions. Let them recognise the union; but if they do not recognise it, let them at least permit the Conciliation Officer to receive complaints from even unrecognised unions.

Then my next complaint is that the Government of India are following a wrong policy in giving contracts of certain kinds of work which the railways were doing departmentally for many years. I do not know why the

Government of India which maintains a large administration on every line should only for certain purposes employ contractors. How contract work can be profitable to railways I cannot understand, unless there is exploitation of the workers. The railways have not been paying their employees over generously, and if the railways can get contractors to do their work more cheaply, either the workers employed by the contractors are exploited or there is something wrong in the railway administration itself. If a contractor can do a work cheaply and also make profits, I cannot understand why a railway officer should not be able to do it, unless either the contractor is exploiting the labourers or the railway officers are corrupt. The Government of India must accept one of the two things. It is only on that hypothesis that a contractor can do the work cheaply, otherwise a contractor who undertakes to do work for profit must be more costly than departmental work. Unfortunately, the Government of India are following this policy. I feel that the Indian railways do not make a profit out of the system of contract work. There is something wrong somewhere. It is a very suspicious business that railway officers should be willing to hand over work, which they themselves were doing, to contractors. There is somewhere somebody who is making money, and I would like the Government of India to make inquiries into the business of contract labour. In any case, I would like the Government of India not to give any work in their workshops on contract, because the contractor in order to make a profit exploits his employees, and if he does not do so, he does his work in a bad manner, otherwise he cannot make a profit, and if he does make a profit, the railways must be losing. Sir, I read in the last Administration Report that the Government of India have gone to the length of giving the work of even cleaning engines to contractors. Sir, these railway locomotives and engines are very valuable public property, and to hand over the cleaning of these engines to contractors is not a sign that the Government of India are looking after the public property in this country wisely and properly. They are running the railways; they run big workshops, and in small things like the cleaning of engines and locomotives they give out this work to contractors. Sir, it is an unwise policy to hand over locomotives and engines to contractors. They will not be kept clean, and our property will deteriorate. But, unfortunately, the Government of India have allowed their officers, whenever they are so pleased, to give the work out on contract. I would like the Government of India to change this policy and give up these contractors and do all these things themselves.

Sir, these railway employees have many grievances; I cannot deal with them all, but, before I close, I would like to refer to one more grievance, and that is of the clerks in the offices of the Divisional Superintendents and Divisional Offices. There are two grades of clerks in these offices called the 1st grade and the 2nd grade. I do not really understand the exact nomenclature. These two grades of clerks do almost the same kind of work, but they are paid at different rates. This grievance of the clerks is a long standing one. It has been placed before the Legislature several times. Unfortunately the Government of India have not so far paid much attention to the complaints made on this point. I would, therefore, like the Government of India to give their sympathetic attention to the grievances of the clerks who are divided into two grades, although there is really no need for dividing them into grades, and remove their grievance, and those people who are paid lower should be given the higher

[Mr. N. M. Joshi.]

grade. Sir, I don't wish to take up any more of your time. I hope the Honourable Member in charge of the Indian Railways as well as the House will accept my motion.

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

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

Mr. A. G. Olow (Labour Secretary): Sir, my Honourable friend, Mr. Joshi, has covered a very wide field, most of which pertains to the Railway Board itself, but he has touched on two matters for which now my own Department is primarily responsible, and I shall try to deal briefly with those.

The first is that of the Conciliation Officer on the railways. I think he complained,—I heard very little thanks for the new system which was inaugurated,—but I think he complained that owing to the Conciliation Officer's purview being limited to recognised trade unions, he was not able to deal with a large number of the employees who should be his special care. That is not precisely the position. So far as the unions are concerned, undoubtedly he has to take into account only recognised unions, and I suggest that we would be stultifying ourselves if Government on the one hand or their Agents recognised certain unions and refused recognition to others and then told their Conciliation Officer to go and keep close contact with the unrecognised unions. And the mere fact that a union is unrecognised does not prevent its members or any group of its members from availing themselves of the services of the Conciliation Officer if they so desire.

As regards the statutory application of the hours of work, my friend, I think, suggested that we had accepted a Convention and failed to implement its provisions. That is not the case in my opinion . . .

Mr. N. M. Joshi: That is the decision of the International Labour Office.

Mr. A. G. Olow: That was not the decision. I must deny that. The matter was thrashed out a number of years ago at Geneva. I am afraid I have not got the papers with me; I had no warning that it was going to be raised here. But if I may quote from memory,—and my friend will correct me if I am wrong,—the wording of the Convention roughly is that the principle of the sixty hours work shall be accepted in such branches of railway work as may be specified by the competent authority. Well; Sir, we have accepted that principle. We have gone further, and we have embodied it in legislation. We have gone further still; we have brought that legislation into force, and we have gone further still and applied that to a very large extent, and have been gradually engaged in extending the application. Today we have applied it, believing that charity begins at home, to the great State Railways, the East Indian, the N. W. R., the G. I. P. and the Eastern Bengal Railways. We have gone on to the company-managed railways and applied it to the M. & S. M., B. & N. W. and the B., B. & C. I. R. and that leaves, I think, four first class railways to which extensions have to be made in the future. That does not mean of course that there are not an enormous number of men on those four

railways who are already enjoying a shorter week than the Convention provides. All it means is that our legislation does not extend as far as those railways as yet.

Well, the enforcement of the provisions only came under the Labour Department a few months ago, and since then I have tried to familiarise myself with the position, and I must say frankly that I am surprised at the thoroughness with which these extensions have been made. In fact, my opinion is that if the Railway Board some years ago had been less ambitious and had tried to cover fewer classes on the railways to which they extended this Convention, its general extension would have been a much easier matter than the task that has actually been undertaken. I can only repeat that, as regards the remaining railways an enormous number of men, the great bulk in fact, I believe, enjoy a shorter week or no longer week than the Convention provides, and that we have under active consideration the steady and further application of the Convention. So that, I hope, it will be no distant date before it has been applied to all the big railways of India.

Mr. Lalchand Navaijai (Sind, Non-Muhammadan Rural): Sir, I give credit to my friend, Mr. Joshi, for always taking up the question of the unions and labour. There is one point with regard to unions to which I would like to refer. There are some unions which are not being recognised by the railways. In my humble opinion, those unions which are working under the Railwaymen's Federation ought to be recognised. There is one union in Karachi which is not recognised and that requires to be recognised. At present everything is left to the Agents. The Railway Board has too much faith in the Agents, and they give them so many powers that the Agents are not able to cope with their work properly. Whenever we put a question to the Railway Board, we get the reply that it is a matter primarily in the hands of the Agent. This subject requires to be revised as to what powers should be given to the Agents and what powers should be reserved for the Railway Board. The Railway Board feels itself responsible for only the policies, and not for the administration. As regards administration, they leave everything to the Agents and that is a great mistake.

There is one subject in regard to which my friend, Mr. Joshi, did not do full justice. He did refer to the subordinates drawing small salaries without any increment and retiring on small emoluments. He did also refer to two classes but I would say something about them, in some detail. These subordinates are luggage clerks, booking clerks, signallers and subordinates of that nature. The number of them is very great. There is no doubt about it; but their prospects are very low and so many complaints have been made to the Railway Board that this is not a new subject at all. They have made representations. They have approached Members and questions have been put with regard to them but nothing has been done for them so far. They are in a pitiable plight. I must warn the Railway Board that they must keep their subordinate staff contented. To leave them discontented will mean that the railway administration will not go on efficiently and they may take Mr. Joshi's advice and strike. These are the things that require to be looked into. These clerks start on 33 and they rise by Rs. 8 to Rs. 60. This is one grade. The next grade is of Rs. 90. Do they ever reach this grade? I have received representations in which they say that even after a service of 25 or 30 years, they retire on Rs. 60.

[Mr. Lalchand Navalrai.]

Is this fair to these people who are doing so much work? For instance, booking clerks not only do booking but they take care of any money that is entrusted to them from other departments of the railway. They do so much other work. It is only fair that these two grades should be amalgamated. When we raise that question, we are asked to go to the Agent and the Agent does nothing and there is thus seething discontent on this matter. When it is brought up before the advisory committee where there are some of the Members of the House as also others, we are told that it is not the function of the advisory committee to advise on that. Where are these poor people to go? This is not a matter on which the Railway Board should sit silent. This is a matter which the Railway Member should take in his own hands and give relief.

In the civil departments, the figures of emoluments that have been given to me for such grade service are different. They start on 40 and they go up to 120. There is the Postal Department where they start on 40 and go up to 120. It is the same in the Military Department and also in the Clearing Accounts Office. In the Chief Accounts Office of the North Western Railway also, they have amalgamated the two classes. Why should not these grades be amalgamated also. Then there are the station clerks on the North Western Railway, Grade I. They get from 80 and go up to 50 and then they rise to 60. Those are the persons for whom also I am pleading. This is a point that should be carefully gone into and redress given at a very early date.

As regards the other grievances of the railwaymen, their greatest grievance is the deprivation of their passes. So many complaints have been made on this subject and yet what is the result? When we went in deputation to the Railway Member and Sir G. Russell, it was said that these questions would be considered by a certain date. The predecessor of the Honourable Member, Sir Sultan Ahmed, fixed upon some particular date by which they would take up the question, but nothing has been done. When I put a question the other day as to when these pass rules were going to be modified and the original pass rules put into operation, the reply was "We cannot give any information". These subordinates have been suffering from 1937 and those pass rules have not yet been revised. I cannot understand why this matter should be kept so very confidential. Why has not the present Honourable Railway Member told us that he is going to come out with these revised pass rules soon and that they will come into force from such and such a date or at least that the decision will be announced on such and such a date? Sir, these are not small matters. It may be urged that these are matters of detail, but I say that that is not so; these are matters of very great importance in the administration of the railways and I would, therefore, submit that this motion should be supported. I need not at this time say anything more on this because many of my cuts on these points will also come up later and I wholeheartedly support this cut.

Mr. Thirumala Rao (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural): Sir, I rise to support the cut moved by my friend, Mr. Joshi. I do not want to go into the details of the very many grievances of labour, but I want to bring to the notice of the Honourable Member in charge of Railways one glaring instance in which the M. & S. M. railway authorities have behaved unjustly and in a high-handed manner;

It is with regard to one Mr. Narasimham who is the Secretary of the labour union for Bezwada. Sir, he was elected a Member of the Madras Assembly for the labour seat reserved for non-railway labour in my part of the constituency. He was an active member of the labour union and he was the Secretary, taking keen interest in the welfare of the labour union. As such, he had already come under the attention of the authorities and as soon as he was elected a Member of the Madras Assembly on the Congress ticket, he came in for a good deal of disfavour. From that very moment the authorities began to look down upon him and they wanted to see that he was out of his job as soon as possible. He applied for leave to the Agent of the M. and S. M. Railway but the leave was refused and he was compelled either to remain as a Member of the Assembly or to be an employee of the railway. Such a public-spirited gentleman who has been devoting much of his time to the betterment of the conditions of labour was not encouraged by the railway company. If the latter had any regard for the welfare of the labour whose welfare he was looking after, they would have given him leave of absence for as long as he was a Member of the Assembly. Sir, this question was raised on the floor of this House in the Simla Session by way of interpellation and there was no encouraging reply from the Railway Member on that point. Now, Mr. Narasimham was compelled to resign his job on the M. & S. M. Railway because he was devoting his time to work as a Member of the Legislative Assembly.

Then, Sir, with regard to the rules governing the conditions of labour on some railways, they are always one-sided. There is a case in which several ticket collectors in my part of the constituency were suddenly discharged from service without assigning any reason. No doubt some frauds had been going on and some C. I. D. constables were employed to detect the frauds committed by some outside people who were systematically carrying on the sale of used tickets and they defrauded the company to some extent. None of those who were thought to be guilty of this offence could, however, be convicted in a Court of law. The whole case was based on the evidence given by a C. I. D. constable and serious strictures were passed by the Deputy Magistrate of Cocanada against the nature of the evidence adduced by the prosecution to prove its case. The railway company could not prove their case against the accused who were outside people, and what they have done is to suddenly discharge eight ticket collectors without assigning any sufficient reason. The Agent of the M. and S. M. Railway sometime before the criminal case was started against outsiders simply gave a notice to these ticket collectors telling them that their services were not required. No charge had been framed, no warning had been given, they were never apprised of the guilt which they were thought to be guilty of, and the Railway Agent simply gave them a notice asking them that they should quit. In at least two or three of these cases I know that they were given promotion just a week before their discharge, but they were discharged without assigning any reason. Sir, I urge that the Honourable the Railway Member should investigate these two matters and rectify them. With these words, I support Mr. Joshi's motion.

