

25th February 1942

THE

# LEGISLATIVE ASSEMBLY DEBATES

## Official Report

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Volume I, 1942

*(11th February to 10th March, 1942)*

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## FIFTEENTH SESSION OF THE FIFTH LEGISLATIVE ASSEMBLY, 1942



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# CORRIGENDA

In the Legislative Assembly Debates, Budget Session, 1942,—

- (1) Volume I, No. 1, dated the 11th February, 1942, page 31, line 20, *for* "Muslims" *read* "Muslim";
- (2) Volume I, No. 15, dated the 5th March, 1942, page 708, line 20 from the bottom, *for* "Suppression" *read* "Supersession";
- (3) Volume II, No. 5, dated the 17th March, 1942,—
  - (i) page 1207, line 4, *delete* the full stop *after* the word "statement"; and
  - (ii) page 1265, lines 5 and 22, *for* "The Honourable Sir Homi Modi" *read* "The Honourable Sir Homi Mody";
- (4) Volume II, No. 7, dated the 19th March, 1942, page 1357, line 15 from the bottom, *for* "The Economist news" *read* "The Economist news-";
- (5) Volume II, No. 8, dated the 20th March, 1942, page 1422, line 13 from the bottom, *delete* the second "that" at the end of the line;

- (6) Volume II, No. 9, dated the 23rd March, 1942,—
  - (i) page 1429, line 1, *insert* the word "is" *after* the word "blood"; and
  - (ii) page 1457, line 8 from the bottom, *read* "are" *for* the word "they";
- (7) Volume II, No. 11, dated the 25th March, 1942, page 1539, line 18 from the bottom, *for* the word "who" *read* "why";
- (8) Volume II, No. 13, dated the 1st April, 1942, page 1651, line 21, *for* the word "attacks" *read* "attack";
- (9) Volume II, No. 14, dated the 2nd April, 1942,—
  - (i) page 1688, line 17, *for* "It is given to C class" *read* "I said that A and B class";
  - (ii) page 1693, line 22, *for* "Syed Murtuza Sahib Bahadur" *read* "Maulvi Syed Murtuza Sahib Bahadur"; and
  - (iii) page 1729, line 19 and page 1730, line 9 *for* "Diwan Bahadur Sir A. Ramaswami Mudaliar" *read* "The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar".

# LEGISLATIVE ASSEMBLY.

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Sir ABDUL HALIM GHUZZAKVI M.L.A.

Mr. N. M. JOSHI, M.L.A.

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# LEGISLATIVE ASSEMBLY

Wednesday, 25th February, 1942.

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.

#### NON-PAYMENT FOR *RATHJATRA* HOLIDAY ENJOYED BY PIECE EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

95. \*Mr. Amarendra Nath Chattopadhyaya: (a) Will the Labour Secretary please state whether it is not a fact that the gazetted holidays actually enjoyed can, at the option of the piece-worker of the Government of India Presses, be counted against any leave admissible to him and, if so, whether they are to be paid for?

(b) Is it not a fact that the Government of India Press, Calcutta, was entirely closed on the 4th July, 1941 on the occasion of the *Rathjatra* festival, observed as a local holiday?

(c) Is it not a fact that the Government Resolution No. F119R-28, dated the 8th September, 1928, of the Government of India, Finance Department, permits leave on average pay?

(d) Is it not a fact that the piece employees of the Government of India Press, Calcutta, applied to the Manager, Government of India Press, to the effect that leave actually enjoyed by them on 4th July, 1941, on the occasion of the *Rathjatra* festival (observed as local holiday), be counted against any leave admissible to them under Government Resolution No. F. 119R-1-28, dated the 8th September, 1928, but the Manager of the Government of India Press, Calcutta, rejected their prayer?

(e) If the replies to parts (a) to (d) be in the affirmative, will Government be pleased to state the reasons for non-compliance with the Government orders by the Manager, and what action they intend to take in this connection? If not, why not?

Mr. H. C. Prior: (a) Yes, against leave on average pay.

(b) No.

(c) Yes.

(d) Yes.

(e) The Manager complied with the Government orders. Local holidays actually enjoyed cannot be counted against leave on average pay like gazetted holidays.

#### REVISION OF SALARY OF MONO-CASTERS IN GOVERNMENT OF INDIA PRESSES.

96. \*Mr. Amarendra Nath Chattopadhyaya: (a) Will the Labour Secretary please state whether it is not a fact that the salary of the type

supplier is graded from Rs. 30—2—40 and that of the Mono-caster Rs. 30—1—35 in the Government of India Press, Calcutta?

(b) Is it not a fact that the work of Mono-casters requires both academic and technical qualifications?

(c) Is it not a fact that the Mono-casters of the Government of India Presses, Calcutta and Delhi, die a premature death before any pension is earned by them?

(d) If the reply to part (c) be in the affirmative, will Government be pleased to state the reason therefor?

(e) If the reply to part (c) be in the negative, will Government be pleased to state:

(1) the number and names of Mono-casters who retired in the years 1920 to 1941;

(2) the length of their service; and

(3) the amount of pension allowed to them?

(f) Is it not a fact that the salary of all employees in the Government of India Presses was revised in 1928, except that of Mono-Casters?

(g) If the reply to parts (a), (b), (c) and (d) be in the affirmative, are Government prepared to consider the case of Mono-casters and revise their salary also? If not, why not?

**Mr. H. C. Prior:** (a) Yes.

(b) No.

(c) No.

(d) Does not arise.

(e) (1) Messrs. Hari Charan Das and Ajit Senapaty, Government of India Press, Calcutta and Mr. Jagat Ram, Government of India Press, New Delhi.

(2) 16 years, 10 months and 17 days;

13 years, 11 months and 17 days; and

6 years, 5 months and 21 days, respectively.

(3) Mr. Hari Charan Das retired on an invalid pension of Rs. 8-0-0. The other two were not governed by the pension rules.

(f) No.

(g) Does not arise.

#### DELAY IN RECEIVING OPINIONS ON THE RECIPROCITY BILL.

97. \***Mr. Govind V. Deshmukh:** Will the Honourable the Leader of the House please state:

(a) if he is aware that the motion for circulation of "Reciprocity Bill" introduced by me was adopted on the 7th November, 1941, by this House, that public opinion on this Bill has not yet been received and that in the absence of it no motion referring the Bill to a Select Committee can be made;

(b) if the non-receipt of public opinion on it was due to the fact that there was a short period for it between the close of the last Session and the holding of this Budget Session; if not, what was it due to;



- (c) if he is aware that there are only three days in this Session fixed for non-official Bills;
- (d) if it is realised that such a short interval for getting opinion on Bills is a great handicap to the non-official Members introducing Bills;
- (e) if the period between the close of the Autumn Session and the commencement of the Budget Session will be extended by convening the Autumn Session earlier, say about the 15th September of the year; if not, the reason for it; and
- (f) how he proposes to help the non-official Members in their work of legislation under the circumstances detailed above?

**The Honourable Mr. M. S. Aney:** (a) and (b). It is a fact that for the reasons indicated by the Honourable Member it was impossible for a further motion in regard to the Bill to which he refers to be made on the 14th February.

(c) Yes.

(d) The curtailment under existing arrangements of the interval between the Autumn and Budget Sessions undoubtedly involves a certain measure of inconvenience but I do not feel that the Honourable Member has any ground for complaint by reason only of his inability to make a further motion on the Bill to which he refers on the first private Bill day of the current Session. I understand that opinions on the Bill in question have been called for by the 1st March and there should be nothing to preclude the moving of a further motion with reference thereto on the second private Bill day on the 24th March.

(e) As the Honourable Member is aware, the date for the commencement of a Session is appointed by the Governor General but the arrangements which have necessitated the discontinuance of the holding of Sessions in Simla, taken in conjunction with climatic and other considerations, will, I fear, preclude the convening of the autumn Session at the time favoured by the Honourable Member.

(f) I do not feel that the circumstances are such as to require any action by me but I would be glad to consider any practicable measures which the Honourable Member may desire to suggest.

**Mr. Govind V. Deshmukh:** With reference to the reply to part (e) of the question, may I know if Government will think that the exodus to Simla is not desirable under the circumstances and it can be dispensed with so that the legislation can be effectively carried through as the Session can be held earlier?

**The Honourable Mr. M. S. Aney:** The Honourable Member has raised a question which is really not relevant to the particular question he has put. He has raised a question of policy which can be answered if he tables a question to that effect.

#### NUISANCE CAUSED TO THE VICINITY BY THE BUS DEPOT AT BARAKHAMBA, NEW DELHI.

**98. \*Mr. Muhammad Muazzam Sahib Bahadar:** (a) Will the Honourable Member for Education, Health and Lands, please state what action

has been taken on the representation submitted by the residents of the Barakhamba area surrounding the Depot of the Gwalior and Northern India Transport Company complaining about the inconvenience caused to them by the noise and smoke emanating from the depot at all hours of the day and night?

(b) Is the Honourable Member aware that the Company's buses create a great amount of noise and smoke and are started and repaired throughout the day and night?

(c) Is the Honourable Member aware that the nuisance referred to in part (b) above is affecting the health and comforts of the residents of the locality who cannot have sufficient rest and sleep in consequence?

(d) Is the Honourable Member prepared to take immediate steps either to remove the depot and the workshop from the present locality or take steps to remove the cause of the annoyance at an early date?

**The Honourable Mr. N. R. Sarker:** (a) Instructions have been issued to the company, through municipal notices and executively, to avoid night work in the depot as far as possible and the General Manager of the company has informed the New Delhi Municipal Committee in a recent letter that the only work which is now done after 11 P.M. is the refuelling of tanks for about an hour.

(b) and (c). There has been no complaint of smoke but noise caused by night work in the depot has probably been a cause of inconvenience to persons living near by.

(d) Reference is invited to the reply to part (a). The present state of affairs is largely the result of war conditions; the company is unable to acquire new vehicles and to keep its fleet, which is worked to capacity, in working order, repairs have to be executed to some extent in "off" hours. Removal elsewhere of the company's depot is not practicable during the war.

#### WATER SUPPLY PROBLEM AT AJMER.

†99. **\*Dr. Sir Ziauddin Ahmed:** (a) Will the Honourable Secretary for Labour be pleased to state whether it is a fact that Mr. Griffin, Superintending Engineer, Health and Services, New Delhi, presented a report to Government that two Belts could be constructed in the vicinity of Ajmer which would give 20,000 gallons of water per hour?

(b) Did Government carry out any experiment and what was the result?

(c) If the experiment was a failure, will Government be pleased to state what other alternative is proposed for the supply of drinking water for Ajmer and when will the water supply at Ajmer be available?

**The Honourable Mr. N. R. Sarker:** Presumably the Honourable Member refers to 'tube wells' and not 'two Belts' in part (a) of the question. The information has been called for and a reply will be furnished to the House when it is received.

#### ORDINANCES ISSUED BY THE GOVERNOR GENERAL.

100. **\*Mr. Lalchand Navabai:** (a) Will the Honourable the Law Member be pleased to state how many Ordinances the Viceroy and Governor

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

General of India has issued under the Defence of India Rules, or the Defence of India Act, since that Act came into force and what subjects they pertained to?

(b) How many Ordinances has the Viceroy and Governor General of India issued under the Government of India Act since 1935, and what subjects did they pertain to?

(c) What was the immediate urgency for each of the Ordinances mentioned in parts (a) and (b)?

(d) Were any of the Ordinances mentioned in parts (a) and (b) brought, at any time, before the Houses of the Central Legislature for their suggestions or confirmation of the subjects to which they related?