The Honourable Sir Thomas Stewart: Sir, at the commencement of his speech Mr. Joshi suggested that he was unaware of what was the policy of the Railway Board in regard to the recognition of trades unions.

[Sir Thomas Stewart.]

I propose, therefore, to tell him very briefly what is the policy of the Railway Board. The policy of the Railway Board is that of the Government of India, which has always recognized the importance and value of a properly organized, and a properly administered trade union system. The Government of India have laid down certain conditions under which they are prepared to recognize a trade union. The three initial conditions which should be fulfilled are these: firstly, that the trade union must consist of a distinct class of Government employees; secondly, that all Government employees of the same class must be eligible for membership; and thirdly, that it must be registered under the Trade Unions Act. These are the preliminary conditions which should be fulfilled. But it does not follow that any trade union by fulfilling these preliminary conditions is thereby entitled to recognition, or entitled, once recognition has been given, to remain as a recognized union. There are other circumstances which may arise, and the most obvious case I could put forward as an illustration would be the case of a trade union which, while fulfilling these three initial conditions, was managed in such a way as to exploit the workers so as to subordinate their real interests to the political ends of those who were running the trade unions. I think that it is common knowledge that examples of this nature have been found to occur in India. The Railway Board, of itself, does not recognize trade unions for I think the very obvious reason that they themselves, as a body, are not in direct relationship with the labour masses: their policy, therefore, is to leave to the Agents of the State-managed Railways the discretion to recognize, or not to recognize, a union. At the same time the Railway Board, in the event of a refusal of recognition by an Agent, is prepared to hear representations from the union whose recognition has been refused. They themselves are not altogether out of touch with labour conditions and labour views. A convention has grown up that the Railway Board should meet twice a year representatives of the All-India Railwaymen's Federation, and in the course of the last meeting there arose an issue, which has some considerable degree of relevance to this question of the recognition of trade unions. In the course of discussions between the Chief Commissioner and the representatives of the Federation, the suggestion was made that the Federation should examine the possibility of framing a model set of rules for railway trade unions which would be acceptable both to the railway authorities and to any reasonable trade union. The Federation, I believe, have this task under consideration and, should we and they evolve between us a model set of rules, I venture to think that the problems of the recognition of trade unions by the railways will be far on their way to a solution. Mr. Joshi proceeded from the general to the particular and made a special reference to the B. N. Railway union, the recognition of which was withdrawn about a year ago. The withdrawal was, as Mr. Joshi pointed out, the subject of an investigation by Mr. Mudie and now at this stage negotiations for its re-recognition are going on. Mr. Joshi has not ventured a direct accusation, but he has insinuated that it is the Government of India or the Railway Board who are interfering in this question of the recognition of the B. N. Railway union. I am in a position to inform him that there has been no interference of any sort. The question of the recognition of unions by the Agents of Company-managed railways is entirely within the discretion of those Agents and we have interfered in no way with the discretion of the Agent in this matter.

Another grievance to which Mr. Joshi made a reference was that the Railways, when a medical examination of their employees is necessary, insist that such a medical examination should be carried out by the railway administration's own medical officers. The justification for that, I think, is obvious. The railways are carrying a great responsibility. If there are accidents, if there is any damage to person or property, the railway is held responsible; and if they have in their employment any employee whose disability contributed to the accident and damage, then, if the railway authorities have not taken proper care to see that their employees were fit to carry out their work, they are certainly rendering themselves liable to an accusation which they cannot resist. Certificates may be obtained from private practitioners, but what responsibility do private practitioners carry upon themselves in the event of anything going wrong? This is a matter to which the railway administration must attach the utmost importance. But I would point out that in every case in which a railway employee is aggrieved by the decision of the medical officer who first examines him, he is entitled to appeal to the higher authority, to the Chief Medical Officer of the railway. So far as I am aware, there is no reason why, in order to reinforce his appeal, he should not place before the Chief Medical Officer the opinion of an outside specialist.

The third point of which complaint was made by Mr. Joshi was that trade unions were prevented from representing individual grievances. Of the soundness of that prohibition I have not the slightest doubt, for if that practice were permitted I can conceive of nothing which would contribute more towards the exploitation of the individual worker in order to secure an influential position for the trade union organiser. I feel certain that the unscrupulous organiser would not hesitate to jeopardise the rights and interests of the individual in his own self-interest.

Another matter was that of contract labour. Now, I wonder whether Mr. Joshi condemns contract labour on railways only or whether he is prepared to extend his condemnation to contract work in general. I have always understood that the occupation of a contractor was a very important one and that many of the most important engineering works in the world have been carried out by contractors. But, apparently, so far as Mr. Joshi is concerned, a contractor involves either inefficiency or corruption, the reason being, apparently, that Mr. Joshi could not see how a contractor could make any profits. Well, I believe that contractors have made profits and without corruption, and there are very excellent reasons why contractors can make profits where a large departmental institution could not do so. A contractor, for example, is relieved of the very high overhead charges that a large departmental institution has to bear. So, I do not think that it follows that because the work may be done cheaper from the point of view of the railway, it therefore means either exploitation of the labour or corruption of our railway officials. He complained bitterly of one particular case, that we were handing over to contract cleaning the care of our very valuable locomotives. I think he might do our mechanical engineers the justice of believing that they have not blindly embarked upon a policy which will involve the break-down of their most important machinery.

Mr. N. M. Joshi: The losses will be ours and not those of the officers.

The Honourable Sir Thomas Stewart: I believe that the officers are responsible enough to recognise that without admonition from Mr. Joshi.

There was brought up the case of Grade I and Grade II clerks. Mr. Joshi was not quite sure where they were, but Mr. Lalchand Navalrai has crossed his t's and dotted his i's. The reference is entirely to the Grade I and Grade II clerks on the North Western Railway, with regard to which Mr. Lalchand Navalrai has been bombarding the Railway Department with questions for some considerable time. Now, the case for these clerks, in my opinion, rests not on the merits of these particular grades. The case is based, I think almost entirely, on the fact that there was an amalgamation of grades in another office, viz., the Accounts.

Office where clerks who formerly formed two grades were 1 P.M. amalgamated into one. Seeing this amalgamation carried out, the ordinary clerks of Grade I and Grade II have set on foot an agitation that they should be treated similarly. But the cases are not the same. There are distinct differences in the work that was performed by the two grades of accounts clerks and the work that is performed by these ordinary clerks. However sympathetic the Agent might have felt in regard to the treatment of the two classes, the accounts and the ordinary clerks, in the same way his examination of the situation revealed that this only could be done at an expense that was disproportionate to any benefit that would accrue. It has been said that the effect of maintaining these two grades is, the clerks in the lower grade have to retire on the maximum pay of that grade. Now, my latest information is that there are sufficient vacancies occurring in the upper grade as to allow a reasonable flow from the lower to the upper.

Mr. Lalchand Navalrai also referred to the passes question. I do not know that I can say very much more than I did a few days ago. I have told Mr. Lalchand Navalrai that the matter is under consideration. He may ask, am I considering it now? When I say that for the next few days I shall be unable to do so, Honourable Members will understand that I have other pre-occupations, but in any case it is a matter which will receive my early consideration. But I am not in a position to say what my decision will be.

There was raised from the other side of the House the case of Mr. Narasimham, and I am not quite sure that my Honourable friend gave the true chronology of what happened in respect of that officer. I, therefore, propose to read out again the reply that was given in this House a few days ago:

"Government understand that Mr. V. V. Narasimham applied for permission from the Madras and Southern Mahratta Railway Administration to stand as a candidate for election to the Madras Legislative Assembly. This permission was refused in writing. In spite of this Mr. Narasimham stood as a candidate and was elected. The Madras and Southern Mahratta Railway Administration then told him that he must decide whether he would retain his seat in the Assembly or remain an employee of the Company, as he would not be permitted to do both. He did not comply with this order but applied for long leave of absence without pay, with the obvious intention of continuing both as an employee of the Madras and Southern Mahratta Railway and a Member of the Madras Legislative Assembly. Thereupon, the Madras and Southern Mahratta Railway Administration advised him to resign his job as otherwise he would be discharged. He was eventually discharged from railway service. I may add that

the policy laid down in June, 1937, by the Government of India is that subject to the necessary legislation being enacted by a Provincial Government for the removal of disqualification under section 69 (1) (a) of the Government of India Act, 1935, employees on State-managed Railways should not be prevented from standing for election from railway labour union constituencies in provinces where they exist and from other labour union constituencies where separate railway labour union constituencies do not exist. Government have also agreed that an employee who may be elected from a labour union constituency or from a non-labour union constituency under the circumstances stated above should be granted leave due or leave without pay so long as he holds a seat in the Legislature and provided no additional expenditure is incurred thereby by the railway on which he may be employed. Government are not prepared to go further than this. In the case of the Madras and Southern Mahratta Railway, which is a Company-managed Railway, the Government are not in a position to issue instructions in a matter of this nature. I would, however, add that the Madras and Southern Mahratta Railway Administration have acted in accordance with the policy of the Government of India, in this matter."

In short, Mr. Narasimham was not discharged because he stood for the Madras Legislative Assembly and was elected. He was discharged, Sir, because he disobeyed orders.

The last complaint that was made by Mr. Thirumala Rao was in respect of certain individuals who were suspected of some criminal practices. I regret that I cannot regard that as a labour grievance of the employees of the State Railways. I think, Sir, that Mr. Clow and myself, between us, have dealt with all the representations made by Mr. Joshi, and, for the reasons we have given, I oppose the cut.

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.

Policy behind Increased Output of State Railway Collieries.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I beg to move:

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

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

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

Mr. T. Chapman-Mortimer (Bengal: European): Sir, at the outset, I should like to explain why it is that we, in this Group, have decided to raise once again this thorny question of the coal policy of the Railway Board. Briefly, Sir, our purpose is three-fold one; firstly, to set before this House the importance to Government and to industry in general of stability and some measure of reasonable prosperity in the Indian coal trade. Secondly, to call the attention of the House to the effect upon the coal industry of the policy of the Railway Board and, thirdly, to seek from the Government some assurance that they will take early steps to reconsider their present policy with a view to assist the colliery owners to place the industry once more upon a stable basis, or at least on a basis more stable than it is in today. There will, I think, be agreement in this House regarding the duties and responsibilities of the Government not merely in regard to railways but in regard to the coal industry itself and as regards the general public. Briefly, these duties and responsibilities may be set

[Mr. T. Chapman-Mortimer.]

out follows. First of all to safeguard the railways in matters of their coal supply both as regards the quantity of coal they require and as regards the prices at which they secure that supply, and secondly, to safeguard the interests of industrial consumers in general and of private consumers of coal both now and in the future. These two responsibilities are those that are most apparent to the average man and those that must naturally come to one's mind in discussing a matter of this type. But it should not be forgotten that Government have a third responsibility, namely, to foster the development of a stable coal industry on a basis that will enable owners to pay reasonable wages to labour, improve their methods of production, contribute by way of income-tax to public revenues, and yield to thousands of investors a better return on their capital than they receive today,—in other words, a fair return, because of these thousands of shareholders in railway concerns very few now get any return at all upon their capital.

From this statement of Government's responsibilities we at once come to the question of how to supply the railways with their coal requirements at a reasonable cost and at the same time in such a manner as not to do harm to the coal industry. Clearly, this issue cannot be considered at all without reference to the railway collieries. I should like therefore, Sir, to make it quite clear that on this occasion it is not our intention to criticise the policy of State ownership of the collieries or to question in any way Government's right to adopt in regard to those collieries such a policy in the matter of raisings as it thinks fit. Debates on the coal trade and on the Railway Board's coal policy have in the past unfortunately caused some high feeling in this House. I trust that on this occasion such feeling will be absent. The issue we believe to be an important one, and we hope that when Honourable Members have heard what we have to say in this connection they will share our view that the proposals we now put forward are constructive and helpful, not merely to Government but to all sections of the trade. Large and small companies alike are affected and it is our earnest hope that the representatives of both large and small concerns, no less than the spokesmen of Government, may be able to reach an agreement on this important question. Our object is to secure examination of an altogether wider issue than the narrow one of advancing the prosperity of certain commercial undertakings, great or small, at the expense of the railways or of the public. To do this I would ask the House to examine what steps can and should now be taken to help towards the creation of stable conditions in the coal trade. The Public Accounts Committee and Honourable Members of this House as well as the representatives of Government have on more than one occasion in the past emphasised that railway collieries are essential to the welfare of the railways: that they must be worked as economically as possible; and that to that end Government must retain their freedom to adapt their policy, in the matter of raisings, to the circumstances of the year to which that policy relates. We recognise, Sir, that much as the policy of the Board may in the past have done injury to the coal trade, the Railway Board and their Chief Mining Engineer are today sincerely anxious to co-operate with the trade in solving some of the great difficulties that have been and still are facing them. The closest co-operation between the Railway Board and the colliery owners is obviously highly desirable. It is clear that the policy of Government in the matter of raisings from railway collieries and still more

in regard to its coal purchase policy must continue to have a profound effect upon coal prices and upon the prosperity of the industry generally.

Mr. President (The Honourable Sir Abdur Rahim): Perhaps the Honourable Member would like to stop now and resume after lunch.

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. Deputy President (Mr. Akhil Chandra Datta) in the chair.

Mr. T. Chapman-Mortimer: Sir, I should like to recapitulate, very briefly, the points which I endeavoured to make before the House adjourned for lunch. The first point I made was that we were not on this occasion raising the issue of State versus private ownership of collieries. Secondly, I endeavoured to draw a distinction between three different aspects of the duties and responsibilities of Government: first of all, the responsibility that is on Government to safeguard the position of railways in regard to coal supplies, both as regards prices and as regards quantity; secondly, to safeguard industrial users and other consumers of coal both in regard to their present supplies and in regard to their future supplies of coal; and thirdly, to foster by all means possible a stable coal industry. Lastly, I tried to show the great influence the Railway Board's coal policy has, and must continue to have, on the coal industry, and urged that there should be the highest possible degree of co-operation between Government and the trade. These, Sir, were the points I made before lunch.

Suitable coal at cheap prices—when I say cheap, I mean fair and reasonable prices—is of such vital interest not merely to the railways, but to every industry in the country, more especially the iron and steel and other heavy industries whose fortunes are so closely bound up with the railways that all of us must desire a continuation of relatively cheap prices—by relatively cheap I do not mean the kind of prices we have seen in recent years; I mean something more approaching the prices of coal as they were last year. But if the railways and industries of this country are interested in cheap coal, they are no less interested in the conservation of India's coal resources for the benefit of her future generations. According to the report of the Coal Mining Committee,—that is to say, the Committee better known as the Burrows Committee, the loss of coal incurred owing to the cost of recovery being higher than the market value amounted to no less than 15 per cent. of coal mined. In this connection, I should like to make it clear that I am not here speaking of loss of coal due to bad mining, which has been estimated by the Coal Committee at 5 per cent. I am speaking solely of coal that has been lost, because it is not profitable to work it when the best quality coal is being sold at what the Burrows Committee themselves declared to be rubbish prices. Clearly, it is of the utmost importance to the railways and industry, and also, of course, from the national point of view, that loss of coal due to unduly high cost of recovery should be reduced to the lowest possible figure. Reasonable and stable prices for coal will help to achieve this.

[Mr. T. Chapman-Mortimer.]

The Coal Mining Committee felt it to be so serious a problem that they proposed a vast and expensive scheme of coal conservation. The Indian Mining Association have given a well considered reply to the Coal Committee's scheme, and we on these Benches trust that their views on this matter will receive the careful consideration not only of the Labour Department whose primary interest it is to examine that report, but also of the Railway Board who are equally vitally interested in it. In the considered view of men who speak with authority on these matters this tremendous waste of good coal, that is to say, waste of the particular kind to which I have referred, can be stopped—or, at all events, largely checked—if, but only if, the Railway Board takes a hand in the matter, and I shall have occasion to return to this again very briefly.

Improved safety measures for the safeguarding of labour in mines are now under consideration by Government and the industry. The effect of these measures, when brought into force, must be to increase the cost of coal production. Proposals are also now under consideration by Government,—that is, the Government of Bihar,—for the improvement of wages of colliery labour, and these will likewise have the same effect of increasing the cost of coal production.

It will be seen, Sir, that the interest of this House in the coal policy of the Railway Board extends beyond the immediate problems of cheap coal for the railways and of reducing to the lowest possible level the cost of coal production in railway collieries. The efficient management of railway collieries and cheap coal for the railways must remain important considerations, but we submit they are not by any means the only ones. Fortunately these important considerations are compatible with the proposals dealt with in detail in the memorandum of the Indian Mining Association to which I have just referred, and I now put forward what some of these proposals are. They are proposals which, in our view, will help to give some measure of stability to the coal trade. They require, however, a change of policy on the part of the Railway Board.

Under the present system the Government calls for tenders for the whole of its requirements (that is to say, other than those satisfied by the Railway collieries) by a system of open tenders. When the tenders are received the procedure is for the Chief Mining Engineer of the Railway Board to scrutinize them and then make his recommendations for the requirements of the various railways. This is a task of considerable magnitude; for, the majority of those who tender, frequently offer far more coal than they could possibly supply if called upon to do so. The maximum output of a colliery has, therefore, to be considered together with the quality of its coal, the price quoted for it, railway freight, and so on. The Chief Mining Engineer's recommendations are then forwarded to the Railway Board, and in due course, usually after the lapse of three or four months, acceptances are announced. This long delay in announcing the acceptances is unsettling to the trade and does nothing but harm. An important feature of the present method of calling for coal tenders is the fact that when the Railway Board announces its programme for the coming year, it merely states that its coal requirements will amount to "X" lakhs of tons of which "Y" lakhs will be taken from the railway collieries, and the balance purchased from the open market. If collieries were able

in normal times to maintain themselves in working order and to keep their costs reasonably low by relying on their sales of coal in the open market, the method of calling for tenders, as is now adopted by the Railway Board, would probably not do any serious harm, though in any circumstances the calling for tenders for so large an amount of coal must at all times have considerable effect on coal prices. The trouble, however, is that except in years of very good trade, such as the years 1936 and 1937, large numbers of collieries are only able to keep alive with the help of their railway contracts. At all costs, therefore, Railway contracts must be secured in any but exceptional years by all smaller collieries and by many larger ones. This leads to cut throat competition and price cutting, necessitating still lower cost of production, which in turn forces companies to increase their output to the limit of their capacity, sometimes involving a sacrifice of coal that can only be won at a high mining cost; that is the sacrifice of coal to which I have already referred when I was speaking of waste of coal due to unduly high cost of recovery. So the vicious circle of lower selling price and increased production to ensure lower costs goes on, leading to over-production both actual and potential and to waste of coal.

This has been the experience of the coal trade for the last twelve years and though occasionally prices have, for a short time, for some special reason as was the case last year, risen somewhat, the general tendency has been steadily downwards.

We suggest, Sir, that a remedy for this state of affairs exists and it lies in the power of the Railway Board and of the Railway Board alone.

Our suggestion is that much could be done to restrict this evil of cut throat competition, if each year the Railway Board consulted before-hand with the trade regarding the particularly coal requirements of the Railways for the coming year as well as with regard to the prospects of the industry generally over the period of the next twelve months. Such a conference, leading as it should do to mutual understanding of each other's difficulties and removing to some extent uncertainties in regard to the immediate future, would, we feel, help in no small measure to secure that stability in the coal trade which we believe to be of such great importance. But mutual co-operation on these lines valuable as it would be, is not, we think, enough. As I have already hinted we should like to see a re-examination by the Railway Board of their present methods of calling for coal tenders and the following is the line we suggest that might offer some prospect of achieving good results.

Having consulted with the trade regarding railway and industrial requirements for the coming year and decided upon the minimum raisings from railway collieries, the Railway Board should call for tenders from the market; but only after classifying its requirements and quoting the amount required of each class of coal. Six or seven main types should be sufficient for this purpose and there should be no difficulty in working such a system, as an examination of figures during the last three years has revealed that there is sufficient uniformity to prove that railways should have little trouble to ascertain their probable requirements. Indeed, no extra work would be involved in such a classification as the Railway Board has already awarded to the coal of each colliery a "figure of merit" based on its value.

[Mr. T. Chapman-Mortimer.]

from a technical point of view. If, however, the Railway Board feel that the "figure of merit" system must be maintained,—there are some who suggest that it might perhaps be abolished—so that is not the view we are putting forward now—each colliery should have the right to learn its own type classification before the date of submission of the annual tenders. Nothing has caused so much dissatisfaction among colliery owners as the mysterious workings of the present system and we trust this proposal will receive the Railway Board's most earnest consideration. Lastly, Sir, we suggest that the Railway Board should refuse to consider any tenders from collieries that offer coal in excess of their maximum capacity for output.

If these proposals should prove acceptable to Government we believe the result would go far to remedy the worst evils apparent in the cut-throat competition of today; they would help largely towards a solution of the problem of coal conservation; and finally they would help to speed up the period that must elapse between the date on which tenders are called for and the date on which the results are announced, and give the industry a real opportunity to stabilise itself thus adding an additional bulkwork to this country's trade. Sir, I support the motion.

Mr. B. Das (Orissa Division: Non-Muhammadian): Sir, there is something rotten in the Kingdom of Denmark. My Honourable friend, the Member for Communications, in his new rôle seems to have forgotten that he has certain obligations as a Member of the Government of India. He has by his speech repudiated the assurances of the various Railway Members who preceded him. This morning he has made one or two speeches and I was pained to hear that he was speaking as the mighty boss of the Indian Railways and not as a Member of the Government, on whom depended the welfare not only of the people of India but the welfare of the industries of India and their development and application of means towards stabilisation of the prosperity of India. That is a surprise to me, and the very fact that my Honourable friend, Mr. Clow, is sitting by him—and who is the villain in the piece, I would say, for the present coal crisis owing to his international partiality through the combination of Joshi, Clow and Company in this House and bringing out international conventions for ratification at the wrong moment—and then the Honourable Member for communications says that there is an acute shortage of labour, in the coal trade. Is not the shortage due to the sudden ratification of certain international convention? I do not wish now to dilate much on these international conventions, but I would like to state on behalf of the industries of India that it is good if India gets out of the International Labour Office and international labour conferences. While aggressive nationalism in industrial affairs is growing so much in Italy, in Germany, in Japan and even in the United States, the Indian Government and their representative, my Honourable friend, Mr. Clow, become so very internationalist in mind that they want to apply to Indian industries those international measures which are unsuited even in many European countries and which many of the European States have not fully accepted.

Mr. A. G. Clow: Which Conventions are you referring to?

Mr. B. Das: Most of the Conventions. I do not want India to be a party to these international labour conventions and thus do away with our industries and make us remain producers of raw materials and tillers of the soil. That is my present considered view and I have come to it . .

Mr. M. Asaf Ali: Not of the Party.

Mr. B. Das: The Party has not yet decided: the Party will have labour members and socialists like Prof. Ranga; and it will have also industrially-minded people like Mr. Manu Subedar and Mr. Sami Vencatachalam Chetty and myself. The Party will have to consider the industrial view-point, as that of labour, and the Congress Party is not the whole hogger today that it wants to ratify every labour convention that my Honourable friend, Mr. Clow, wants India to ratify in the fulness of his heart. As I was saying, it is owing to this sweet will of the Government to which my Honourable friend, the Member for Communications, is a party, by introducing resolutions for ratifying a certain labour convention whereby woman labour was suddenly debarred from being used in the collieries that has brought about a shortage of labour in the collieries, and yet the cry of shortage of labour is raised by my Honourable friend. But Government need not be in a panic on that account. Government should not repudiate its past assurances that they gave to the coal industry. Did not Sir George Rainy state this.—I shall quote his own words, "It would be of no use to give increased orders to a few firms and leave the rest to go to the wall"? And Sir Alan Parsons made it clear that if the railways do not give orders to the Indian collieries, most of them will go to the wall. Sir, on 22nd September 1932, Sir Alan Parsons said this:

"We came to the conclusion that it was not on the whole to the advantage of the railways in the long run if the coal trade was in an unhealthy position, and we do not want to see numerous collieries owned, I believe, mostly by Indians to go out of business because they got none of our orders"

And what does our present Member for Communications do? By one stroke of the pen he gives orders to increase raising of coal from the State Railway collieries by about 25 per cent. These collieries have already increased their output by another 10 lakhs of tons of coal this year. In his Budget Speech he said that is 5 lakhs of tons, but the latest information goes to show that the railway collieries have raised 10 lakhs of tons more and thereby the purchase of coal for the State Railways will further be restricted.