**The Honourable Sir Sultan Ahmed:** (a) None. The Governor General derives no power to issue Ordinances from the Defence of India Act or Rules.

(b) and (c). The Governor General made three Ordinances under section 72 of the Old Act in 1935 and he has made 45 Ordinances under the same section as set out in the Ninth Schedule to the New Act from the 26th August, 1939, to date. I cannot attempt to specify the subject matter or the immediate occasion for the issue of each Ordinance within the scope of a reply to a question and I must refer the Honourable Member to the text of the Ordinances of which copies are in the Library.

(d) Before the temporary removal by sub-section (3) of section 1 of the India and Burma (Emergency Provisions) Act, 1940, of the limitation of the duration of Ordinances to six months, any Ordinance for the provisions of which a longer duration was required had necessarily to be replaced by an Act of the Legislature and seven of the 12 Ordinances made before the commencement of the Act in question were so replaced. A Bill for the continuation of the provisions of the Coffee Market Expansion Ordinance, 1940, to which a temporary duration was assigned, has recently been passed by the two Chambers.

**Mr. N. M. Joshi:** May I ask whether the Government of India will print and publish all these Ordinances and Rules in a book form for the convenience of the Members as well as of the public?

**The Honourable Sir Sultan Ahmed:** We will certainly consider this suggestion.

**Mr. Lalchand Navalrai:** May I know if the Viceroy or the Government of India have not been issuing Ordinances under the Defence of India Act? Can the Provincial Governments also issue such Ordinances?

**The Honourable Sir Sultan Ahmed:** No Ordinance can be published under the Defence of India Act or Rules by any authority.

**Mr. Lalchand Navalrai:** Then who issues these orders under the Defence of India Act?

**The Honourable Sir Sultan Ahmed:** The Central Government as well as the Provincial Governments.

**Mr. Lalchand Navalrai:** That is exactly what I am asking. When the Central Government issues these Ordinances, are they . . .

**The Honourable Sir Sultan Ahmed:** The Central Government does not issue the Ordinances. The Governor General alone has the power to issue them.

**Mr. Lalchand Navalrai:** Therefore, I ask that if the Ordinances are being issued so freely during the time of the war when they are necessary, can you not see that such Ordinances come before the House before they are issued?

**The Honourable Sir Sultan Ahmed:** No.

**Mr. Lalchand Navalrai:** Why not?

**The Honourable Sir Sultan Ahmed:** The Emergency Act has given the power to the Governor General to issue such Ordinances without any limitation.

**Mr. Lalchand Navalrai:** But that is supposed to be done subject to the consent of this House?

**The Honourable Sir Sultan Ahmed:** No.

**Mr. Lalchand Navalrai:** I know that there is a power to issue an Ordinance without bringing it before this House and I am objecting to this power. Will the Honourable Member see that that is not done in the future?

**The Honourable Sir Sultan Ahmed:** The objection may be there. The logical effect of the removal of the limit of duration of the Ordinance under the new India and Burma Act is that no attempt should be made to enactise an Ordinance. Apart from that, there is no practical advantage. Supposing an Ordinance was brought before the House for enactment the House will either accept it or reject it. If it accepts it, there is no point in bringing it; if it rejects it, then the Ordinance will remain in force.

**Mr. Govind V. Deshmukh:** Will the Government consider the advisability of publishing in vernacular in different provinces some of the Ordinances such as those which deal with crime and other similar matters so that the public in general may know their contents?

**The Honourable Sir Sultan Ahmed:** We will consider the suggestion.

#### REPRESENTATION OF INDIA IN THE PACIFIC WAR COUNCIL, LONDON.

101. **\*Mr. Govind V. Deshmukh:** Will the Honourable the Leader of the House please state if any steps were taken by the Government of India to secure representation for India on the Pacific War Council established in London? If so, has India got it? If not, why not?

**The Honourable Mr. M. S. Aney:** I invite the Honourable Member's attention to the following communiqué issued on the 12th February:

'His Majesty's Government are anxious that India should be afforded the same opportunity as the Dominions of being represented at the War Cabinet and on the

Pacific War Council for the purposes of the formulation and direction of policy for the prosecution of the war. They have accordingly invited the Government of India to arrange for such representation if they so desire."

**Mr. Govind V. Deshmukh:** May I know if, on this Pacific War Council, America and China are represented?

**The Honourable Mr. M. S. Aney:** I do not know exactly whether they are represented or not. My source of information is just the same as the Honourable Member may have, *viz.*, the reports in the newspapers.

**Mr. Govind V. Deshmukh:** Is the Honourable Member in the know of the functions of the Pacific War Council?

**The Honourable Mr. M. S. Aney:** The functions are broadly indicated here in the *communiqué*, which is the formulation and the direction of the policy for the prosecution of the war.

**Mr. Govind V. Deshmukh:** May I know if the Government have taken early steps to represent this Government on the Pacific War Council?

**The Honourable Mr. M. S. Aney:** The whole question is under the consideration of the Government of India.

**Mr. N. M. Joshi:** May I ask whether the Government of India have accepted the invitation? If so, whom are they going to send to deputise for them?

**The Honourable Mr. M. S. Aney:** I am not in a position to make any reply to it.

**Mr. K. C. Neogy:** May I draw the Honourable Member's attention to the point in the question which seems to have been overlooked? "If any steps were taken by the Government of India to secure representation for India on the Pacific War Council established in London?" We very much appreciate His Majesty's Government's anxiety that has led to this particular decision, but was that anxiety caused in any way by any representation which the Government of India made to His Majesty's Government?

**The Honourable Mr. M. S. Aney:** I have already repeatedly stated in this House that any matter which is the subject of communication between the Government of India and His Majesty's Government is never disclosed in this House on grounds of public policy.

**Mr. K. C. Neogy:** I merely drew the attention of the Honourable Member to the question itself.

**The Honourable Mr. M. S. Aney:** The question itself refers to the subject matter, and so it cannot be disclosed.

## THE RAILWAY BUDGET—LIST OF DEMANDS.

### SECOND STAGE.

**Mr. President** (The Honourable Sir Abdur Rahim): Before the House proceeds with the Demands for Grants in respect of the Railway Budget,

[Mr. President.]

the Chair would like to inform Honourable Members that an arrangement has been arrived at among the various Parties of the House as regards the time which should be allotted to each Party and the order in which the cut motions relating to these Demands will be taken up in the Assembly. According to that arrangement, the Congress Nationalists have been allotted time up to the Lunch interval today, and the following cut motions will be moved by them:

Cut motions Nos. 1, 3, 13, 37 and 49 on the Final List.

The Independents who have been allotted time from 2-30 P.M. to 4 P.M. today will move cut motions No. 1 on the Late List and No. 32 on the Final List.

The Unattached Members, who have been given time from 4 P.M. to 5 P.M. today, will move cut motion No. 10 on the Final List.

On Thursday, the 26th February, the European Group will occupy the time of the House till 1 P.M., and during this time they will move cut motions Nos. 50 and 51 on the Final List. They will be followed by the Muslim League who have been allotted time from 1 P.M. to 1-15 P.M. and from 2-30 P.M. to 5 P.M., and they will move cut motions Nos. 41, 52 and 55 on the Final List and No. 2 on Late List.

As regards the time limit for speeches, the usual practice has been for the Mover of the cut motion to take 15 minutes and the other speakers also to take 15 minutes and the Government Member replying will have 20 minutes. I suppose this will suit Honourable Members.

**Honourable Members:** Yes, yes.

**Pandit Lakshmi Kanta Maitra** (Presidency Division: Non-Muhammadan Rural): Has the Mover got the right of reply?

**Mr. President** (The Honourable Sir Abdur Rahim): The Mover of an amendment has no right of reply.

#### DEMAND NO. 1—RAILWAY BOARD.

**The Honourable Sir Andrew Clow** (Member for Railways and Communications): Sir, I move:

"That a sum not exceeding Rs. 11,96,000 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, 1943, in respect of the 'Railway Board'."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 11,96,000 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, 1943, in respect of the 'Railway Board'."

#### *Excessive Rates of Fares and Freights.*

**Mr. Jannadas M. Mehta** (Bombay Central Division: Non-Muhammadan Rural): Sir, I move:

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

Sir, my tale is long, but my time is short. I maintain, Sir, that the rates of Railway fares and freights in this country have always been very high, that they have been made heavier in the last six years, that the proposed further increase is totally unjustifiable and the economical working of the railways demand that these rates should be reduced. A claim has been made on behalf of the Railway Board which has sometimes found an echo in the report of some Committee that the Indian rates and fares are the lowest in the world. I beg to demur. They are low, very low in terms of annas and pies, but the real test whether a railway rate is higher or lower is not the nominal figure of travelling charges per mile, but what proportion that rate bears to the day's income of the man who travels a mile. That is the only real test. If in England the income of the people is ten or 20 times higher than the average income of the man in this country and if the Railway rate is four times higher, it still means that the rate in England per mile is one-fifth of the rate in this country. That is the real test. The average annual income in this country is no more than Rs. 60 which means less than three annas a day. On the other hand the average income in England is many times higher and yet the Railway rate is lower in England, that is a penny a mile. Therefore, the comparison is not between three pies and 12 pies or nine pies, but what share of the income of the day is required to carry him a mile. From that point of view, I submit that the railway rates in this country are the highest. Apart from that, absolutely also they are very high. They have been raised substantially during the last five years beginning from 1936-37. We are threatened with further increase which I maintain is absolutely unjustifiable.

Now, Sir, why do I say that the railway rates in this country are absolutely the highest? I say so because they are in excess of what they should be regard having had to the cost of transport in a country. What is the cost of transport in this country? According to the Acworth Committee and according to all reasonable tests, the scales of rates and fares must be fixed in order that railways can meet their working expenses, interest on their debt, depreciation on the wastage of assets and a small margin of profit for eventuality. If the railway rates in any country asked from the public anything by way of rates and fares which are beyond working expenses, interest charges, depreciation and a small margin of profit for eventualities, those rates are heavy. And I submit, Sir, that in India the railway traveller and the trader are subjected to a much heavier imposition than these factors of working expenses require; and that is why the rates in India tend to be the highest possible rates beyond the capacity of the people to bear. This is proved by the return on railways which we have got during the last few years. You will find, Sir, that the average rate of interest which the railways pay is somewhere between  $3\frac{1}{2}$  and 4 per cent,—sometimes a little higher and sometimes a little lower,—and we are earning about seven per cent. And this in spite of the fact that the railways are subjected not only to legitimate claims but to illegitimate claims also. Why are the rates excessive and why should they be reduced? Because the railways in this country are subjected to legitimate as well as illegitimate claims. There are quite a host of claims of a parasitical character and it is these parasites . . .