But, Sir, I must congratulate my friend, Mr. Chapman-Mortimer, on his able analysis of the position of the coal industry. I wish he had raised a debate on the conservation of coal based on the Burrow Committee's Report on another cut motion. I am not prepared just now, nor is the House prepared to express its opinion as to how the coal of India should be conserved, and I think it will be the duty of the Honourable the Commerce Member.—I do not know if it falls to the lot of the Honourable Member for Communications who took some part last Session in Simla in the discussion on the Burrow Committee's Report.—to allot a day to this House so that it may be able to deal with it fully and exhaustively. It is true that the coal industry must be stabilised and coal should be conserved, but it is very difficult to express our views on a motion, the

[Mr. B. Das.]

object of which specifically is to censure the Government for their policy in increasing the output of the State collieries.

Sir, I will confine my observations to that policy, why that policy has been changed, and how my friend, the Honourable Sir Thomas Stewart, has taken a somersault. Somehow, there are certain Members of this House with peculiar financial outlook, who want that the railway collieries should be self-supporting. Three or four years ago in the Public Accounts Committee, the predecessor of my friend, Mr. Staig, Sir Raghavendra Rau, said in the Public Accounts Committee that there is a loss of about 12 lakhs of rupees to the State collieries because they did not work the Railway collieries to their full capacity. There was a lot of discussion in the Public Accounts Committee, not once, but successively for three years. I quote here a line from the observations of the Chairman,—and the Chairman was the Honourable Sir James Grigg. It is in the Public Accounts Committee Evidence Volume for 1934-35,—relating to Railways:

“Chairman: As this has been mentioned in the last year's Report, it will have to be mentioned this year also, namely, the opinion of the Railway Board that expansion of output would not benefit the railways at the present rate of development.”

That was in 1936. The Public Accounts Committee and the Government spokesman, the Finance Member of the Government of India, were of opinion that it would not pay the railways to increase the capacity of their collieries at the then prevailing price of coal. What has happened since? Government determined to raise 10 lakhs of tons more besides the 30 lakhs tons they usually raise to meet a certain emergency. If that was the fact, I would welcome the decision of the Railway Board, but when I find they decide to work their collieries to their maximum capacity and increase their output, it shews that the Member for Communications is functioning as the head of the railways, and is not thinking of the stabilisation of the coal industry and the various implications that would result if the railways raised more coal and purchased less from the open market. Does the Honourable Member realise that in those collieries,—I am particularly talking of the Indian-owned collieries,—there are lakhs and lakhs of workers employed, and all of them will go to the wall? When these coal mines will stop work, there will be less movement of coal on the railways and the railways will lose the freight on transmission of the various kinds of coal. Then does the Honourable Member also realise that the Finance Member of the Government of India will lose a certain amount of income-tax, because when these collieries are shut down, the officer class employed in those collieries will not be able to pay any more income-tax, nor will those Indian-owned corporate companies be able to pay any income-tax as to swell the coffers of the Finance Member of the Government of India.

I may tell the Honourable Member for Communications that in the past the Government had a settled policy about their coal purchase. He is new to the Department, and he has been hoodwinked by his advisers and by the Railway Board, for, if he had only read the evidence before the Public Accounts Committee he would have found that Chief Commissioners after Chief Commissioners were not in favour of increasing the production of coal from railway collieries. My Honourable friend, Mr. Chapman-Mortimer, paid a compliment to the Chief Mining Engineer. Sir,

this House has heard of a series of Chief Mining Engineers. We all know of the Church scandal, we also know of other scandals in Calcutta, because the House has discussed them. I am not going to take the memory of the House back to old scandals, for most of us remember the old scandals which came out after 1924—26. At the same time, I wish to say this,—I am glad of the confidence of Mr. Chapman-Mortimer in Mr. Harrison, because he belongs to Calcutta, and he knows the gentleman,—I do not know him,—but I will say this, that the Chief Mining Engineer should by his actions show that he wants to serve the interests of India. He is not simply the Chief Mining Engineer of the Government of India; he also advises the Government of India in the matter of policy of coal raising in Railway Collieries and if he suddenly advises the Government of India that the Railway Board should increase the output of their collieries, what will happen? And, Sir, how many collieries do the Railway Board possess? Only 10

Mr. M. Asaf Ali: They ought to have more.

Mr. B. Das: I quite agree if Government were to buy up all the collieries. That will please my friend, Mr. Joshi, but Government is not prepared to buy industries. But, I will stoutly oppose as long as I am a Member of this House when this Government recklessly and light-heartedly do things whereby industries go to the wall, while the predecessor of my Honourable friend said that it should not be so. Sir, I will also quote from the Report of the Public Accounts Committee for 1934-35. There the Committee decided with the concurrence of the Government Member that the expansion of output of railway collieries would not benefit the railways. I think I have got here the statement of the Chief Commissioner. I cannot trace it. I do not know if my Honourable friend

Mr. Tylden-Pattenson will be in a position to enlighten his chief in the matter—whether there was not a definite undertaking given to the coal industry that the railway collieries will never work beyond 50 per cent. of their capacity. I ask my Honourable friend to place that document before his Chief.

8 P.M. I am glad my Honourable friend, Mr. Clow, is here. Will he enlighten us whether it was not a fact that Government assured us that women labour will not be employed in the collieries and mines at all? Of course, my Honourable friend will take the plea that Government collieries are surface collieries and quarries, and women labour can be employed in them. Those of us who know Bengal and Bihar and who know the condition of Santhal labour and know how the Santhal man wants to work with his woman can realise what has happened today. All labour is being drifted and drafted towards the Government surface collieries. The Chief Mining Engineer need not take pride in the fact that he could increase the output of Railway collieries at short notice. No special credit is due to him. He could manage to raise additional ten lakhs tons of coal because there was a surplus labour. The men were discontent in their work in the other collieries, because their women were not getting any wages. Naturally, they drifted towards the Government collieries. This House was generous enough to ratify that particular International Convention, but Government must take into account the difficult situation that has

[Mr. B. Das.]

suddenly arisen in the country. My Honourable friend, Mr. Chapman-Mortimer, says that the coal industry is not doing very well. I was looking into the *Indian Finance*. About 50 collieries are mentioned there. Some 50 or 60 firms are mentioned there. They are all big firms, run by big capitalists, mostly Europeans. Very few are Indians. Unless coal mines are owned by big magnates of Calcutta, their names do not appear in the *Commercial Press*. I find that out of this number only eight or ten pay dividends. It is about 6½ per cent. Most of them pay nothing. Some are paying 2½ per cent. A few are paying 7½ and 12.

Mr. M. Asaf Ali: The sooner they are bought up the better.

Mr. B. Das: I entirely agree with my friend, Mr. Asaf Ali, that Government should buy up all industries, all the zamindari in India too.

Mr. M. Asaf Ali: I did not say that.

Mr. B. Das: . . . that Government should buy up all the collieries, Tata Iron and Steel Works, jute mills and the industrialists will be jolly glad over it. They will take the money and start new industries and compete with the Government. If my friend, Mr. Joshi, had his way, labour will be paid more wages and will work shorter hours a week and thereby Government industries will never prosper and industrialists will always have the upper hand.

Apart from what fell from my Honourable friend, Mr. Chapman-Mortimer, I would suggest that the Honourable Member-in-Charge of Communications should himself preside over a conference of colliery proprietors, industrialists who use coal and the Chief Mining Engineer and find out how the coal industry could be rationalised. Government as the proprietor of 10 collieries should not ruin the coal industry in Bihar and Bengal. Mr. Chapman-Mortimer spoke as the representative of various coal mines in Jharia and Dhanbad. I do not own any colliery nor am I a shareholder in collieries and I have been in this House for the last 15 years and know the slipshod way in which Government change their policy, suddenly under the inspiration of some of their officials. I feel that the Government have done the greatest mistake in deciding that they will raise additional 10 lakhs tons of coal in 1938-39 from the railway collieries. They did well in raising it in 1937-38. I ask the House to take back its mind to what happened in 1924. There was large tonnage in arrears and Sir George Rainy or Sir Charles Innes did not feel that they are to function only as the big boss of the railways. They felt that the primary duty of the Government of India is to see that there is prosperity in the coal industry, and prosperity of industries means the prosperity of the nation and incidentally prosperity of the railways. Will my Honourable friend, Sir Thomas Stewart, assure this House that the policy of raising these 10 lakhs tons of more coal will keep down the price of coal? (An Honourable Member: "It should".) It has not and it will not. Why does my Honourable friend, Mr. Joshi, always shout, "Nationalise all industries"? Why was he asking this morning that Government should employ all labour in the railways, have four hours' work, give ten hours' scale of wages and more holidays, and thereby the industry will go to the

wall? I do want my Honourable friend, Mr. Clow, sometimes to think of the industries of India and of industrial economies. If there are no industries, he will have soon to follow Prof. Ranga and have a Kisan Convention introduced in the International Labour Office next time he visits Geneva.

Sir, I have to make one suggestion: it is not too late to make amends and I would respectfully ask the Treasury Benches to remember that it is not a matter which particularly interests the Member for Communications; it interests the whole of the Government of India and interests the Finance Member as well,—viz., the present policy of coal-raising in railway collieries. Let the Governor General in Council reconsider again their present policy,—which may have been inspired from Calcutta or from the Railway Board, I do not know from where it is inspired, but if it has been inspired by the Railway Board, then I say the Railway Board are running amok. How is it that the Railway Board, in a year, no, in six months' time, suddenly changes its settled policy, its reasoning, its considered views, and everything else? Sir, it appears to us, laymen as we are in matters of railway administration, that the Railway Board at times tries to be rational in outlook and tries to understand the difficulties that the public have to face, and it is no use talking to this House that the railways are merely a commercial concern. I must remind the House that the Railways are a public utility concern and the taxpayer has paid heavily in the past for it. I am not going to raise any financial issues. The Honourable Member knows it that the general finances have yet to receive 36 crores from the railways. Am I to remind the Honourable Member that the present method of charging more expenditure to revenue than ought to have been charged was one adopted simply because the Provinces will get more money if there is a larger surplus? Sir, the Railway Board is not a private commercial concern, and Honourable Members need not go quoting chapter and verse as if they were quoting a chapter and verse from the Companies Act or any other Commercial Act. The railways are not worth existing if they wish to destroy the coal industry. And in that province from which you come, Sir, coal happens to be one of the key industries and one of the national industries in Bengal. No doubt there is the jute industry, but very few of it is in Bengali hands, and most of it is in European and Marwari hands. Of course, thereby I do not mean to discriminate, but that is the fact as it stands. The coal industry, however, is in the hands of Bengalis a great deal, and most of them are small proprietors; they are not large colliery owners; and if Government by a freak of genius, I won't say by a stroke of genius, wants to destroy the capital of this poor industry, they will repent themselves. Their railway revenues which they have under-estimated this year will prove to be actually going down next year if they destroy the coal industries of Bengal. Therefore, a neighbour as I am of Bengal, and knowing as I do the conditions of Bengal, I would point out that the prosperity of the Bengali middle classes will be ruined, the Bengali industrialists will be ruined, and that will not only have its repercussions upon railway revenues but also on the general revenues. Therefore, I would just like my Honourable friends of the European Group to excuse me if I have not to any extent supported the big issue of the conservation of coal and I do hope we will have a vote on that some other day, but I also do hope that all of us will agree in this House that the Bengali colliery proprietors should not go to the wall,—as in

[Mr. B. Das.]

fact was the considered view of the predecessors of the present Member for Communications and the present Financial Commissioner. Government must have one uniform consistent policy and if they make mistakes, they will rue the day, as they have often rued by the mistakes of successive Members of Government and by the mistakes of irresponsible Government Members who have no responsibility to the people of this country save that of responsibility to the Governor General. Sir, with these few observations, I support the motion.

Mr. A. G. Glow: Sir, I find myself a little confused by this debate. It began by Mr. Chapman-Mortimer pleading, if I understood him rightly, that there was over-production of coal, or the danger of it, and the Government was responsible. We went on to hear Mr. B. Das saying that there was scarcity of labour, scarcity of coal, and that Government was responsible through their slavish adherence to the Conventions of Geneva.

Mr. B. Das: That is in his speech.

Mr. A. G. Glow: I heard that complaint about our ratification of the Geneva Conventions from another member of the Congress Party a few days ago, and I put the question, "which Convention?" and I got no reply. I put the same question to Mr. B. Das this afternoon and I was told "all of them", including I presume the Convention about the age of trimmers and stokers at sea. Now I tried to cast my mind back over any Conventions that we have ratified that have a bearing on the coal industry and I could remember only two that were ratified. One was the hours of work Convention. But the hours of work are no longer regulated by the Convention because this House in its wisdom—I am not using that word ironically—has decided upon shorter hours of work than that Convention proposed. I seem to remember a little more; Mr. Das said that I was one who wanted to reduce the hours of work to such an extent that it would have very adverse effects on industry and he pleaded that I should remember the interests of Indian industry. A very short time ago we had a debate in this House on the subject of the forty hours a week Convention at Geneva. . . .