**The Honourable Sir Jeremy Baisman (Finance Member):** Am I the chief parasite?

**Mr. Jamnadas M. Mehta:** I shall give a description of those who are parasites and if the cap fits the Honourable Member he can put it on. But I certainly say that a large part of claimants on railway revenue are parasites and nothing more. First of all, comes the monopoly of the Britishers on very heavy salaries and even heavier privileges. I do not want to go into all that in detail because, as I told you, my tale is long and my time is short. But I say that the first parasites are the Britishers, who take away more than half or even more in big posts which carry heavy privileges. The other parasites are the strategic railways which take away two crores generally although this year they do not. And the third parasitical factor is that Railways have to pay for ecclesiastical expenses. What that total burden is I do not exactly know; I should like Government to tell me that. But I estimate these three parasitical claims at three crores. But these are not the only parasitical claimants; there are others also which I shall describe briefly. They are, first, the sub-monopoly of my Honourable friend, Sir Henry Gidney; and secondly, the communalisation of services without regard to merit. These are the second set of parasites who take away between themselves I do not know what. But they must be taking away a large part of the efficiency of the railways, because the appointments are not on merit but on political nepotism. But these two, while they are heavy and illegitimate, there is a third class of parasites. They are eight in number. They are financial parasites; and now I request the Honourable the Finance Member to see whether he comes within the description. First of all, we pay every year about one crore of rupees as the loss of our legitimate share in their profits. The worked lines pay us 40 per cent. of the working expenses while our own admitted working expenses are sometimes 68 per cent; they do not pay their way and they are a liability on the railway revenue. In my opinion, ordinarily, they take away one crore of rupees a year. Then come the guaranteed interest on railways and losses on other railways. Those losses on one railway have to be paid by a traveller on another. The Assam Bengal Railway, the Burma Railways before 1936-37, the Bengal Nagpur Railway, and many other railways are a burden or have been a burden on the railway traveller on other lines to the extent of three crores or four crores a year.

**The Honourable Sir Andrew GLOW:** Where is that to be met from?

**Mr. Jamnadas M. Mehta:** You increase there where the rate is lower, why on the Bombay, Baroda and Central India Railway, which is earning eight or nine per cent? But I maintain that this cost was nearly three or four crores of rupees a year. Then the depreciation charge is heavier, according to me, by four crores of rupees. Then the charging to revenue expenses on capital works, which were only increased in the year before last by 30 lakhs a year; the total charge in that respect must be somewhere within 50 lakhs a year. The loss on dismantled railways is not made good to revenue but is charged to revenue. Then the payment of interest during construction for the last 50 or 60 years also carries a tale of 50 lakhs of rupees a year. Then the manipulation of accounts, as on page 6 of the memorandum on the budget of 1929-30, will show that under the garb of some adjustment of accounts 58 lakhs of rupees every year are taken away from revenue without justification. In these ways, Sir,



these three sets of parasitical claimants, which have no legitimate claims on a commercial undertaking like the railways, take away, in my humble opinion, not less than ten crores of rupees a year, besides what we pay to railway reserves and to Government. The Government claim I accept. So long as you pay one per cent on the capital at charge I would not object; all further claims in my opinion are extravagant. The general revenues are our revenue as taxpayers and they must be relieved to some extent, although I do not believe in a tax on transport at all. But this is not even a tax; one per cent. is a legitimate payment, whatever else you get is extravagant. I am prepared to go into a committee on this if my figures are not accepted, . . .

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

**Mr. Jamnadas M. Mehta:** Very well, Sir. I will allow legitimate claims like working expenses, interest, depreciation and marginal profit. But these illegitimate claimants who are no factor in a commercial undertaking; as the Acworth Committee says, are fattening on the traveller and the trader. If a private business man by such uncommercial and uneconomic methods goes out of business, he is the sufferer and his rivals will get the custom. But here this is a monopolist concern; the public have no other place to go to, and still these parasites take away, I maintain, not less than 12 crores of rupees a year between them. And are you surprised that the third class compartments are overcrowded? Are you surprised that you cannot get 12 lakhs a year for the comfort and convenience of the third class passenger? Are you surprised that the worker has got a constant grievance about wages? If you want to remove these, if you want to run the railways as a commercial proposition, if you do not want to reduce this national transport service and public utility concern into the greatest profiteering concern, you must reduce first of all these illegitimate claimants, and then these rates and fares will logically and automatically go down.

Between 1936 and 1937 you have increased the railway income by increasing the rates by ten crores. How can the poor traveller bear all these enormous burdens of other people? How can a poor country like this pay for all these illegitimate claimants and parasites? How can they pay for the unsound financial adjustments which have no bearing on the question of working expenses of the railways? On all these grounds, Sir, I maintain that the rates and fares in this country are absolutely beyond the capacity of the people to bear, that they are not worthy of a sound business concern nor of a public utility concern, nor of a national transport service; and, therefore, it is proposed that they should be reduced. Sir, I move.

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

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

**Mr. Lalchand Navai Lal** (Sind: Non-Muhammadan Rural): Sir, the raising of freights and fares is a question which has agitated the whole of India. Without taking much time I should say that the justification for raising the rates and fares would only arise if the Honourable Member

[Mr. Lalchand Navalrai.]

brings out a deficit Budget. Hitherto, whenever these rates and fares have been raised, it is mostly on account of deficit in the Budget. What do we find now? We find that this time the reason is given that they are going to raise the rates and fares for discouraging people to travel. But the point arises is there any necessity for it when the Budget discloses such a huge surplus? At this time of emergency no one can doubt that an effort should be made in respect of war purposes. There is no doubt that any help given at this time would be legitimate, but it will be more legitimate if the purpose be to see that war does not come to India, and not that Railway locomotives, railway wagons, railway tracks, should be sent away overseas and nothing should be done for the safety of India. War is already near the borders of India and hitherto a short-sighted policy has been followed. We had been crying hoarse that India is short of locomotives, yet nothing was done in those days. Locomotives were imported from outside which were not working properly and were getting disabled. Even those disabled locomotives seem to have been sent overseas, wagons and tracks have also been removed. Several lines have been dismantled.

Now, Sir, the Honourable Member says that the surplus should go to the general revenues. I say that was again a short-sighted policy. He should have waited at least to keep as much reserve as was necessary to reconstruct railway working during the war which would help the people in travelling and moving their goods. That has not been done. That is the first defect that one can find. The Honourable Member could have waited because he himself says that the present position is that a moratorium is in force in respect of past debts to the Depreciation Fund and to general revenues. May I know whether by giving this contribution to the general revenues we will be saved from the taxes which the Honourable the Finance Member may put upon the country? He is accustomed to do that and we do not see how under the pretext that more money is needed for the war, he may not put any further taxes. Now, the Honourable Member has said that the bulk of the increased revenue would go, under the present arrangements, to the tax-payers and thus permit them to be relieved in other directions. He has not described those directions. He perhaps thought that there will be no taxes on the general revenue side, but where is the guarantee? Has he taken any guarantee? He should have told us that he has got a guarantee by which the country is going to benefit. However, if the travelling public is further taxed, and, therefore, giving away all the surplus to the general revenues was absolutely wrong, as that would leave nothing to put the Railways in order or at least to provide the minimum facilities and amenities for the travelling public. I, therefore, say that the surplus should be reserved for this purpose.

Then, Sir, the other reason that is assigned is "that the demand of passenger traffic has already reached a level which we have been unable to meet and so far from being able to increase our capacity here, we may have to make a substantial diminution almost at once". Now this is another threat. I see today that there is another threat thrown out by a Notification of the North Western Railway to the effect that the Return Tickets to a certain extent are also being done away with. Why should the public be put to all these difficulties and inconveniences? The further reason given is that the traffic will decrease by this imposition of extra

rates. In these days when people are moving, not for luxury or for unnecessary purposes, but on account of panic of the war being at their door, no impediment in travel should be introduced by the Honourable Member. Is he going to tell them "Go away anywhere" where they cannot go? Is that the business of the Railways to say? Sir, it is because of Railways that we have been deprived of other methods of transport. Take the motor cars, for instance. The Railways had been discouraging them in the beginning because there was a rivalry between the two. Then the road traffic was impeded. And now on account of the rationing of petrol, transport by motors and buses has almost come to a standstill. Therefore, that way of transport is also gone. Then, take the question of bullock carts. Formerly, we used to have bullock carts but they have also been discouraged on account of Railway transport and motor transport. Now, where are sufficient bullock carts and in what direction has the Railway helped those people to increase that method of transport?

Then, again, the Honourable Member says:

"Passenger fares on these Railways are substantially below the level prevailing on the other State managed lines and there is no sufficient ground for continuing to give passengers on those Railways particularly cheap rates."

In the first place, are the present railway rates cheap? It has been shown several times that rates have been raised from time to time. Even the third class passenger rates have been raised. During the previous war time, the fare was  $1\frac{1}{2}$  pies per mile; it was then raised to two pies, and then to  $2\frac{1}{2}$  pies, and then again to three pies. When the surcharge was imposed it came to  $3\frac{1}{2}$  pies, and now they are going to raise it to  $8\frac{1}{2}$  pies per mile. Have they ever decreased it? No. They will not do it and yet they say that it is still cheap and that is their justification. It has been suggested that in comparison with other railways it is cheap here. No reason has been given why it is so. I ask why was so much disparity allowed here unless it was very necessary? To me it appears that there are two reasons for rates being heavier there. Those lines may be short lines, or the passengers might be few and, therefore, they may not feel higher rates. But here there are big lines and if you put high rates they are a burden on the people. The freight rates are also high; there is great necessity for goods to be moved, as goods are now lying in heaps at stations and the railway is unable to move them. If parcels move freely it will relieve the movement of goods somewhat. But even on the parcel rates an extra two annas rate in the rupee is going to be imposed and this will certainly handicap their movement and people will not be able to send anything. There has been a definite and considered opinion of several chambers of merchants on this point; and I find the Indian Merchants Association of Karachi have said:

"It is rather surprising that with such a heavy surplus the Railway Member should have thought fit to increase fares and freights; already the various concessions that were enjoyed by the public have been or are being withdrawn and although on lower classes only  $\frac{1}{4}$  pie per mile is proposed to be enhanced, the extra burden will be keenly felt by the poor and middle class people whose purchasing power is already reduced by rising prices. . . ."

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

**Mr. Lalchand Navalrai:** I shall just finish, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): No, no. The Honourable Member must finish now.

**Mr. Lalchand Navalrai:** A similar opinion has been given by the Buyers and Shippers Chamber of Karachi.

**Mr. K. C. Neogy** (Dacca Division: Non-Muhammadan Rural): Sir, I shall be very brief in my submission. When the rates and freights were enhanced on the last occasion, the action was justified on the ground that the railways were passing through days of adversity. Now that a phenomenal prosperity characterises the railway finances, the Honourable Member in charge justifies the retention of the high rates on the grounds of prosperity. The purport of his reply to the general debate on this point was that it is right to take advantage of the present prosperity in maintaining the high rates: I think that was more or less the purport of what he said. Now, when it is adversity, that is the justification for the raising of rates; when it is prosperity, that it is the justification for the maintenance of those high rates. But when my Honourable friend talks of prosperity, does he mean that the so-called prosperity of the Railway Department is reflected by the general prosperity of the people at large, is it reflected by any general prosperity of trade and industries of the country? I expect my Honourable friend will reply to this point and try to justify the maintenance of this policy in view of the actual state of affairs in the country.

I should have very much liked my Honourable friend to tell us something about the policy that may be followed in the present day in regard to such matters in those countries where the system of State ownership and State management obtains. I have not got any materials at my disposal to enable me to make a comparative study so as to find out how far the policy followed by the Railway Department in India in this matter has any parallel elsewhere in the world. But I have in my hand a book which throws some amount of light on this question, not as regards what happens in the other countries of the world, but what is actually happening in a particular spot in India itself which is not under the Government of His Majesty. I have in my hand the latest administration report of His Exalted Highness' Government, for the year ending 6th October, 1939, corresponding to the year 1348 *Fasli*. His Exalted Highness the Nizam's Railway was faced with reduced earnings; and what is the action they took in that matter? Steps have already been taken, the Report says, to reduce the railway rates, because they ascribed this reduction in earnings to the failure of certain important crops in His Exalted Highness' dominions; and it further goes on to say:

"A number of reduced rates have been quoted to enable free movement of edible grains from one centre to another within the dominions. Similar concessions have been given to other agricultural products with a view to increase local consumption for industrial and other purposes and to increase exports."

I very much hope that my Honourable friend will take a leaf out of the book of His Exalted Highness' Government in this matter and judge whether the policy he has been following is the right policy.

**Mr. J. H. F. Raper** (Government of India: Nominated Official): Sir my Honourable friend, Mr. Jamnadas Mehta, linked, so far as I could see, rates and freights with the average income of the inhabitants of this country and came to the conclusion, in consequence, that the rates and fares were unduly high. He actually quoted, I think, the average income of the man in Great Britain. Why he selected that I do not know—possibly because the average income of Great Britain is the highest. But he did not explain it, but I have here the results of an analysis made in America,—it is true it was made some years ago,—but there is not, so far as India is concerned, a great difference in the rates charged in the year referred to here, as I hope to show later. I propose to take a different comparison and will quote China. China is a large country with a very large population as India, and the average receipts per ton mile in China calculating in cents was 8.08, whilst in India it was .832. China, it is true, has a much shorter haul, only 88.34 miles as against 246 in British India, but in spite of that difference in the haul, there is still a very great disparity in the rates.

Then as regards passenger fares, again taking China, the average receipts per passenger mile was 2.49 cents, whilst in India it was .0451. The average distance a passenger travelled in China was 57.38 miles, whilst in India it was 35.7. We, therefore, carried our average passenger a much shorter distance and charged very much less for it. Usually, it is the other way round. Then my friend suggested that the rates and fares charged should be linked to the average income in the country, but I would first remind him that there are quite a number of people in this country who have no income at all, and if he is interested in our own statistics and would refer to the ticketless travel statistics, he will find that hundreds and thousands of passengers had been turned out of the trains because they had no income, but I think it is pretty obvious that those people could not possibly be made to pay and make the Railways work.

Then again, my friend will realise, and the House will realise that much of our equipment has to be obtained abroad. It is sad, but it is true, and if the wages in foreign countries or other countries from which this equipment is purchased are higher than in India, here the higher wages are reflected in the price of the engines, other expensive electrical equipment, etc. So when we on the one hand have to pay for material which has been produced in other countries where the wages are very much higher than here, on that account alone . . . . .

**Mr. Jamnadas M. Mehta:** I have said that the working expenses may be charged to revenue. I have not complained of it.

**Mr. J. H. F. Raper:** There is another point which is, I think, very pertinent, and that is, that the average wage which the Railways pay to all their staff, even if you desire to pick out the lower grade staff and exclude the officers, the average wage paid is very much in excess of the average income in the whole country, as I think my friend will admit.

There is one other point I would like to refer to which Mr. Neogy mentioned, and that was the action taken, I gathered, recently on H. H. The Nizam's Railways. He referred to the fact that the State is proposing to

[Mr. J. H. F. Raper.]

reduce rates for food grains. The statistics which we maintain, Part II, will, if referred to, show that the rate charged for food grains on H. H. The Nizam's Railway is somewhat higher than on some other Railways. In fact, the average rate charged is low because I believe, of a good deal of through traffic moving from the north to the south, for which very low rates are charged. But if the various tariffs are referred to, it will be seen that they do not as a general rule charge for internal movements quite as low rates as other Railways. There may, therefore, have been justification possibly for some reduction where found necessary.

I would lastly refer to what Mr. Jannadas Mehta said. He said that between 1936-37, we have increased our rates and fares by ten crores. I am now reading out statistics which are taken from our statistics. In 1936-37 the average rate charged per ton of coal per mile was 3.21 pies; in 1940-41 it was 3.13 pies; there is, therefore, a reduction there. For grains and oilseeds, the average rate charged was 7.85 in 1936-37, while in 1940-41 it was 7.47 pies per ton; there is again a reduction there. Other commodities, here it is true there is a slight increase from 8.35 in 1936-37 to 9.02 in 1940-41; but, on the whole, taking all commodities there is a reduction between 1936-37 and 1940-41; from 6.17 pies per ton in 1936-37 to 6.11 in 1940-41. On the goods side there is a decrease actually in the amount charged. Passenger fares are a slightly different story, but we will take the third class alone. In 1936-37 the average amount charged for 3rd class passengers was 3 pies per passenger per mile, in 1936-37 it was 2.95, and in 1940-41, it was 3.05, a very small increase which clearly could not give an increase of ten crores of rupees.

**Maulvi Muhammad Abdul Ghani** (Tirhut Division : Muhammadan) : Sir, the Honourable Member in his speech made it quite clear that he is going to increase the rates and freights in order to discourage unnecessary travelling, but may I ask him, is this the proper time to do so when the war is waging all round and has reached almost the doors of India? What would have been the fate of people in Singapore and Rangoon who passed through Calcutta and who had to travel by the East Indian Railway to different cities in India to reach their homes? If his policy had been there, then those poor people would not have been allowed to travel by the East Indian Railway. The question is whether such kind of travel will be regarded as unnecessary travel or not. He has not given any definition of necessary travel or unnecessary travel, but he has tried to adopt a very dangerous policy. Sir, we find that in the present Budget there is provision for the purchase of the Bengal and North Western Railway and the Rohilkhand Kumaon Railway. The rates and fares on those Railways are the lowest when compared to the rates and fares on other Railways in India. I am afraid that some day he will come forward with the plea that as the rates and fares are the lowest on these two Railways and as they have now come under State-management, the rates and fares on these two Railways also should be brought in a line with those prevailing on other State Railways with the result that the people of that locality will be subjected to unnecessary harassment by increase in the rates and fares on those two Railways. Sir, at the present moment the Honourable the Railway Member should be cautious not to harass the residents of localities through which these two lines pass. I must sound a note of warning against any increase in rates and fares of those Railways.

My Honourable friend says that he will have a crore of rupees by increasing the rates and fares of the third and Inter class passengers over the East Indian Railway and the North Western Railway. But he could have several times that one crore by adopting other methods. For instance, let the exchange be done away with. From the last Audit Report I find that there was a loss of Rs. 8,97,49,508 sustained by the State railways on account of exchange. Such losses are sustained in more or less the same amount every year. He might have stopped this waste. Again, according to the last Audit Report, there was loss due to the shortage of stores, revaluation of stores, and shortage of coal, etc. If my Honourable friend had only exercised proper control he would have saved several crores of rupees. The last Audit Report reveals that under these heads Rs. 33,71,000 were lost. There was the abandonment of claims, there were remissions, which amounted to about Rs. 85 lakhs, and under-charges detected by the audit it amounted to about 18 lakhs. So, by a judicious scrutiny and a little effort on his part he could have saved several crores of rupees. Besides, there are very great amounts held over every year under objections, which are disallowed. Then, there is a considerable amount written off as being irrecoverable. He could have saved crores of rupees in other ways without inconveniencing any passenger. My Honourable friend should agree with the Honourable the Mover of the motion and not increase the rates and fares.

I support the cut motion and hope that the House also will support it, and see that the Third class and Inter class passengers are not unnecessarily harassed. The First and Second class passengers have not been touched. The other day, while speaking on the general discussion I pointed out by figures and statistics that there are always increases in fares of Third and Inter class, and there is a decrease in the fares of first class passengers. In view of this, it is very unjust to increase the fares of third and inter class passengers. He says that those who will send their goods in less than a wagon load will be charged two annas a rupee extra, and he has exempted those people who will require a wagon or more. I think he should have done the reverse.

**Mr. Umar Aly Shah** (North Madras : Muhammadan) : A surplus railway budget has been introduced by the Honourable the Railway Member and there is no real need for him to increase the rates and fares in the N. W. Ry. and E. I. Ry., for a crore of rupees, which is a very low amount in the face of the very large amounts obtained by the railways. A surplus budget means that it is not a joke. During the last two years 46½ crores have been remitted to the general budget. It means this. The general budget is increasing taxation day by day, and there is a moratorium. In spite of the separation convention under which the railway and the general budgets were separated in 1924, a sum of Rs. 62 crores has been remaining in moratorium, as huge as Himalaya. That represents a great tax on India. Is it not a burden on the Indian people and on general tax payer? Is it not an indirect tax? I wish to know what is the difficulty which has induced the Railway Member to increase the rates and fares. Is this a sort of war fund? If so, there are many war funds—the Viceroy's war fund, the Governors' war funds, the Collectors' war funds, the Inspectors' war funds, and Nazarana fund so on; they are famous. The Honourable Member may say that the remission of the surplus to the general budget has prevented the levying of additional taxes. I mean to say that those

[Mr. Umar Aly Shah.]

are not tongues but magic rods. But I join issue. If fares and rates are increased, it spoils business. People are suffering. Passengers are suffering. This is a critical situation. There are many taxes which are very heavy and they cannot be borne by the ordinary poor people and merchants and cultivators. This is not the time to introduce some new taxes, which have been condemned by several politicians. The next thing is that there are already many taxes, income-tax, surplus tax, corporation tax, professional tax, sales tax, excess profits tax and so on and they are falling heavily on the merchants. At this time, an increase in rates and fares means more hardship. As a matter of fact, the railway reserve fund has also been increasing. There are 60 crores there already and he is trying to add many more crores to it. It is as futile as clouds raining in ocean. From 1929 to 1934 were famine years and then we had deficit budgets but this is a surplus budget. Unfortunate India has been suffering in so many ways and this increase in rates and fares will mean more hardship. I, therefore, support the motion.

**The Honourable Sir Andrew Clow:** The Honourable the Mover who described himself as a long-tailed gentleman swept his tail over a wide field. He swept his tail over the wide field of general finance. He described a large number of 'parasites' who, I gather, are battenning on the poor Railways. If I could discover them, I should be very glad to get rid of them. But his 'parasites' fell roughly into three groups. The first is the fact that certain lines are working at a loss. He referred first to the worked-lines. That is a very small item, much smaller, I think, than he believed, because the actual loss, even on the lines themselves, is of the order of roughly 40 lakhs and if you take the main line traffic to which they contribute, the figure reduces itself to small dimensions. His main complaint here was that there was a loss of three crores on certain of our main lines. Some lines consistently work at a profit such as the East Indian and some lines nearly always worked at a loss such as the Eastern Bengal but, surely, that is not a question of parasitism. The only way to remedy that would be by adjustment of freights and fares and wages on the losing lines so as to yield more money to the exchequer and by surrendering money on the other lines. Mr. Abdul Ghani raised quite a relevant point when he pointed out that the rates and fares on the Bengal and North Western Railway were much lower than on other lines and asked whether, discovering this fact, I would put them up to the proper level next year. One important factor which, I think, has been prominently present to public opinion, when it formed its conclusion on the subject of that railway, is that in several respects that railway has different standards from those prevailing on the lines that we own.

**Mr. N. M. Joshi** (Nominated Non-Official): Wages.

**The Honourable Sir Andrew Clow:** Their wages, for example, as Mr. Joshi points out, are on a distinctly lower level and I have heard a general complaint that the amenities which they provide are also on a lower level. Now, it is obviously quite arguable that you should treat the Railways as separate entities and that you should adjust your wages and rates and fares without any regard to the rest of India or that you should pursue, as we do pursue, a policy of what I might call discriminating uniformity.