Mr. B. Das: I was not referring to you but to the I. L. O.

Mr. A. G. Glow: . . . over the principle of a forty-hour week and what happened on that occasion? We pleaded from this side of the House that it would have adverse effects upon Indian industry. On the other side of the House there were arguments for the forty-hour week and there was a division in which my Honourable friend's Party voted for the forty hours a week! Then he turned round and said I was one who is trying to ruin Indian industry by introducing absurdly short hours. I should like to look up the division list and I should be rather interested to find out what my friend did.

Mr. B. Das: I obey my Party mandate, as you obey yours.

Mr. A. G. Glow: There is another Convention,—that about weekly holidays. Does my friend mean to suggest that the miners in the mines should not have a weekly holiday? I can tell him that the ordinary

miner takes not only one weekly holiday, but two and sometimes three, so that I do not think our provision requiring that they should have at least one statutory holiday has any effect upon coal production at all.

There is one further Convention which is in process of ratification and that is the Convention relating to the exclusion of women from mines. The actual policy of excluding women from mines was announced by the Government of India in 1929, years before it was thought of at Geneva, and I am quite sure that at least the bulk of my friend's Party are in sympathy with us on this side of the House when we say that women should not be allowed to work underground. My Honourable friend was drawing a harrowing picture of crowds of women proceeding from the underground mines to work in the quarries of my Honourable friend, the Railway Member. I would just recall the fact that the railways have imposed on themselves a kind of self-denying ordinance which is not applicable to open mines belonging to private employers by which they have placed restrictions on the number of the women they employ. There is no complete exclusion in the railway collieries from the labour point of view and I am not very clear why there should be. But, there is this big restriction and it operates still as a restriction on the inclusion of further women in the mines.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban):

Sir, in rising to support this Cut motion, I desire to make it clear that it is not my intention to condemn the Railway Board or the Government of India for the steps which they took in order to increase the output of railway collieries in the special circumstances in which they were placed. It is undeniable that the contractors failed to supply the contracted amounts of coal in proper time and this would have led to a dislocation of railway traffic if the Government had not taken the necessary steps at the proper time.

But, while this action on the part of the Government in an emergency was justified, I think there is not sufficient justification for the statement which was made by the Railway Board some time ago and for the statement which was made by the Honourable Member for Communications in the course of his Railway Budget speech. Sir, the Government and the railways were placed in a difficult position, but I would request the Government to consider the difficulties in which the coal trade itself was placed. It has been admitted that there was a shortage of labour and it should also be remembered that there occurred a series of accidents in the mines which had their repercussions on the coal trade. Therefore, the whole situation was an abnormal one; and to say that the experience which was gained in such abnormal circumstances should be a guide for the future policy of the Government is, I think, not quite justified. I would like to point out in this connection that this statement of the Honourable Member for Communications has given rise to a feeling of consternation among the mine-owners, particularly the small mine-owners, whose interests it is our duty to safeguard. I desire that the Honourable Member for Communications should stick to the position which the Government adopted in September last when they said that there had been no reversal of the previous policy in this connection and that the increase in raisings from railway collieries was a temporary measure to cope with an admittedly emergent situation.

[Dr. P. N. Banerjee.]

That was quite all right, but what about the future? The circumstances have now become practically normal, and it is not necessary in these circumstances to alter the policy of the Government. But unfortunately on October 11th, the Railway Board said that they "must be guided by their experience in the present emergency including, *inter alia*, the measures of co-operation and assistance they receive from the coal industry in facing it." They further observed that the Railway Board would be "reluctant to reduce this until they are satisfied that contractual supplies from other sources could be relied upon." Now, Sir, I may be permitted to point out that there has been no desire on the part of the coal trade to non-co-operate with the Government, nor have they any desire to place any impediments in the way of the proper working of the railways. As a matter of fact, I may point out that when during the period 1922 to 1925 the Government entered into contracts with the coal trade and when they failed to receive deliveries of the coal contracted for, the coal trade raised no difficulties. On the other hand, they offered their help and their co-operation to the Government. This is the present policy of the coal trade and I hope the Government in view of this fact, will co-operate with the trade.

Sir, if the situation has become or is becoming normal, it is not likely that there will be failure on the part of the trade in future. Therefore, there is no justification for a reversal of the whole policy. As my Honourable friend, Mr. Chapman-Mortimer, has pointed out, it is most essential to secure suitable conditions in the coal trade and for that purpose what is needed is co-operation between the railways and the colliery-owners. I, therefore, request the Government to stick to the policy which was laid down in 1935 when the Honourable Member in charge of Railways at that time observed:

"The Railway Board would consider the whole question, namely, the coal purchase policy, from a broad point of view because the railways have no hostility towards the coal trade, being themselves large carriers of coal."

In view of this clear statement of policy, I would earnestly request the Honourable Member for Communications to reconsider their latest decision; and I hope he will bear in mind the importance of this coal industry not only from the standpoint of the railways but also from the standpoint of the general public.

Mr. Sami Vencatachalam Chetty (Madras: Indian Commerce): Sir, if I am not much of an industrialist, I have been sufficiently long in the Congress Party to familiarise myself with its proper attitude towards industry and labour. If my Honourable friend, Mr. B. Dās, who has been in this Assembly for the last 15 years, has stressed one aspect of the Congress Party more than the other, I think he merely wanted the Government to take it from us that we are no mere blind-fold followers of the Conventions that might be promulgated by the International Labour Office, but that we can decide for ourselves what particular facilities and what beneficent measures and ameliorative attempts must be made in regard to the protection and the improvement of labour in this country. Sir, I see no inconsistency in the Congress Party being able to look after the differences between the labour and the industries in this country in a just and an equitable measure. We do not want that any particular section of our country's population should be sacrificed for the other.

We are quite competent to hold the scales even between the varying sections of the population much perhaps to the amazement of those who are on the Treasury Benches to-day. If to-day we are supporting this motion, namely, to disapprove of the change of the Government's policy in respect of increasing exploitation of railway collieries, it is because we are to-day more mindful of the development of Indian industries than to allow any encouragement for State capitalism. Sir, in our view, State capitalism under the bureaucratic control is as unpalatable as Provincial Autonomy at the discretion of the Governor General. So, it is, that while we are for nationalisation of industries, we are certainly for earlier nationalisation of the Government before we can think of nationalisation of industries. Certainly when we nationalise Government, our first and foremost duty would be to nationalise key industries such as coal mining and concerns like insurance. Therefore, if we to-day insist that the Government should not undertake this State capitalistic concern and thereby affect the chances of improvement to Indian industry, we are doing it mindful entirely of the interests of Indian industry. We are too well aware of the manner in which State concerns are worked. Apart from our dis-satisfaction against the manner in which this irresponsible Government is carried on, take, for instance, the railway administration itself which is practically a State concern. Now, have we not been complaining against the manner in which railway administration is being carried? Are we satisfied with this railway administration in order that we might encourage this railway administration to undertake concerns of this sort?

Sir, what has been our experience with regard to the very collieries exploitation by the railway collieries department. My Honourable friend, Mr. B. Das, has mentioned to us instances where the Chief Commissioners of Railways, one after another, deposed to the fact that they have not been working profitably. Apart from that, the excuse for this extraordinary change of front of the Government is that there has been last year a panic, as it were, in the coal market and the contractors failed to discharge their obligations to the railway administration. I am not quite sure that the Government have really meant this to be a serious change of policy on their part. It is perhaps a threat to trade that they might not quote rates higher than the demand would warrant. I believe the latter is the case, because last year they were quite aware not only for the reasons that this coal trade in this country had to meet certain extraordinary difficulties and situations but also on account of world demand for coal, that there had been quite a panic in the demand of coal. It was not only India that wanted to stock coal but also, I believe, many countries on the West also wanted to reserve stocks of coal for the next year. I do not know how that panic has arisen. It might be on account of the international situation or on account of various other reasons of which I am not quite familiar. But nobody can deny that the demand for coal was not only in India, but also in other countries. Neither the Honourable Member for Government nor Mr. Chapman-Mortimer told this House what was actually the stock at the end of the year in order to think that the railways would have been dislocated but for their opening of the railway collieries. I am not quite sure if they have not overbought last year, and if there is a large stock still remaining at the end of the year in order to meet for any emergencies that might arise. As has been pointed out it is not a proper policy for the Government to

[Mr. Sami Vencatachalam Chetty.]

throw cold water upon this industry. When I am speaking of this industry, I am speaking for the small and the big alike, because in the matter of trading and commercial concerns I do not think that we need draw any difference on racial considerations. So far as these concerns are in India, so far as these industries are worked in India my sympathies and my Party's sympathies will go towards them to the extent that they might not injure the general prosperity of the country. Sir, it is from that point of view that I strongly approve of the appeals made to this Government not to injure this trade.

Now, there are other reasons why the Government ought not to change their policy with regard to railway collieries. After all, the one guarantee for getting the most reasonable prices for any commodity is the fear of competition. If the railway collieries begin to work, there is absolutely no check over their expenditure and with the constitution of the Federal Railway Authority the little criticism that we might pass will disappear. That will be an irresponsible body and nobody can say what has been actual and proper expenditure that was necessary for turning out so much of coal. Then, of course, it can be said that accounts can be managed to show that a ton of coal turned out from the railway colliery is much cheaper than the price that would be charged by the contractors for their supplies. But it cannot be easily believed because, in a Government department, statistics have got a funny way of escaping proper scrutiny. Apart from that, granting that you begin to work these railway collieries and thereby close some of the coal concerns, what will happen later on? Easily, there being no competition even from private concerns, your prices will easily go up, you will be employing a lot of officers who will be paid very high salaries and the ratio of expenses will certainly go up. I am never a thorough going supporter of these State capitalist concerns. I quite see the reasonableness of having always on one's side the threat of running your concerns in order that private people may not increase their prices, and to that extent railway collieries must be retained. But apart from that, it does not seem to me to be either reasonable or profitable business for the Railway Department to undertake these collieries business. I would, therefore, expect the Government to adhere to their old policy of working the collieries to the extent of 10 lakhs of tons each year in order to keep the prices even. As has been stated by my Honourable friends, Mr. Das and Mr. Chapman-Mortimer, after all the dividends on these coal concerns do not seem to be attractive enough to them. After all the industry can thrive upon an assured market. In regard to this industry also, we expect the Government department which is also the ablest department to assure us of a certain amount of market in order that that industry might be useful for other purposes also. If at this time, you discourage these industries and if these industries are allowed to fall into disuse, the railway collieries might supply the railway requirements; but what about private concerns who depend on coal for the fuel. Will it not result in very high rate for private consumption thereby affecting the economy of every industry as well? Nobody has thrown any light upon what will happen with regard to the slack that will be left out of the raised coal in the railway collieries. I can say that so far as the private concerns are concerned, they can dispose of this slack. With regard to railways, they do not themselves use

this slack for their purposes and, therefore, they have necessarily to dump it on the private markets. That will again be competition with private concerns instead of the Government helping the indigenous industry. Sir, it seems to me very unjust on the part of Government to try to kill this industry which is perhaps considered to be one of the most important industries in this country and particularly to Bengal. I, therefore, support this motion.

Mr. F. E. James (Madras: European): Sir, I only wish to intervene for a few minutes in order to bring back the discussion to the original argument with which it began. We are of course exceedingly grateful for the valuable support given to this motion by my Honourable friends, Mr. Das and Mr. Chetty. Their reasons for supporting this motion were in some respects very different from ours and in other respects contradictory to one another. As far as Mr. Das is concerned, he has in this House represented a number of causes from time to time and he has a habit, a very engaging habit, of changing his colour with the seasons. We are reminded today that winter is over and spring is not far behind, and apparently with the coming of the hot weather he is already beginning to change his particular colour. It has always been a matter of surprise to me that he is allowed to remain in the Congress Party at all! I suppose the real reason is that he is a very engaging member of that Party, and like a poet they give him a certain amount of license, and that is all to the advantage of the House. We should not otherwise get those speeches which not only contradict one another from time to time but seem to repudiate previous votes given in division lobbies.

An Honourable Member: He is open to conviction.

Mr. F. E. James: Yes; and that again is an engaging quality of his on which I congratulate him.

Now, Sir, the point of my remarks is to endeavour to bring back this discussion to the two points which were made by my Honourable friend, Mr. Chapman-Mortimer, because I am very anxious that on this occasion Government should not be able to hide behind the rather picturesque reasons that have been advanced by other speakers. The two main points that have been urged are these; first of all, that Government, in their exceedingly onerous responsibility as the owner of the railways and also as the owner of certain collieries, should do everything possible in their power to foster the stability of this great industry. Various detailed suggestions were made by my Honourable friend, Mr. Chapman-Mortimer, and I trust Government will deal with them very sympathetically. The main purpose of that general principle is to prevent those tremendous rises and falls in the price of coal which lead to so much uncertainty and incidentally to so much misery to the community. I have had opportunity on more than one occasion in the past to urge upon the railway authorities, in regard to their public works programme, the same principle of so developing their policy as to spread over their programme in order to maintain greater stability in the industries that are affected; and that is the first purpose that Mr. Chapman-Mortimer had in mind during his speech.

[Mr. F. E. James.]

The second purpose is, that in pursuit of the first purpose,—that Government should do everything in their power to foster stability in the industry,—there should be a little closer co-operation between the railway authorities and the representatives of the industry in the future than has been possible perhaps in the past. I should like to make it quite clear, to emphasise what Mr. Chapman-Mortimer said previously, that we are not using this discussion to criticise the Railway Board for what we may think they might not have done or have done and should not have done. We are not using this discussion in order to rake up anything from the past. Various points were made by Mr. B. Das upon which we have no desire on this occasion to enter into a discussion. We merely want to urge that in order to create conditions which will give that stability which I think is necessary in an industry of such nationwide importance, there should be a closer coming together of the leaders of the industry and of the Railway Board in regard to the important question of tenders for coal contracts. After all, if something can be done by way of the improvement of the co-operative machinery between Government and the industry which will give greater stability to the industry, it is going to be better for employment, better for the price of coal, better for the consumer, certainly better for the shareholder who at present gets no return on his money for a greater part of the time, and what is important over everything else, it is going to be better for the community. I hope, therefore, that when the Honourable the Communications Member replies, he will be able to direct himself to these points.

Mr. M. Asaf Ali: Sir, I had not the slightest desire to intervene in this debate for the simple reason that this is not my subject, and I have considerable hesitation in intervening at this stage. But unfortunately conflicting opinions have been expressed on the floor of the House and it is my duty to express the authoritative opinion of the Congress Party as far as this particular motion is concerned. In the first place, I want to make it perfectly clear that we are all for nationalisation of key industries. We place that in the forefront of our programme anywhere. Whether the nationalisation of the coal industry is possible in the circumstances is another question. And if the Railway Board or Government do not find it possible to take over all the collieries we do not blame them. We certainly would not like to place any restrictions upon their discretion in so far as the question of keeping down the prices or getting sufficient quantities of coal is concerned. If they find that the market is not easy for them at a particular time or that deliveries are not sufficient, I think they are perfectly justified in working their own collieries in such a manner as may be beneficial to the State, to the railways and to the public generally. That is one thing.

In so far as the point of International Labour Office and its Conventions are concerned, I am afraid I have absolutely no authority whatsoever to endorse any of the opinions expressed by my Honourable friend, Mr. B. Das. We have always stood for the ratification of most of these Conventions for the simple reason that we know it perfectly well that if these Conventions are ratified, instead of the Indian industries being hit it will mean perhaps greater employment of Indian labour. If the hours

of work are curtailed, it will certainly mean more room for labour. There is not the slightest doubt about it; and we do not see why labour should not be well paid and well looked after. So, generally speaking, we are for the ratification of these conventions. Of course, we would not be indiscriminate. Once again, in so far as the present policy of Government is concerned, I see no reason why we should blame Government for having adopted the attitude which they have done under the circumstances, although I must say one thing. I do not want under the present circumstances the poorer men to be hit unnecessarily. There are certain collieries in Bengal which are managed mostly by Indians and which are poor collieries; they should not be hit by any unfair competition being introduced in the market. . . .

Mr. Sami Vencatachalam Chetty: By the State.

Mr. M. Asaf Ali: By the State if you like. I do not mind mentioning the word. I have also to recognise the fact that the present State is not a national State, and, therefore, my friend's point will certainly claim consideration. We are not for State capitalism, but we are certainly for nationalisation of key industries as far as possible. I have not the slightest doubt that if the quantity of coal required by the railways or a considerable portion of the quantity required by railways is raised by the railways, generally the prices in the market are bound to be kept on an even level. So far as I can judge, it will help industries in the country, because more coal will be available at easier prices, and that being so, I certainly do not find it possible to support the motion made by my friend, Mr. Chapman-Mortimer. I know full well he simply wanted that a gesture should be forthcoming from Government, and probably it was never intended as a censure of Government, and if it is not a censure of Government, he is perfectly free to withdraw it if he so wishes.

An Honourable Member: It is the Deputy President's motion.

The Honourable Sir Thomas Stewart: Sir, I greatly appreciate the spirit in which Mr. Chapman-Mortimer supported the Honourable the Deputy President's motion. He appealed to me and to the House, "Let bygones be bygones, let us not rake up the murky history of this coal question, let us rather start with as clean a sheet as we can, and see whether something constructive can emerge from our discussions." I am perfectly prepared to go so far with him and let bygones be bygones so long as it is quite well recognised that it is "bygones" on both sides. But though I say that I am prepared to let bygones be bygones and not to delve into murky history, certain speeches which were made this afternoon impel me to go back not into the very distant past, but to go back in one case at least a year or two. I wish to do so in order to absolve myself of the accusation made by Mr. B. Das that I was breaking the solemn promises made by my predecessors, when he indicated that the Government of India were bound by solemn promises not to increase their raisings of coal. Now, I am not going back very far, I only go to the Budget Debate Proceedings of 1935.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

[Sir Thomas Stewart.]

If I may quote an extract from the speech made by Honourable Sir Joseph Bhore, he said:

"We could, did we so wish at the present moment, raise all our own requirements from our own collieries at prices advantageous to ourselves. Our collieries have been in process of being developed. In 1927-28, we raised something like 54 per cent. of our requirements from our own collieries. Then, later, came the great slump, and in order to assist the coal industry as a whole we decided to take a self-denying course of action, to limit our own raisings and to buy the bulk of our requirements in the open market. In the last three years we have been raising only one-third of our requirements and we have been buying two-thirds in the open market with the idea of assisting the industry as a whole during a period of unparalleled depression."

He then goes on to repeat what was said by Sir George Rainy on a previous occasion. Now, Sir, I defy my friend, the Honourable Mr. B. Das, to deduce from these words of Sir Joseph Bhore that there was any absolute commitment on behalf of the Railway Department not to resume in other times the raising of coal to any extent whatever. That enunciation of the position by Sir Joseph Bhore was challenged by no Member and has not been challenged until this day when Mr. B. Das has thought fit to accuse me of breach of faith, and that I deny.

Mr. B. Das: That statement was made before the Public Accounts Committee.

The Honourable Sir Thomas Stewart: You have just anticipated me by about three seconds. I was coming to the Public Accounts Committee. It is perfectly true that in the Public Accounts Committee the Chief Commissioner of Railways admitted that coal at that particular time could not be raised profitably, but in the interval something rather significant happened, perhaps Mr. Das is not aware of it. The price of coal doubled within this year, and is it not possible that, with that circumstance intervening, it may be a profitable thing to raise coal from our own collieries without being accused of uncommercial methods by Mr. Das? But, mind you, there were others who supported our view that more coal should be raised. In the proceedings of the Public Accounts Committee to which my Honourable friend referred, in regard to railway collieries, the Chief Commissioner said they were then working at full capacity. Another member said, "I hope that is a permanent policy"—and who was the other member? The Honourable the Deputy Leader of the Congress Party—I regret he is not here today to confirm my statement. Mr. B. Das endeavoured to make my blood creep when he talked of unemployment in the mines. I wonder if he read any of the public representations which were made some six or seven months ago regarding the scarcity of labour in the mines: he asks me to believe that unemployment is rife in the mines today. He also enlists my Honourable friend, the Finance Member, against me and asks me to think of the loss of income-tax to him.

Dr. P. N. Banerjee: He speaks of the future, not of the present. There will be unemployment.

The Honourable Sir Thomas Stewart: That is not quite what he said. It was very difficult to follow any sort of continuous argument throughout his speech. He made many disconnected remarks, and amongst other things he said railways' raisings keep down the price of coal. Well, I do not want it to be thought that the object of railway raisings is to depress

the coal prices at all. But as a purely academic economic proposition I cite the old theory of supply and demand. Extra production of coal not only in the railway collieries, but in all collieries will tend to depress the price of coal. But that is by the way: I do not think that it has
4 P.M. really any effect on the present argument.

Dr. Banerjea said that my statement in the Budget speech had created great consternation amongst coal interests. If that is so, I am somewhat surprised. Dr. Banerjea's statement suggests that my Budget speech was the first indication that the trade had that the Railway Board had under contemplation measures which would make secure their position as regards supplies and which would prevent a recurrence of what was undoubtedly a serious and critical situation in the present year. I do not propose to repeat the narrative that I gave in the course of the general discussion of the Budget. But Dr. Banerjea did refer to the fact that sometime in September (or it may have been August) when the Chief Commissioner and the Financial Commissioner went to Calcutta they met coal interests and explained to them that under the force of circumstances they had been obliged to increase their raisings from railway collieries; and at that time they said "We do not regard this as a reversal of our previous policy". But about a month after that the situation had not improved in any way and the Railway Board followed up that interview with a letter to the various coal interests, and if the House will bear with me I will read a paragraph from that letter because I think it has a good deal of bearing on the consternation issue. This letter went to the three main coal bodies—the Indian Mining Association, the Indian Mining Federation and the Indian Coal-owners' Association. The paragraph run as follows:

"I am now, however, to place clearly before your Association (or Federation as the case may be) the position of railways in this regard (i.e., in regard to shortages). They are an essentially public utility service and are under a statutory obligation to carry all traffic offering. They will be failing in their responsibilities to themselves and to the public if they omitted to take every possible step to safeguard their position in regard to coal supplies. The importance of this question has been accentuated by the very considerable increase over the last nine months in the traffic to be handled, which increase there is reason to hope will continue. It is further a matter of railway policy to build up coal stocks prior to the busy season (which last year somewhat abnormally commenced as early as the end of November). This policy facilitates the liberation of wagons for other traffic in that season and is equally in the interests of commerce and industry in general (including the coal trade) as of railways. It is, therefore, essential that all arrears of deliveries against this year's coal contracts should be made good before the end of November. if the risk of grave restrictions in public traffic is to be obviated"

Dr. P. N. Banerjea: I admitted all that. I admitted the necessity on the part of the Government to take these steps.

The Honourable Sir Thomas Stewart: After explaining further the difficulties the letter goes on to say:

"If a substantial improvement is not secured in the near future, your Association (or Federation) will fully appreciate that no other course will be open to the Railway Board in the protection of its own and the public interests than to resort to such measures as will provide a more or less permanent remedy against the recurrence of this grave and embarrassing situation."

That was the statement of the possibilities of the future which was made so long ago as last October. So I think I may with confidence claim that the announcement in the course of my Budget speech can hardly be regarded as a bombshell. I look at Mr. James and remind myself that

[Sir Thomas Stewart.]

he had at a previous stage recalled the discussion to where it had once been leading. I may claim that I have no need to be reminded. As I said, I appreciated the way in which Mr. Chapman-Mortimer had put forward his case, and had that been the only speech of the afternoon our business would probably have been settled in a very few minutes. But though I say that, I am not quite certain that I can without somewhat more mature consideration accept the statement of the responsibilities of Government in regard to the prosperity of the coal trade. It may only be a question of a verbal difference, but I am not at this minute prepared to accept the phraseology or formula that has been put forward by Mr. Chapman-Mortimer; nor do I think it is beyond argument that it is essential for the railways to contribute their demand in order to stabilise coal prices. It is an arguable proposition that if railways went entirely out of the market a very much more stable position would be created, perhaps not immediately but certainly ultimately. These are arguable propositions, but one point I am not going to argue. I realise, and quite fully, that our present tender system with its cumbrousness is undoubtedly a drawback to the coal industry as a whole. I do not know whether it can be improved, but I am prepared to take the Honourable Member at his word and to meet representatives of the coal industry with a view to seeing whether we can devise any possible method of issuing our tenders, which will ease the situation and make things easier for the coal industry as a whole.

Mr. Akhil Chandra Datta: In view of the assurance given by the Honourable Sir Thomas Stewart and in view of the attitude of the Government towards the coal trade, and in view of the suggestion made that the two parties might meet and come to a satisfactory arrangement—because after all they are mutual customers—I should not like to press my motion and I beg the leave of the House to withdraw it.

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

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): Sir, I do not move my motion*. I will bring it up at the time allotted to my Party.