**Dr. P. N. Banerjee** (Calcutta Suburbs: Non-Muhammadan Urban): What is the meaning of that phrase?



**The Honourable Sir Andrew Olow:** You have the same problem in the Post Office. You carry a letter all over India at a uniform rate. We do not charge any less for a local letter, let us say, in Madras than we do in the Punjab. I think on the whole it is better that we build up a moderately unified railway system in India and that we should not adjust our freight levels too closely to the actual financial position of the individual railway. Wages also, I think, show on the whole a greater uniformity than wages in private employment, so that I am afraid I cannot find any parasite there. If I remove the parasite from one side of the body corporate, it will have to reappear on another. There is no gain to be secured in that direction.

Then the second criticism he made, related to adjustments between revenue and capital. Mr. Jamnadas Mehta's general complaint being that we were putting to revenue what ought to be put to capital. Surely that can hardly be described as parasitism. By attaching different labels to different items of expenditure and putting them into different boxes, I do not get rid of them and I cannot save the money. It is merely a question of how much I put on the railway traveller today and how much I put on the railway traveller tomorrow. The present adjustment which has the support of the financial experts who advise me is on the whole sound.

His third group of parasites consisted, I think, of the Honourable Finance Member and he said that he did not object to one per cent. being given but he objected to anything above that. I hope, if we are successful, he will have an opportunity of arguing that point next year but I suggest that it hardly arises at present, because at present I am giving the Honourable Finance Member nothing but one per cent. and the arrears of one per cent. of previous years.

**Dr. P. N. Banerjee:** Advance payment.

**The Honourable Sir Andrew Olow:** If we get anything that could be treated as an advance payment I should regard it myself as very fortunate and the Assembly will have an opportunity of pronouncing on that matter before the next financial year closes.

I know Honourable Members are anxious to get on to another Grant and I do not want to occupy the time of the House unduly. Mr. Lalchand Navalrai went into various details about the dismantling of lines which I think has very small relevance in this connection. He asked whether I had a guarantee that there will be no more taxation? I am not going to say anything about the speech to be delivered on Saturday but I will only say that I can guarantee this, that if the railways were not contributing what they are, the level of taxation will be higher today than it is.

Then Mr. Neogy raised the big question of rates policy. He accused us of inconsistency on the ground that we had put up the rates on the ground of adversity and now we are doing it on the ground of prosperity. I do not think any one ever put them up on the ground of adversity. We put them up on the ground of necessity in times of adversity and we had put them up because our predecessors had failed to put them up in times of prosperity. I am anxious to prevent a repetition of that.

Mr. Neogy, again, asked whether the so-called prosperity of the Railway Department is reflected in the prosperity of the people at large. We say it is just the other way. The prosperity of the people at large is reflected

[Sir Andrew Clow.]

in the prosperity of the Railway Department and there is certainly more money in the country now to be spent. Otherwise our passenger traffic would not have gone up in the way it has done.

**An Honourable Member:** Because of apprehension.

**The Honourable Sir Andrew Clow:** Our passenger traffic has gone up in parts of the country, where they have no reason for apprehension at all. It went up long before the Japanese appeared to be entering the war. Prices in many directions have gone up. Wheat is now fetching double what it did before the war. Where is the extra money going to? His Majesty's Government are putting large sums of money into the country and that percolates down. What is it being spent on? Some of it is being spent undoubtedly on travel that passengers could not afford before the war. Sir, I oppose the motion.

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

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

The Assembly divided:

AYES—28.

Abdoola Haroon, Seth Haji Sir.  
Abdul Ghani, Maulvi Muhammad.  
Abdullah, Mr. H. M.  
Azhar Ali, Mr. Muhammad.  
Banerjee, Dr. P. N.  
Chattopadhyaya, Mr. Amarendra Nath.  
Dam, Mr. Ananga Mohan.  
Datta, Mr. Akhil Chandra.  
Deshmukh, Mr. Govind V.  
Eesak Sait, Mr. H. A. Sathar II.  
Fazl-i-Haq Piracha, Khan Bahadur Shaikh.  
Ghiasuddin, Mr. M.  
Ghulam Bhik Nairang, Syed.  
Gidney, Lieut.-Colonel Sir Henry.

Joshi, Mr. N. M.  
Lalchand Navalrai, Mr.  
Laljee, Mr. Husenbhai Abdullabhai.  
Liaquat Ali Khan, Nawabzada Muhammad.  
Maitra Pandit Lakshmi Kanta.  
Mehr Shah, Nawab Sahibzada Sir Sayad Muhammad.  
Mehta, Mr. Jammadas M.  
Muhammad Ahmad Kazmi, Qazi.  
Neogy, Mr. K. C.  
Parma Nand, Bhai.  
Raza Ali, Sir Syed.  
Siddique Ali Khan, Nawab.  
Sivaraaj, Rao Sahib N.  
Umar Aly Shah, Mr.

NOES—36.

Abdul Hamid, Khan Bahadur Sir.  
Ahmad Nawaz Khan, Major Nawab Sir.  
Aiyar, Mr. T. S. Sankara.  
Aney, The Honourable Mr. M. S.  
Bewoor, Sir Gurunath.  
Bhandarkar, Mr. K. Y.  
Caroe, Mr. O. K.  
Clow, The Honourable Sir Andrew.  
Daga, Seth Sunderlal.  
Dalal, Dr. Sir Ratanji.  
Dehejia, Mr. V. T.  
Dumasia, Mr. N. M.  
Gopalaswami, Mr. R. A.  
Griffiths, Mr. P. J.  
Gwilt, Mr. E. L. C.  
Ikramullah, Mr. Muhammad.  
Imam, Mr. Saiyid Haider.  
Ismail Ali Khan, Kunwar Hajee.  
James, Sir F. E.

Jawahar Singh, Sardar Bahadur Sardar Sir.  
Khurshid, Mr. M.  
Lawson, Mr. C. P.  
Maxwell, The Honourable Sir Reginald.  
Miller, Mr. C. C.  
Mody, The Honourable Sir Homi.  
Muazzam Sahib Bahadur, Mr. Muhammad.  
Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.  
Pillay, Mr. T. S. S.  
Raisman, The Honourable Sir Jeremy.  
Raper, Mr. J. H. F.  
Richardson, Sir Henry.  
Sarker, The Honourable Mr. N. R.  
Scott, Mr. J. Ramsay.  
Spence, Sir George.  
Sultan Ahmed, The Honourable Sir.  
Thakur Singh, Captain.

The motion was negatived.

*"Priority" and Public Supply of Wagons.*

**Mr. K. C. Neogy:** Sir, I move:

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

The question that I seek to raise in this motion relates to the operation of the scheme under which certain priorities are given to the supply of wagons for the movement of coal. A general grievance has been voiced more than once in this House in regard to the difficulties that have been caused to the trade and the consuming public generally due to wagon shortage.

Now, Sir, in the present instance I desire to confine myself to the question of wagon supply for the coal trade. The importance of the coal trade in terms of total freight ton miles was stressed by the Chief Commissioner, Railways while presenting the Railway Budget in the other House. The Chief Commissioner stated thus:

"The movement of coal has accounted for about 40 per cent of the total freight ton miles in the past year."

So, I should like to remind the House of the importance of this question, although it relates only to one commodity. Later on the Chief Commissioner limited his remarks to coal from the Bengal and Bihar fields. He gave certain statistics from which it appears that during the twelve months up to the end of December, 1941, 1,075,000 wagons of coal were hauled, which would give us an average of about 3,000 wagons a day. In regard to the allotment of these wagons, there is a normal system of priority in existence for the last several years for the benefit of coal needed for shipment, for consumption in the locomotives, government requirements, steel companies and public utility concerns such as waterworks, electricity supply, etc. This priority system was brought into operation as a result of an agreement with the trade, and we have no complaint in regard to the working of the scheme in so far as this priority is concerned. Now, Sir, this normal priority, if I may call it by that term, takes up about 65½ per cent, or nearly two-thirds of the wagons loaded. This we get from the speech of the Chief Commissioner himself. Therefore we are concerned with the remaining one-third of the wagons that are available for the movement of coal in the Bengal and Bihar fields. These wagons, the number being 371,000, would be available for what is called the public supply, public supply representing the supply not represented by what I call the normal priority supply. This figure gives us about an average figure of one thousand wagons a day. In the months of November and December, out of this number of wagons, as many as 6,900 were allowed for special priority, that was brought into operation, called war priority, apart from the normal priority to which I referred. Now, this works out to an average of 110 wagons per day so far as these two months are concerned—November and December last. These wagons were allotted for meeting what can be called the war priority orders, to different factories. And, when we take off this figure from the total available for the public supply, the public supply would be left with about 890 or so wagons per day. I may pause here for a moment and say that up to the end of December, these allotments were made in consultation with a Committee called the Coal Wagons Committee on which the coal trade as well as the Railways were adequately represented. This body has got the Chief Mining Engineer of the Railway Board as its Chairman. So far as the working of the scheme down to the end of December is concerned, I have nothing very much to say by way of complaint.

[Mr. K. C. Neogy.]

Now, when we come to January, the first part of January was worked under the normal system. In the middle of January, the two General Managers, namely, of the East Indian Railway and the Bengal Nagpur Railway, issued a joint circular stopping all public supplies on five days in the week and earmarking Wednesday and Sunday for public supplies, but it being understood that war priority supplies would also be allowed on Wednesdays and Sundays in addition to public supplies. Now, Sir, this was done without any previous reference to the Committee to which I have referred, namely, the Coal Wagons Supply Committee, and it led to a very curious result. The intention, I take it, was to secure adequate supply of wagons for the very urgent needs of the Supply Department. But, I have been supplied with certain figures which go to show that the immediate result was astonishing. The scheme came into operation on the 19th January—of course, here I speak subject to correction, and I request my Honourable friend to institute an enquiry as regards the accuracy of the figures—on that very day, there were 2,000 wagons standing idle at the various coal yards between the two railways. If I may give the figures separately, 705 wagons were left idle on the East Indian Railway and as many as 1,483 on the Bengal Nagpur section. When you come to the next day, 20th January, the total is 1,159 wagons. But remember this was also the day on which "public" supply was entitled to certain wagons. But between the two Railways the average left in the coal yards was as many as 1,159 wagons. On the 21st January, the total number of wagons thus standing idle was 1,500; on the 22nd January the number was 1,000; on the 23rd January the number was 900, between the two railways. Now, Sir, it does not seem to me from these figures that there was any urgency for the earmarking of these wagons for special priority orders on these two railways, depriving the public supply of its just dues. I understand the Chief Mining Engineer, Railway Board, exercises certain powers under the Defence of India Rules for the purpose of allotting war priority wagons. I speak again subject to correction. The general impression is that there is a great deal of laxity in regard to the administration of this matter. Trade has been clamouring because it cannot get the wagons it needs and the action taken by the Railway authorities is sought to be justified on the ground of the urgency of the war needs. But if the figures I have given the House are at all correct, I think the case needs a very thorough examination at the hands of my Honourable friends, Mr. Raper as well as the Honourable Member in charge of Railways. I understand that since complaints were made about this extraordinary state of affairs, steps were taken to reduce the number of idle wagons with the result that now there is hardly any wagon available for public supply at all. The complaint had this amazing result. While we had between 2,000 and 900 wagons per day left idle on these various dates that I have mentioned, the result of the complaint was that very little was left for public supply.

**An Honourable Member:** Where were these wagons taken?

**Mr. K. C. Neogy:** They were utilised somewhere. But the point is that the special priority sanctions were given on a very liberal scale. The result is that several industries, not excluding very important concerns, are suffering from an acute shortage of coal all over the country.