Mr. President (The Honourable Sir Abdur Rahim): There is no arrangement like that.

Maulana Shaukat Ali: All right, Sir. I do not move it.

Advertising for Drivers and Guards on the G. I. P. and E. I. Railways on Terms in violation of the Railway Board Notification.

Lieut.-Colonel Sir Henry Gidney: Sir, there are many motions standing in my name, and I should like, with your permission, to move them all together. There are only 22. My desire is to facilitate the task of the Government and in the interests of the economy of time, I ask you, Sir, to permit me to talk on these amendments as a whole and not separately . .

Mr. President (The Honourable Sir Abdur Rahim): No, no, you cannot do that.

* "That the demand under the head 'Railway Board' be reduced by Rs. 100 (Inadequate Muslim representation in railway services)."

Lieut.-Colonel Sir Henry Gidney: Then I will move No. 77; Sir, I move:

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

Sir, I would like to draw the Honourable Member's attention to the fact that of late years since the new scales of pay have become operative, it has increasingly become the practice on the part of State Railways to take, what I might call for want of a milder term, inconsiderate action in advertising for appointments which are vacant and which should be filled by qualified subordinates from every cadre waiting for promotion. And when I make that statement, I support it by quoting what has happened on three important State Railways, the E. I., E. B. and G. I. P. Railways. The G. I. P. Railway lately advertised for guards on the A grade on Rs. 120 a month, fully conscious of the fact that there are many guards on the B, C and D grades waiting for and entitled to this promotion to A grade, but which they are not given because their salary is on the old higher scale and such promotion would cost more. Now, Sir, it is idle to say that there are not a number of sufficiently qualified guards on the G. I. P. Railway capable of being promoted from grade B to grade A, because if any administration made this excuse, it accuses itself and stands guilty of inefficiency for it stands guilty of not having provided an adequate number of trained and qualified subordinates in the different cadres who should be promoted to the higher grades when vacancies occur. Now, Sir, what is the real purport behind this subtlety? I shall tell the House presently. Let me take another railway, the E. I. Railway. The E. I. Railway recently advertised for drivers, knowing full well that there are a number of well trained and qualified shunters and firemen who are capable of taking and should, by all the canons of justice, be promoted to the posts of drivers. They advertised for these drivers because no doubt there are a certain number of vacancies in that grade. The administration has replied, they have not sufficient qualified firemen and shunters. If that is so, God help this Railway in a crisis! I refuse to accept this. Similarly, the Eastern Bengal Railway also recently advertised for two fitter chargemen. Now, taking these three points together, I can say that the purpose of advertising for such men is nothing else but a trickery in economy. It is to save railway expenses. They desire to economise but at the expense of their employees and by depriving them of their just dues and rights. For instance, take the E. I. Railway. They advertised for drivers. Where do they expect to find skilled and experienced drivers? There is no institution in India that qualifies a man to become a driver in one month or six months or even in two years. It is by promotion, step by step, from the lower grade that makes an efficient driver, but instead of promoting these firemen and shunters the railway advertises for these men. And whom do they get to fill these vacancies? Derelicts from all other railways, the HAS-BEENS—men who have been discharged or who have resigned or men who have been turned out for inefficiency or for some other cause, men who are roaming about the streets in quest of work and who gladly accept these low rates of pay rather than starve. I think it is very unfair to a lower class of subordinates that such rank outsiders and undesirables should be recruited when they have been waiting years for promotion—their dues—I can only characterise this action as "dishonest economy". Sir, it is not playing the game with the staff, and it should be stopped. I know that two Railway Agents have replied to representations made by the N. U. R. One Railway Agent in his reply says that they have to resort to this form of advertisement so as to adjust

[Lieut.-Colonel Sir Henry Gidney.]

communal inequalities, and to give effect to the recent order of the Railway Board, i.e., to get a younger class of educated men and put them into a grade which will in time qualify them for promotion to higher grades as vacancies occur. In other words to recruit men at a younger age so as to fit them for higher appointments in the railways later on—rather a lame and certainly a very tame excuse. Sir, this is not fair. The Railway Board have ordered this method of recruitment—I have their letter,—I say it is not fair. While I admit that there has been a disproportion in the appointments of Muslims on the Railways and that they should get their fair share, surely the Railway Board cannot deny when I say that “efficiency” should not be sacrificed at the expense of public safety. How can you take young men fresh from school and put them into a grade and start them off and expect them to make good employees in comparison with the trained men? The Agent of the E. I. R. in his reply to the National Union of Railwaymen says he has not got a sufficient number of trained firemen and shunters to promote to drivers. Sir, all I can say, if this is true, is that the mechanical side of the railway administration has failed in its most important duty, i.e., in providing an adequate number of fully trained men. Sir, I charge the Railway Administration with practising dishonest economy on men who deserve better from them. Would it dare treat these officials in this ruthless and unfair manner and when a vacancy arises would they dare advertise for candidates? They would not dare do this, so, why do it with subordinates?

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 Thomas Stewart: Sir, the Honourable Member who has moved this cut motion has very much the advantage of me, because he seems to be in possession of all the facts, and I am in possession of none; but even so, on the information he has given me, I am prepared to carry the argument a little further. Sir Henry’s condemnation of the railway administration is based on two points,—one is that the railway administrations, in order—to use a colloquial phrase,—in order to “do down” the existing incumbents of posts in a lower grade, have decided to resort to advertisements for outsiders. Now, I submit to this Honourable House that it is at best a deduction. We might be prepared to accept Sir Henry’s deduction as right were there lack of evidence to the contrary, but Sir Henry assures us that there is evidence. He has written to the administrations and has received a letter the purport of which suggests to me that the Agent of the Railway is endeavouring to carry out a process which was, I think, recommended in this very House, namely, that in order to adjust the communal proportions more rapidly in the higher grades of the service it was decided to recruit, in communal proportions, at intermediate grades on the way up, and that I take it is what really has been happening on these railways. If so, the railway administrations have been following a mandate of this House and I hardly think that it would be proper of the House to censure them for that reason.

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.

Violation of Rules governing the Payment of Wages Act.

Lieut.-Colonel Sir Henry Gidney: Sir, I beg to move:

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

This House must remember the time when this Act was passed. I shall not traverse the entire Act because that is quite unnecessary. I will confine myself to section 8 (4) and 8 (6). In quite recent times, when a railway servant committed an error or a crime or a loss, he was either fined, reduced or censured or he was sent for, sworn at in Billingsgate language and asked to go away. He stood that. But, fines became so heavy that it became a subject of serious report to the Railway Board and the Railway Board in response moved in the matter and finally the Payment of Wages Act was passed. Its chief purport was to abolish fines except to a very limited extent. Let me quote the relevant sections of this Act:

Section 8 (4) says:

"The total amount of fine which may be imposed in any one wage period on any employed person shall not exceed an amount equal to half an anna in the rupee of the wages payable to him in respect of that wage period."

Section 8 (6) says:

"No fine imposed on any employed person shall be recovered from him by instalments or after the expiry of sixty days from the day on which it was imposed."

Now, Sir, these are very necessary and salutary sections. They limit the action of railway authorities in this direction and the men have been saved from the imposition of very heavy fines such as have been their unhappy lot in the past. But what has been done to replace this? Evidence there is in abundance to prove that the railway administration having their hands tied and being unable to impose a fine of more than six pices in the rupee are now resorting to the practice of reduction in grades. For example, a subordinate of the crews department misses his train at night though he has no call boy to wake him up. He is reduced for a period of six months. That is a reduction of about Rs. 5 per month. Again, a driver breaks a coupling. This is not an unusual occurrence on railways. At one time he was for this minor offence fined a rupee or two. He is now reduced by one grade. That is a loss of about 13 rupees per month. This may be a justifiable deterrent to the habitual offender. It may be a means of showing to the administration who are bad and who are good workmen, but be that as it may, I ask: what is a reduction if it is not a fine and what is a fine if it is not a reduction? They appear to me to be synonymous terms as each entails a loss of money. If you take the definition of the word "fine" in the Oxford Dictionary, you will find "A fine is a certain sum of money imposed as a penalty for an offence". If the Act does not give you the power to impose a fine of more than half an anna in the rupee, is it right or just that you should be allowed to substitute that form of punishment by a reduction which amounts to several rupees per month and is certainly more than two pice in the rupee? I consider it is not a right interpretation. I know the Act is at some pains to define what a reduction is, but it is remarkably silent as to the definition of the word "fine". Sir, it is to obtain a ruling from the Government and a clarification of the point that I have brought this motion to the serious notice of the Honourable the Communications Member, because it is today one of the chief causes of great discontent among railway servants of all classes.

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

Mr. Lalchand Navalrai: Sir, I wish to add a few words in support of this cut. It has also been brought to my notice that these tactics of reduction instead of fine are being employed by the North Western Railway too. Some of the subordinates came to me to relate their grievances. When they are not able to fine the employees beyond the limit that has been fixed by the Wages Act, they resort to reduction. This is not fair. I hope that this practice which has been going on will now cease. There should be fair play. They should not in a crooked way punish these men. With these words, I support the cut motion.

Mr. A. G. Clow: Sir, I am not a spokesman of the Railway Board and employers must be left to work the Act as seems best to them; but I would contest the view expressed by Sir Henry Gidney that it is necessarily illegal to impose by way of reduction a severer form of punishment than the Act provides. When the Payment of Wages Act was under discussion in this House, the warning was given that if you restrict the power to impose fines, you might be encouraging a more severe form of penalty by way of dismissal, against which the Act provides no remedy. The point, as I see it, is this. You can restrict your fines as much as you like but all the Act really is designed to secure is that the wage that the workman starts on his work in the expectation of receiving will be paid to him and it will not be subject to illicit deductions. As I understand, it, the Act does not prevent the employer from saying, "I had you in my employment on such and such a grade, but I am no longer willing to retain you on that grade and I will employ you on a lower grade". The Act does not prevent that

Mr. Lalchand Navalrai: The point is if it is fairly done.

An Honourable Member: That is the point.

Mr. A. G. Clow: I agree: the point is if it has been fairly done. I understood that the gravamen of Sir Henry Gidney's charge was that the employees of railways are a good deal worse off now than they were before the passing of this Act in this respect; and I have the authority of the Honourable Member for Railways to say that that is a matter which will engage the attention of the Chief Commissioner and the Railway Board.

Lieut.-Colonel Sir Henry Gidney: Sir, in view of the reply of my Honourable friend I would ask the leave of the House to withdraw my motion.

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

Deprivation of Passes to Railway Employees.

Lieut.-Colonel Sir Henry Gidney: Sir, I beg to move:

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

Sir, I hope the Honourable Member when he considers the replies he will receive from Agents of Railways he will also consider two minor aspects of the picture I should like now to draw before him in connection with house rents. There is a parent who has a child, that child has got

a pass from a railway to go to a school. That school closes for its holidays, the child is to be brought back, but he is now refused a pass. Another aspect: the case of the young bachelor with an aged and widowed mother dependent on him for her livelihood and she gets a pass. He takes it into his head to get married, promptly his mother is taken out of the "dependants' list". These are not what you call just or kind acts.

The Honourable Sir Nripendra Sircar (Law Member): Those are accidents.

Lieut.-Colonel Sir Henry Gidney: Yes, Sir, but on railways many accidents are done on purpose and with intent. These actions are not kind. They really carry the pass rules to an absurd extent, to an unkind extent and it is not only provocative and irritating to the staff but creates a great wave of discontent which is surging amidst the staff today. Sir, take this warning from me in all earnestness and sincerity. I, therefore, ask the Honourable Member, when he considers this matter also to consider if it is possible to give these men happiness and contentment by giving them the 1933 pass rules, which were accepted with much happiness and joy by every member of every community. Also give them passes for their dependants.

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

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

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, I rise to oppose the motion of my friend, Sir Henry Gidney. I do not want passes. I would go so far as to say that no railway servant from the Agent downwards should get any passes on any railways (Interruption) or any free accommodation. Sir, it is a fact that we Members of the Assembly have to pay our fares and we do not get any passes, and I see no reason, therefore, why railway employees and others of the Railway Department should get passes. Sir, it is my own experience that when I travel from Lucknow to Delhi very often I find railway servants travelling in the same compartment with me and the result is that generally seats are reserved, and it is all bogus reservation. Under these conditions and for the reasons which we have discussed in this House, I say that passes should not be indiscriminately given to the servants of the railways. (*An Honourable Member*: "That passes should be cancelled.")—yes, that the system of passes should be cancelled.

Mr. Lalchand Navalrai: Sir, this decision about passes has been hanging fire since a very long time and we want that this decision should come out very soon. I hope that the Honourable Member for Railways would now see that this decision is arrived at a very early date. That will at any rate remove the suspense under which the railway people are labouring. They do want that the rules of 1933 should be reverted to. But, whatever is to be their fate, they are waiting for that fate and that fate is in the balance. It is, therefore, very necessary that an early decision should be arrived at. So far as my Honourable friend on the right is concerned, it is true that railway servants who get passes do occupy the compartments which are intended for passengers, but there is one rule that they can get their reservation from the station from

[Mr. Lalchand Navalrai.]

which they start—not on the other stations on the way. Therefore, what can be prescribed is that when railway employees get passes they should be made to travel in certain trains and not in all trains, and that will I think remove the inconvenience which my friend is referring to. I think my Honourable friend should not be selfish by saying that he should get a free passage from his place to this place but not those subordinates who have been after all the backbone of the Department. During the period that the Railway Department takes in order to go into this matter wholly and fully, and until that time, we cannot but help requesting them to make certain suitable arrangements so as to keep the staff contented. With these words, I support the motion.

Mr. N. M. Joshi: Sir, I should also like to support the motion of my Honourable friend, Sir Henry Gidney. Sir, the Railway Board is aware that since the passing of the new pass rules there has been a great deal of discontent amongst the railway employees. Their complaints are, in the first place, that persons who used to be considered dependants are not considered dependants, under the new rules,—like widowed mothers, a sister or a minor brother—and thus these are not eligible for free passes under the new rules as they were under the old rules.

Then, the second complaint is that the number of passes has been drastically curtailed. This system of giving free passes to employees is followed by railways of several countries and the system in some countries is more generous than ours. On the Indian railways the policy which is followed by the Government of India is not to give facilities according to the needs but according to the class to which the railway employee belongs. If a railway employee belongs to a higher class, to the superior service, he gets a larger number of passes. A superior railway servant is not necessarily a man with a larger family, but he gets a larger number of passes. If a man belongs to the subordinate class of railway employees, he gets a smaller number of passes, and if a man belongs to the lowest-paid grades, he is a separate class altogether. The subordinate railway employee may get some passes and he may get passes both on foreign railways and what are called home railways. But if you are inferior servant or the lowest paid employee, you get not only a smaller number of passes but you cannot get a pass on foreign lines. I cannot understand this discrimination and I would like the Honourable Member to look into this question of discrimination. Why should not an inferior servant get passes on what are called foreign lines? Therefore, I am not merely content with what Sir Henry Gidney wants. He wants to go back only to the position as it existed in 1933. I want that the old rules should also be changed in the case of the lowest paid employees. I cannot understand why there should be discrimination in the number of passes. A poor man perhaps may have a larger family and a middle class man may have a smaller family and a man getting very high salary may have a small family too, even smaller than what a subordinate employee may have. It is, therefore, wrong to base your passes on the social position which the man holds. The need of everybody is the same. Therefore, let the number of passes be the same. If the giving of passes to inferior servants is likely to cost Government a little more, let them reduce the number of passes which the officers get. They get ten set of passes every year. I am not sure about the exact number,

it may be 14 instead of 10. But they do get a large number of passes every year. I am sure these officers cannot travel on those passes for the sake of their business but they travel because the railways give them a large number of passes. This is a waste of money in my judgment. The Government of India can save money in the passes given to the higher class of officers and give a larger number of passes to the subordinate staff and thus bring the inferior servants to the same level as the other classes of railway employees.

As a matter of fact, the giving of a larger number of passes to the inferior servants will not cause any inconvenience to the travellers. The real inconvenience caused to the travelling public is in the first and second classes and not in the third class. I would like the Government of India to go into the figures. Some of these railway organisations have gone into the figures and I would like to give some figures to the Honourable Member. Out of every 13 first class passengers there is one railway employee and out of every 18 second class passengers there is one railway employee. In the case of the third class there is one railway employee out of every 254 passengers. So, if you increase the number of third class passes to the inferior servants, it is not going to add to your overcrowding. There is overcrowding in the first class due to the railway employees. Therefore, what you should do is to reduce the number of the railway passes given to the superior officers and then there will be less overcrowding in the first class. I, therefore, suggest that the Government of India should alter their pass rules and reduce the number of passes given to the superior officers. They should bring the number of passes of the subordinate staff to the level of 1933 and increase the number of passes given to the inferior servants. This will be fair to your employees and it will not cause any inconvenience to the railways.

The Honourable Sir Thomas Stewart: Sir, I will make no attempt to follow Mr Joshi through this other example of his railway arithmetic. I have no doubt it is as fallacious as the other examples that he has quoted on the floor of the House. But my real reason for not doing so is not my dislike of arithmetic but really a suspicion that Mr. Joshi was talking about something that Sir Henry Gidney was not. Sir Henry was drawing our attention to the necessity for the restoration of certain privileges that had been lost, and Mr. Joshi has asked us to bring into existence an entirely new system of giving passes to our railway employees. If Sir Henry will forgive me, I will not repeat yet again what is my position in regard to the pass rules, but I can assure him and, indeed, Mr. Lalchand Navalrai too, that the considerations they have urged today will have my very earnest attention.

Lieut.-Colonel Sir Henry Gidney: Sir, in view of what the Honourable Member has just said and, with the permission of the House, I beg leave to withdraw my motion.

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

Violation by Railway Administrations of Railway Board Rules governing Promotion of Subordinate Staff.

Lieut.-Colonel Sir Henry Gidney: Sir, I beg to move:

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

[Lieut.-Colonel Sir Henry Gidney.]

Sir, I shall dispose of this motion with a few words. I do not think the Railway Board will disagree with me when I say that their policy today is to make money but they call it for want of a better name "Economy". "Make money honestly if you, but make money", that is the advice which a Scotchman gave to his son, when he left for India. I do not mean to say that the Railway Board are making money dishonestly. Not at all. What I mean to say is that you are out for economy of any kind. I should, however, like that economy to be practised on lines indicated by the Railway Board to the various railway administrations. There are certain rules in force which have emanated from the Railway Board controlling the rights and privileges of every railway employee. Added to them is the honourable agreement that the Government of India entered into on behalf of the Secretary of State with every railway subordinate when it took over the Company-managed railways in 1925. They had then given an honourable pledge to recognise as inviolable all the privileges that the employees enjoyed at that time.

Now, Sir, it has often been brought to the notice of the Railway Board that Railway Agents were not practising what they were told but were practising just what they were pleased to preach and do. For instance, notwithstanding the undeniable fact that there are vacancies of drivers, they keep a large number of firemen and shunters from permanent promotion, and instead of confirming them in the vacant higher grades, these very men are put on to officiate. Now, take the case of the G. I. P. Railway. It will surprise the Honourable the Communications Member to know that there are firemen who have been employed as firemen and have not been confirmed as drivers for nearly 20 years and they are still officiating. Sir, if you are going to economise in that way and if you are going to allow the Agents to carry out your orders as they like, it will cause grave discontent. Why should the Railway Agents have the power to flout the orders of the Railway Board and why should they be allowed to continue a practice which I consider to be bad. This is a practice that is going on everywhere. It is the studied policy of the railway administrations so as to show to the Railway Board the economies they have effected. They do not sack the man: they do not fill up the vacancy in a higher grade: but they ask the junior man to do the work of the senior man in an officiating capacity, and on much less pay and thus save money. Is this honest economy? Is this fair to junior employees? Surely not. You do not treat your officials in a similar manner. No official would do his duty unless he were treated squarely and with no tricks of economy. Why do you discriminate between subordinates and officials? Why do you deprive the poor railway subordinate or his family of Rs. 60 simply in the interest of economy? I do beg of the Honourable Member to give this his attention, because the position does exist and it is not proper to treat these men like this.

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

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

Mr. Lalchand Navalrai: Sir, I have a few words to say with regard to the promotion of subordinates of grade I. Sir, this was a point which came under another cut and it was pointed out by me then that these

subordinates who get Rs. 60 retire in that grade even after a very long period of service. I submit that there are two ways of meeting their grievances. First is that the clerks grades I and II should be amalgamated and the second is that the maximum grade promotion should be increased.

Now, as regards the first, the Honourable the Railway Member suggested that the grades that have been amalgamated in connection with Railway Clearing Accounts Office have a difference and, therefore, their grades have been amalgamated. I do not see any difference at all. It should be remembered that on the contrary it seems to me that these subordinate clerks on the lines in Grades I and II deserve to be amalgamated more than those in the Accounts Office. My Honourable friend, the Railway Member, will realise that in the Accounts Office, they do work at particular hours, they attend office at 10 and leave office at 5 in the evening. They have to do certain figure work. What do these poor booking clerks, the goods clerks, the trains clerks, the sorting clerks, etc., do? They do work even at night time, at all odd hours. Should it not, therefore, be considered that these clerks do more onerous work than accounts clerks? There is greater justification that in their case, there ought to be amalgamation.

Then, Sir, take the work itself. They are doing all kinds of work and they have to do at all odd hours extra duties, day and night. These are the persons who should be kept more content. Therefore, I submit that the Honourable the Railway Member should consider this over again whether there should be no amalgamation. If not, if there is any policy behind it which says that these grades should not be amalgamated then, I may request him to adjust this thing sympathetically. Their pay should not be restricted in three grades. Let the second grade of Rs. 90 be the first grade. Under these circumstances, I hope that considering all their representations, all their pitiable appeals which they have placed before the Government for months and months, I hope that the Honourable the Railway Member would give his best consideration to this matter.

The Honourable Sir Thomas Stewart: Sir, on this cut motion two matters have been raised. My Honourable friend, Col. Gidney, has raised the question of certain lower grades in the locomotive department who have not been promoted when there have been officiating vacancies. I regret that I have no information at the present moment as to the cases. It may be that the information is in my office, but on account of the short notice that I have received with regard to these cut motions, I have not got the information here, but I can assure Col. Gidney that if we have it, we shall make enquiries as to what is happening. If we do not have this information in the office, I should be obliged if he would supply it to us and we will take similar action.

Mr. Lalchand Navalrai has returned to the charge on a subject which we discussed this morning. One of the points that I made in resisting the demand that Grade I and Grade II clerks should be amalgamated was that really they were not comparable with the accounts clerks who at another time had been converted from two grades into one grade cadre. Well, Sir, my Honourable friend, Mr. Lalchand Navalrai, has given very strong confirmation of my argument and he has demonstrated beyond a shadow of doubt that there is nothing comparable between the two grades. I may remind him of what I said this morning that our latest information from the Agents of the Railways is that there is reasonable prospect of promotion from Grade I to Grade II.

Lieut.-Colonel Sir Henry Gidney: Sir, in view of the promises made by the Honourable Member for Railways, I beg leave to withdraw my cut motion.

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

Composition of Staff attached to the Office of the Conciliation Officer—Col. Wagstaff—in Calcutta.

Lieut.-Colonel Sir Henry Gidney: Sir, I beg to move:

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

Sir, I am sure I am voicing the opinion of this House when I thank the Department of the Railway Board for having given heed to the request of this House. We have for years been appealing to the Government, we have also defeated them on four or five occasions when we asked them for an Arbitration Board to settle railway grievances but they remained adamant. It wanted a Royal Commission on Labour to visit India to show them that there was some justice in our demand and that the conditions of service of our railway subordinates needed a proper tribunal and that railway disputes had better be settled in a friendly rather than in an unfriendly way as has so often happened in the immediate past. I thank the Railway Board in appointing a Conciliation Officer. But, Sir, while the report of the Whitley Commission has recommended the formation of an Arbitration Board today the Railway Board after much delay and demands on our part have consented to appointing a Conciliation Officer as an experiment. This Conciliation Officer is to be in a town where there are termini of three railways—Calcutta. The claims of Bombay and Madras have not been considered. While this is a step in the right direction its only advantage is that "something is better than nothing". This Conciliation Officer sits alone in his office and he is expected to get into harmonious touch with the labourers of the railways and to effect friendly settlements of labour disputes before it gets too late. We are promised that when this experiment proves a success, we will have a sort of Advisory Committee of appeal. That is certainly a little better. My desire in moving this cut motion is to bring to the notice of the Honourable Member for Railways the desirability of going a step further and to make the duties of this Conciliation Officer more practical and effective. And what could be better than supplying him with two or three assistants of reliable experience as office subordinates? They know the views of the men much better than Colonel Wagstaff does. Moreover, Colonel Wagstaff is a servant of the railway. He is a very eminent officer with experience of labour problems, but why appoint a labour officer to the office? Why do you not appoint another officer?

5 P.M.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech tomorrow.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 22nd February, 1938.