There were complaints from places in Bombay and there have been complaints from other places as well. And we know it to our cost.—the consumers of domestic fuel,—that the supply of coke has gone down very much and the price also has a tendency to rise considerably higher than before. I understand, Sir, that the Chief Mining Engineer has made a further sub-classification of the priority sanctions, thus, virtually re-introducing a system which was called a special indent system several years ago, just perhaps at the close of the last war, and which was condemned by the Noyce Committee. In my speech on the Railway Budget, I briefly referred to the complaint that was voiced in regard to this matter by the coal trade . . . .

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

**Mr. K. C. Neogy:** I will not take long, Sir. I understand that the telegrams that have been received by me on this subject were addressed to the authorities of the Railway Board. I very much hope that the authorities of the Railway Board will bring about a better understanding and better co-operation between the Coal Wagon Supply Committee and the railways. And if for any particular reason it is not possible to have all these questions of sanction discussed beforehand by the Committee, I suggest that even a post-mortem examination of the sanctions should be allowed to be made by this Committee, so that they may understand the real position and their grievances may be removed by any representation that they may make on the basis of the information which they may get in the Committee.

Now, Sir, there is just one point which I should like to refer to in this connection. We have seen some posters, some of them of a rather comical character, advising everybody concerned to keep the wagons moving. I remember to have seen one cartoon in which a gentleman who was in a very great hurry and of a dishevelled appearance (his appearance being not very dissimilar to that of some of the Honourable Members sitting on the Treasury Benches) with his umbrella blown off, just indicating that he was in a very great hurry because he had to move a wagon. I wish the Railway Department itself were to set an example in regard to the movement of wagons, because in reply to a question which I asked yesterday my Honourable friend, the Member in charge, gave me certain figures from which I find that, taking into account the difference in the cost price of coal raised from the State-owned collieries and the price at which coal is available from the market, as well as the freight that has got to be paid in regard to both these kinds of coal. There is a distinct advantage of about Rs. 1/2 in favour of private coal if that were to be supplied to the Eastern Bengal Railway. But what we find is that 75,000 tons of coal are expected to be supplied next year to the Eastern Bengal Railway from the State-owned collieries, representing not merely a difference of Rs. 1-2-0 in favour of private coal but also a difference, as regards distance of 60 miles, against Railway collieries.

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

**Mr. K. C. Neogy:** Here is a case which shows that so far as they themselves are concerned, the Railway authorities are not very much

[Mr. K. C. Neogy.]

worried about distances or the haulage of the wagons, because in this particular instance they much rather allow the wagons to travel 60 extra miles than allow the coal to be purchased from the market even at a lower cost of Rs. 1-2-0 per ton. Sir, I move.

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

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

**Mr. J. H. F. Raper:** Sir, my Honourable friend, Mr. Neogy, has raised a matter which is obviously of very great importance,—the supply of coal and the difficulties now attendant to it. He has referred to the priority system that was working satisfactorily until towards the end of last year; that was a system introduced, as he says, by agreement with the coal trade; and the system was worked by a Committee,—the Coal Wagon Supply Committee,—who had two functions only. Their function was, firstly, in deciding what should be the basis of an individual colliery, that is to say, how many wagons would be supplied to that colliery as a maximum; and secondly, to admit to the priority lists concerns which they felt had a right to be admitted to such lists. Those lists were certain lists connected with public utility and were not lists in which ordinary public coal would be included. He referred to the deterioration of the position in November and December. Actually we had discerned it earlier than that and were very anxious because a certain number of firms engaged on war production were not receiving the coal in sufficient quantities. The matter was, therefore, very carefully considered in consultation with the Supply Department, and it was decided as a temporary measure that a war priority list should be introduced, admission to which would be on the recommendation of the Supply Department. It was recognised at that time that it was in the interest of the public users of coal that that list should be kept as low as possible, and every effort was made to keep it as low as possible. The list was operated by the Chief Mining Engineer and checks were made by the Transport Advisory Officer in Calcutta,—an officer of the Railway Board,—to see that stocks on hand, etc., were correctly given, so that there would be no excessive supply of coal on that list. According to that list it was further arranged that only when the stocks on hand of an individual concern engaged appreciably on war work fell below 20 days, a priority supply would be given. This list has gradually grown. It remained a fairly short list up to about half way through January, and then occurred, as Mr. Neogy has stated, a very great change in the position. The operation of any priority list at that time depended entirely upon collieries making a request for an allotment of wagons on priority, and in the middle of January the demands for wagons made by collieries on priority dropped very greatly and it was at once appreciated that unless some steps were taken to increase the quantity of coal despatched on priority, many firms, including the Railways, would go short. The Railways in fact did go short and I think the House will be aware that there have been advertisements in papers that certain train services have had to be curtailed on account of the shortage of coal.

As I say, this priority list depended upon collieries themselves applying for wagons for priority and they failed to do so. The reason, we believe, is that there was a labour shortage. During January statistics show that the

labour working in the collieries does drop. The labour goes to the fields for work. This year the exodus was in greater proportion and lasted longer and we believe it to be a fact that there was insufficient labour left in the collieries to supply coal in full even for priority. Mr. Neogy has referred to a number of wagons being left in the coal field standing idle. That again is quite true. Wagons are not supplied unless they are asked for and on this occasion they were not asked for by the collieries. This position continued for some days and, before that and since, we have been endeavouring to supply as many wagons as we could for coal. If you had a hiatus where wagons are not asked for and coal is not loaded, obviously stocks everywhere are likely to drop and we have found it quite impossible to build up those stocks. There is a limit to the number of wagons that can be loaded daily with coal in the collieries on the East Indian and on the Bengal Nagpur Railways. We are not actually supplying wagons right up to that limit because we have not been able to owing to very heavy traffic of an essential character.

Mr. Neogy then referred to the action taken by these two Railways to stop public coal on five days of a week and supply it only on two. Well, this actually is only a return to the arrangements that were in force earlier in this financial year. In October, for example, it was arranged that the Loco coal would not be despatched on two days in a week so as to increase public loading. At that time there were very few wagons available for public coal and our taking for Railways coal for five days in a week only increased the allotment on the other two days. Certain collieries preferred to have public allotments on one or two days in a week because it enables all collieries then to get a share of them. But owing, unfortunately, to the period when coal was not being despatched, stocks have, as I have said, deteriorated and many of the industries engaged on war work are now demanding coal on priority because their stocks have dropped and so the number of wagons required daily for industries engaged on war work is extremely high. This is not due to the shortage of wagons entirely. If we could supply more wagons, of course the position would be improved. We are trying to do so and quite recently steps have been taken which we hope will improve the coal loading position.

Mr. Neogy likewise referred to the Chief Mining Engineer making a further sub-classification and that the position is really getting back to the position in 1927 when there was a Coal Transportation Officer. He is not quite correct. What the Chief Mining Engineer is doing is trying to arrange to supply coal for the most important of the firms on the priority lists. I have said there are not sufficient wagons for them all and, therefore, it is necessary to determine which of those firms should get it first, i.e., those with lowest stocks. So it is really only a rearrangement of the priority lists within themselves that he is arranging. That, I think, is a correct function of his. He is doing it in consultation not only with the Railways but with, I understand, the Coal Trade Associations and also with the officials such as the Director General of Munitions Production who is very naturally greatly interested in maintaining the supply of coal to his factories.

Lastly, Mr. Neogy referred to the supply of coal for the Eastern Bengal Railway from our own collieries. The reason for this lies in the fact that supplies of empties come from different directions and if, for example, all the empty wagons that are released in Calcutta are worked back to the coal fields and are all utilised and yet they are not sufficient

[Mr. J. H. F. Raper.]

to include supply of coal to the Eastern Bengal Railway from such collieries, it naturally follows that it would be a correct procedure to utilize the returning wagons from the North which are passing the Railway collieries and require to go on to the East. That in fact is the reason, why we have utilized or we are utilizing coal from our own collieries. It depends entirely upon the direction from which you draw your supply of wagons.

Now that I have given this explanation, Sir, I would ask that the Honourable the Mover would consider withdrawing his cut motion.

**Mr. K. O. Neogy:** Sir, I expressed the hope that it would be possible for the authorities of the Railway Board to have all these matters examined by the Wagon Supply Committee. I have not got any reply on that point.

**The Honourable Sir Andrew Olow:** I think that would take that Committee considerably beyond its function. These matters have been done with the cognizance of the Railway Board. I think Mr. Raper has given a reasonable explanation of facts which Mr. Neogy set out and which undoubtedly are at first sight perplexing.

**Dr. P. N. Banerjee:** Sir, I have listened with great attention to the reply which has been given by the Honourable Mr. Raper. But  
1 P.M. does he mean to say that the Indian colliery owners have no grievances at all with regard to wagon supply, and has he not received representations from the Indian Mining Federation which represents the Indian colliery owners? A copy of the telegram which was sent to the Railway Board was sent to me and for the information of the member of this House. I wish to read it out. This telegram runs thus:

"Federation draws Board's immediate attention to serious coal wagon position. Public supply practically nil even Sundays Wednesdays due to the heavy allotment priority wagon everyday. Large number of collieries will consequently close down creating unfavourable labour conditions resulting in considerable curtailment of coal output which is most undesirable in present war conditions. Federation strongly urges Board to place weekly sanctioned war priority list before Coal Wagon Supply Committee for information. Federation apprehends war priorities being issued too freely which could be sufficiently reduced."

In view of the present difficulties and the apprehension with regard to the future difficulties, I would request the Honourable Communications Member to give his best attention to this question and to remove the hardships which are being felt not only by the coal industry but by all industries which depend upon coal supply for their fuel and also the private consumers of coal.

**Mr. J. H. F. Raper:** What is the date of that telegram, may I ask?

**Dr. P. N. Banerjee:** It is the 17th February.

**Mr. J. H. F. Raper:** I had said that we had taken steps which we hope will improve the position: those steps were taken subsequently to that date.

**Mr. K. O. Neogy:** Do I take it that the Government are not in a position to allow the coal trade even to have an informal discussion which might clear up some of their doubts in this matter?



**The Honourable Sir Andrew Clow:** I do not think there should be any difficulty about that. The Railway Board, as the Honourable Member is aware, have periodical discussions with the three coal producing associations on all matters affecting the coal trade. Sir Henry Richardson could undoubtedly enlarge on this if we could induce him to rise in his seat.

**Mr. K. C. Neogy:** Not with regard to this particular matter.

**Sir Henry Richardson** (Nominated Non-Official): Sir, in response to the Railway Member's invitation to me to rise in my seat, I have been thinking, since other gentlemen have spoken, that I might take this opportunity of clearing up some misunderstanding that evidently has arisen regarding a remark I made in my speech the other day and which is allied to this very subject of wagon shortage and wagon allotment. I do not know how it is, but it is a fact that in certain cases it has come to our notice that offers of coal have been made with guaranteed delivery and the coal is being sold under these circumstances at a very high price. I admit that there is very great difficulty in wagon allotment on the part of the railways, and I know that industries who are engaged in war supplies must receive priority, but how is it that this happens? I referred the other day to the use of palm oil, and I was very sorry to see that my friends in the press even did not understand what palm oil I was referring to—they have literally taken me as meaning that palm oil was a thing to be used by the railways! The Honourable Member and the House knew perfectly well what I meant—if they want me to say so bluntly, it was bribery . . . . .

**The Honourable Sir Homi Mody** (Supply Member): Palm oil is an oil for etching palms!

**Sir Henry Richardson:** The Honourable Member in his reply to me said that it was hardly likely that those people who were accepting bribes would come forward and give the necessary information. I rather feel that that presupposes that all the people in the Railway Board and the railways from the Honourable Member downwards were in the habit of doing this thing. I should hate to think that—in fact I do not believe it; and of course my intention was, in drawing this particular habit and this very bad practice to the notice of the Honourable Member, to induce him to try and investigate it from his angle. I say that it should not be necessary for him to say to us "You tell us who does this". He has got means in his own hands of finding out, as we do in our own offices and businesses, who is responsible for this. It can be done and it is a practice. I think, that does require very serious looking into. The illustration I have quoted of people who are able to quote for coal supplies with guaranteed delivery, in my opinion, proves that this thing is happening, and it affects my Honourable friends' supplies here just as much as it affects his supplies on account of defence and the war effort. I say that this is a matter which should be looked into.

In regard to the Honourable Member's remark that questions were discussed between the various coal associations and the Government, that is so, and I admit it and it is a very useful discussion and we are very grateful for it; but these are abnormal times, and I think that anything that comes up in regard to wagon shortage should not wait for a formal discussion such as this, but should have immediate investigation; and even if it is post-mortem examination after the event, I surely think that it

[Sir Henry Richardson.]

would do some good if it was examined in the manner advocated by my friend and would lead possibly afterwards to a rectification of these mistakes and make for better working, which we all want to do.

**The Honourable Sir Andrew Olow:** Sir, we have had a disquisition on palm oil which has not, I am sure, much relevance in this connection. I do not accept the Honourable Member's dictum that the fact that people can supply public coal with a guarantee is at all proof that it is being achieved through corruption. We have been going on supplying wagons for public coal and obviously certain persons ought to be in a position to be virtually certain about delivery. I would not accuse every colliery owner who advertises in that fashion of corruption . . . . .

**Sir Henry Richardson:** Not the colliery owners. Coal dealers.

**The Honourable Sir Andrew Olow:** Or the coal dealers or even the contracting firms.

But I would say as regards the general suggestion that things can be done on the railway by corruption, quite honestly that it is not possible, unless one is given facts to go upon, to prove corruption. There are only two parties to this kind of transaction and if they both keep the facts to themselves, as they have every inducement to do, we cannot get at them. Unless one of them is prepared to give out either that he has given a bribe or that a bribe has been demanded from him, which is a great deal easier, it is not possible for the Railway administration simply to say to a man: "Now, I suspect corruption and you will have to prove that you are not guilty". And so I would ask for the co-operation of dealers and of every one concerned in producing even circumstantial evidence of the fact . . . . .

**Dr. P. N. Banerjea:** Provided you agree to order an investigation.

**The Honourable Sir Andrew Olow:** I am quite prepared to agree if concrete facts are placed before me: I think every General Manager would do that at once if concrete allegations are made. But we constantly ask for them, and we very seldom get them.

Then Professor Banerjea, and, I think Mr. Neogy, made the same suggestion that if a list of war priorities could be made and placed before the Coal Wagons Supply Committee for information, it would help matters. I will certainly consider that in consultation with my Honourable Colleague the Supply Member. If there are any further questions on which Honourable Members feel further discussion would be useful and would bring them up, the Railway Board would be very glad to discuss the matter and examine any further points. I hope that will satisfy the Honourable Member who has moved this cut motion.

**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.

**Mr. President** (The Honourable Sir Abdur Rahim): I do not think there is time now for discussing any other motion.

**Mr. Jamnadas M. Mehta:** Sir, our Party has one more.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has got only four minutes.

**Mr. Jamnadas M. Mehta:** But I shall move the motion within four minutes.

**Mr. President** (The Honourable Sir Abdur Rahim): That can serve no purpose.

**Mr. Jamnadas M. Mehta:** Sir, I beg to move . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I cannot allow the Honourable Member to move any other cut motion now, because there can be no division or discussion on it.

**Mr. Jamnadas M. Mehta:** But that takes away the time of my Party.

**The Honourable Mr. M. S. Aney** (Member for Indians Overseas): He may ventilate the grievances . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The grievance is there in print on the paper.

**Mr. Jamnadas M. Mehta:** The whole of this Assembly itself is a grievance on paper. There is nothing in that point of argument.

**Mr. President** (The Honourable Sir Abdur Rahim): I cannot allow this motion to be moved, because it cannot be discussed.

**Mr. Jamnadas M. Mehta:** Sometimes things are done in a minute.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. The Assembly is adjourned till 2-30 P.M.

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

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The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta), in the Chair.

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*Transport Needs of the Country and Railway Administration.*

**Lieut.-Colonel Sir Henry Gidney** (Nominated Non-Official): I beg to move:

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

Sir, the position which faces the country today in the matter of transport facilities appears to be very serious indeed. Within a year of the declaration of the war, and even when war was thousands of miles away, the transport problem in India became very acute, although our work in India was then confined only to the transport of supplies to the various munitions factories, transport of munitions so manufactured to the sea ports and the transport of troops in one direction. I should imagine that a Railway administration, which has been in existence for nearly a century,

[Sir Henry Gidney.]

would be elastic enough to meet this demand without detriment to the ordinary needs of the country. The absence of even this degree of elasticity in the capacity of our Railway system is a matter of great regret and graver concern. Obviously those responsible for Railway administration have never appreciated this need. During the period of depression when the Railway Board suffered from a complete absence of forethought, in their anxiety to maintain the top-heavy administration on the one hand, and on the other, to balance the budget, the Government ruthlessly reduced the orders for the replacement of locomotives, wagons, etc., and even after the period of depression was over, no attempt was made to remedy the position. Such surpluses as were obtained in subsequent years were only devoted to the liquidation of previous withdrawals from the Depreciation Fund and to show the capacity of railways to contribute to the general revenues. From 1936-37 onwards Indian Railways as a whole were in a position to earn a profit. I do not know how far the Government anticipated the need of, and provided for, the elasticity in the capacity of Indian Railways to meet any emergencies in the traffic problem. As a matter of fact, a very large number of the available wagons in the various railways have been commandeered, leaving a small percentage for the use of individual railways to meet the needs of the public. "Keep wagons moving", say railway advertisements, but I would ask, where are the wagons? The deficiency in wagons was felt as early as the beginning of 1941 to the extent of affecting even such necessary commodities as coal and food stuffs. I am not a business man myself and so I cannot speak from personal experience of the difficulties in this direction, but I have had sufficient information in this regard from businessmen to realise the seriousness of the position. Even when the emergency had not directly affected India, that is, prior to the declaration of war by Japan, the position was grave enough. There are no doubt workshops in this country which build wagons, but many of the important spares have still to come from abroad and I do not know the number of wagons which the railways have been able to build in order to meet the present emergency.

The gravest aspect of this matter, however, is the perilous position which faces us in the matter of the supply of locomotives for which we have even today to depend on countries abroad. The Bombay, Baroda and Central India Railway workshops, I believe, are building 100 locomotives for abroad and not for India. I would like to ask if this is true. The old engines and such of the few new ones which, perhaps, the Honourable Member has been able to secure since the declaration of the war are being put to such intensive use that they will require constant attention by the sheds and depreciation will necessarily be at a more rapid rate than in normal times. I would, therefore, beg of the Honourable the Railway Member, even at this stage, to allocate a substantial portion of his surplus for the purpose of erecting a factory for the manufacture of locomotives and other spares for wagons in this country, even as America has been able to provide for China. Look at what Australia has done in this direction since 1935? Why should India be the only nation left out and why should there be this complete absence of major industrial development?

The passenger traffic is another grave problem and it will become graver and graver as time goes on, and yet, we still witness Members of the Executive Council, Railway Board, and Railway Officials unfailingly using their

saloons for all their journeys. This must be stopped. Indeed, I would go so far as to say that special saloons for even Heads of Departments ought to be done away with, at least during the period of emergency. I had occasion once to suggest what I would call a "picking up system"; *e.g.*, one saloon to pick up Agents of the three railways which have their termini in Calcutta, one saloon for the Agents of the two Railways which terminate at Madras, one saloon for the Agents of the two Railways in Bombay, and so on. In this way a considerable amount of economy can be secured. Sir, something has to be done and done early, especially today when sections of the vast population of the country may have to be evacuated from danger zones to avoid congestion, impeding the free movement of troops and mechanised units.

I shall now deal with increase in staff. Side by side with the question of the provision of locomotives, wagons and carriages, there is also the need for the increase in the staff which was ruthlessly cut down during the period of depression. I was glad to hear the Honourable Member say that he has already issued orders for the engagement of additional staff. Obviously, he had been aware of the position, and despite what he said against the practice of bringing cases to his notice, the practice seems to have had some effect of opening his eyes to the need for the increase of staff. The surprise he has sprung on us that he has already issued orders three weeks before the presentation of the Railway Budget is a pleasant one indeed.

**The Honourable Sir Andrew Clow:** I do not want to take credit where credit is not due. May I say that that was due to the Railway Board?

**Lieut.-Colonel Sir Henry Gidney:** I understood you were the head of the Railway Board, *i.e.*, controlled it.

**The Honourable Sir Andrew Clow:** No, not even a Member of it.

**Lieut.-Colonel Sir Henry Gidney:** So the Member is only a controlling Member but not a Member of the Railway Board. He is like the army officer who is not a soldier but is an officer. Anyhow, I do hope that these and other orders he may issue for the amelioration of the lot of those dumb subordinates will be acted upon by the various Railways. I say this advisedly, for he may issue orders, the General Manager may also communicate these orders to the Heads of his Departments and they issue orders to these Divisional Superintendents and they in their turn, to their junior officers and so on to the Senior Subordinate. This devolution of power is satisfactory as far as it goes. But what machinery has the Honourable Member provided to ensure that those original orders of his are being given full effect? The junior officials generally take them as a matter of routine—as efforts on the part of the Honourable Member to satisfy the clamour of M.L.As. Sir, subject to this provision being made, I am glad to learn of the anticipatory action taken in this regard by the Honourable Member, even at this stage. I think it was Sir John Simon who said,

"It is not sufficient to issue orders. It is more commensurate with good Government to see these orders carried out."

Next comes the question of the conditions under which the men have to work, and which have an equally important bearing on the transport problem. With the utmost desire to co-operate with the administration,

[Sir Henry Gidney.]

if the conditions of service are beyond human endurance, particularly in the case of the running staff, it would inevitably result in disastrous consequences. I shall briefly refer to some of them which I feel need the Honourable Member's early attention.

I have already supplied to the Member of the Railway Board, Mr. Raper, a statement showing the detailed working hours of a certain driver, which I hope he will study carefully.

In the course of my speech during the general discussion of the Railway Budget, I promised to bring to the notice of the Honourable Member certain concrete cases in respect of "under-rest". Before I do so, I want the Honourable Member to assure me and to give an undertaking that that assurance would be carried into effect and will not be violated even in an indirect manner by any junior or senior Railway official, *i.e.*, that the employee concerned, *i.e.*, who gave me this information will not be victimised. That is the constant fear of subordinates to expose anything. However much we may gain by exposures here, the employee is victimised as a result and the remedy is at times worse than the disease. I ask for a definite assurance from the Honourable Member when he rises to speak.

I believe it was in 1931 that the Railway Servants' hours of employment rules were framed, but it was then decided to exclude the running staff from the operation of those rules. This must have been due to the fact that the Railways have always lacked the necessary leave reserve of running staff and they, therefore, were compelled to reserve for themselves the right to impose long hours of duty, wholly out of proportion to the prescribed hours of employment.

Now, if there is one section of employees who deserve greater consideration in the matter of rest than others, it is the running staff and more particularly the man on the foot-plate. On his alertness, on his health, on his unabating watchfulness depends the lives of the hundreds of passengers who travel in the trains and, yet, the Railway Board specifically excluded these men *alone* from the operation of the 60 hour week.

I am aware of the fact that even then Col. Wagstaff was good enough to draw up a memorandum in regard to the running staff wherein he advocated that the Railway Administrations should so regulate the employment of running staff that they could enjoy in a calendar month four periods of rest of not less than 24 consecutive hours each for five periods of rest of not less than 20 to 22 hours each. I have before me a "work and rest" statement of a Driver of a Railway prepared for a period of ten weeks. He was on duty during these ten weeks for 791 hours or 79 hours every week. I have purposely taken first one or two weeks of rush work during the emergency. If I were so inclined I might have given the House the typical case of a driver who was actually on duty for 101 hours in seven days, that is, an average of 14½ hours a day.

The other day I referred to a rule which empowered the Railway to demand 16 hours duty from the running staff. For the information of the Honourable Member I now quote from an official letter from a General Manager. He says "It is, no doubt, provided in the rules that Guards and Drivers may claim rest *en route*, but only after 16 hours continuous duty with a train, a statement, which the Honourable Member himself has

since confirmed. I may add here there is no qualifying remarks that this would be insisted on only when there is a breakdown or only in an emergency. The only point it is intended to convey by this provision is that the man cannot claim rest until he has worked *16 hours continuously*. In any case, this means that unless a Driver has been on duty for 16 hours continuously he may not claim rest, even if he feels the need for such rest. The inhumanity of this need is only to be mentioned to be realised.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The Honourable Member has only two minutes more.

**Lieut.-Colonel Sir Henry Gidney**: In the case I have just quoted, out of the 70 days, the Driver had to work for over 14 hours continuously on 26 occasions and for over 16 hours up to a maximum of *21 hours 53 minutes continuously on ten occasions*. I hope it is not suggested that on ten days in ten weeks there were breakdowns. And this statement refers only to one Driver. I would, therefore, assure the Honourable Member that the position is not as he believes it to be.

Now, I suppose if the Driver has a break of even an hour between two shifts this provisional clause will not come into operation. I would again like to give a case in point. On a certain run on the North-Western Railway a passenger Driver is called to duty at 18-55 hours. He takes a train to its destination by 2-55, that is, in eight hours (scheduled time). The actual time taken might be anything up to ten hours. He is required to take another train at 3-25, that is, after 30 minutes and he comes back to the home station at 11-30 on the next day, again not allowing for *delays en route*. The ruling regarding 16 hours continuous duty would not strictly be applicable to this man, because, there has been a break of *half an hour*. In the phraseology of the Divisional Officers 'the rules permit his being booked out'. That is the only thing that seems to matter to the officials.

I know of a case where disciplinary action was taken against a driver merely because he claimed rest out of sheer exhaustion and also because he was not at home and ready for duty when he was "off duty".

The Honourable Member will tell me that there is provision to the effect that a Driver is entitled to eight hours rest at out stations and 12 hours rest at home stations. This rule, I may say, is honoured more in the breach than in its observance. But even this rule does not say after how many hours of duty he is entitled to this rest. In the interests of the men affected, I ask, has the Railway Board ever examined the work and rest statement of drivers to see whether this provision is fully observed? On the other hand, as I pointed out, over ten weeks a driver has had to work on an average for 80 hours per week and sometimes more out of a total of  $7 \times 24$ —or 168 hours in the week (days and nights).

The Divisional staff, it would appear, take the line of least resistance in the matter of arranging bookings and rather than take the trouble of recasting the booking arrangements, when there is sudden need to change bookings, they take advantage of the permissive clause in the rules and book a driver, who is off duty, while drivers who have had longer hours of rest are available at the station, merely because they had already been booked for other later trains and the Divisional Staff do not wish to undertake the extra work involved in recasting the booking arrangements. Here

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is the absence of human touch which I propose to deal with in another motion if time permits.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** Cut motion moved:  
"That the demand under the head 'Railway Board' be reduced by Rs. 100."

**Rao Sahib N. Sivaraj** (Nominated Non-Official): In seconding the motion which has been so ably moved by Lieut.-Colonel Sir Henry Gidney, I desire to draw the attention of the Honourable the Railway Member to only two points. One relates to the welfare and interests of the community to which I belong and whom I have the honour to represent in this House and the other generally relates to all the communities in our country. Sir, on the first point, I am interested in seeing that the members of my community get their due representation, if not over-representation, like the other communities, in the various Departments of Railway Administration. In a letter which I have written to the Honourable Sir Andrew Clow, I have drawn his attention to the fact, that in spite of the difficulties we experience in getting what they call a suitable candidate for their service, in spite of that fact, when two candidates offered themselves for service in my part of the country and, particularly, in the South Indian Railway, both those candidates were rejected on some ground or other. We do not even mind the rejection but the grounds of rejection are so slender and, in one case, it is even malicious. A candidate was selected by the Staff Selection Board and he was rejected by the Railway Medical Officer on the ground that he was somehow unsuited to the railway service. It may be that we cannot get round medical opinion but then I turned round and asked the Railway Administration whether they have not made a provision for a higher medical tribunal, if I may use the expression, just as they have got the Medical Board in order to test the decision of a particular Medical Officer. In the other case, the reply given is insulting to the members of my community and also to people like me, who are members of the Legislatures. The candidate was asked whether he could not bring testimonials from persons other than those belonging to the depressed classes. Well, so far as I know, members of my community and candidates from my community cannot expect to get certificates from members of other communities.

**Some Honourable Members:** Why not?

**Rao Sahib N. Sivaraj:** In fact, they have no access to the other communities. Unfortunately, it is a fact. They have not got the opportunity of getting into touch with members of the other communities and that is the reason why they cannot get certificates from persons other than those belonging to the depressed classes and yet this man was told to bring certificates from persons belonging to other than depressed classes. I am particularly referring to a man who offered his services as a railway engineer and we have got very few men who can be trained as engineers. But it is not due to our fault as I have tried to point out to Government on many occasions. A similar fault, for instance, can also be alleged even against the British Empire today because they were not prepared for the attack of Hitler and others had to come to their rescue. Even today,



because of their unpreparedness they are not able to meet the present situation as well as they are expected to. We are more or less placed in the same situation. In such circumstances, even when candidates are available I am very sorry to note that the Railway Administration does not care to look after our interests. As a matter of fact, I know of instances when they could not get a Munammadan in the Madras Presidency for the Madras railways and they had to import Muhammadans from Bengal and Punjab. I expect that they will do the same with respect to my community. That is, however, a small matter compared to matters of great importance these days.

There is the other matter to which I would like to draw the attention of the Honourable the Railway Member and the Railway Board. It is a matter which concerns the general public. It is a matter which has already arisen and which is bound to arise in greater dimensions in the near future. I am referring to the evacuation from places which are about to be raided or are likely to be raided. We have already had some complaints about the way in which the railway servants in certain places were expecting special treatment at the hands of these evacuees and that many evacuees found it difficult to get accommodation in the trains normally. That may be so. But I was assured when this question was raised in the Railway Standing Finance Committee and other places by the Members concerned that the General Managers and Agents have been informed to see that no such undue advantage is taken on account of this extraordinary rush due to the evacuation. But what I really want to point out to the Railway Member is that he should take note of this fact immediately and very widely. Information should be given to the public that no discrimination will be made in the matter of the provision of accommodation at the time of evacuation. The rumour is afloat very widely in my part of the country that the wives and children of Europeans get the first preference with reference to this accommodation. Without the knowledge of the general public, special trains are being provided for them and these special trains start in the darker hours of the day, that is during night time. As a matter of fact, I raised this question in the Madras Railway Advisory Committee and I was told by the Agent that there was absolutely no truth in it. So, I had to inform those who are of the opinion that special facilities are given for the removal of Europeans that that was not so. And yet another thing was suggested. It was mentioned that some compartments are attached to goods trains and in those compartments the wives of Europeans and others are evacuated. I merely want to draw the attention of the railway administration to the fact that they should give wide publicity that no such discrimination is made. I can tell Honourable Members that in the recent evacuation which took place in Rangoon, the members of my family suffered under similar disadvantages in the matter of accommodation on board the ships. What happened was that they had to wait for more than three weeks to get their passage to come over to India and having got their tickets they were waiting for accommodation but they were not able to get it simply because the man who was responsible for providing this accommodation gave preference to Europeans, English people and Anglo-Indians.

**The Honourable Sir Andrew Clow:** To what place the Honourable Member is referring?

**Rao Sahib N. Sivaraj:** I am referring to Burma. I do not want that that state of things should be repeated in this country. That is why I am anxious that a reputation of that sort should not be attached to our railway administration in India.

**Mr. Muhammad Azhar Ali** (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, I will not take much time of the House on this motion of my friend, Sir Henry Gidney. I would only read out a little passage from a note that I have in my hands. I recognise that there has been considerable Indianisation in the railways. Still, what I find is that the key posts—and this blame I attach not only to the Railway Board but to all services throughout the country—are still held by the Europeans and Anglo-Indians in the Indian railways. Europeans and Anglo-Indians form a microscopic part of the population and yet they have a far higher percentage than even the Muslims have in regard to the superior posts. According to 1931 census there were about 156,000 Europeans and about 166,000 Anglo-Indians . . . . .

**Leut.-Colonel Sir Henry Gidney:** On a point of order, Sir. I do not want to interrupt the Honourable Member but I do not think that this matter is included in my cut motion. The point which the Honourable Member is raising will come under another cut motion of Indianisation and I think that will be a more suitable opportunity for his remarks.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The motion refers distinctly to the Railway Administration though with particular reference to the Locomotive Department. I think the Honourable gentleman (Mr. Muhammad Azhar Ali) is perfectly in order in referring to this matter.

**Mr. Muhammad Azhar Ali:** Thank you, Sir. I am glad that you have come to my assistance. The percentage of the jobs held by these two communities in proportion to their strength is simply amazing and could be accounted for only by the present system of administration of the country. It is of interest to note that in the case of superior services the Muslims, who form a fourth of the total Indian population have only 8·9 per cent of the total posts in 1941 as against 9·48 per cent in the case of Anglo-Indians and Domiciled Europeans. In the superior services, if we add the percentage of Europeans to that of Anglo-Indians and Domiciled Europeans, the posts held by them amount to 52·63 as against 40·92 of the total of Hindus and Muslims. So far as the subordinate services are concerned the percentage of posts held by Anglo-Indians and Domiciled Europeans amounts to 41·70 per cent as against a percentage of 38·76 of Hindus and Muslims combined together. If we add the percentage of Europeans also to that of Anglo-Indians and Domiciled Europeans, the number of posts held by them amounts to 53·40 as against 38·76 which is the total of Hindus and Muslims in these services.

The recruitment during the year 1940-41 to superior services in the State-managed railways consisted of eight Europeans and 12 Indians. Recruitment for superior services in the Company-managed railways during the year consisted of three Europeans, two Anglo-Indians and Domiciled Europeans and 12 Indians. In the lower gazetted services in the State-Managed railways, out of 34 promotions made, 11 went to Europeans, nine to Anglo-Indians and Domiciled Europeans. It

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may be further noted that out of the 14 officers in the Company-managed railways who were promoted from the lower ranks to the superior services, during the year, three were Europeans and five were Anglo-Indians. There was not a single Indian. Sir, with this state of affairs existing in the country, the Indians are in a deplorable condition. I said in the very beginning that there has been Indianisation, but Indianisation where? Mostly in the lower subordinate services. These key posts are still held by Europeans and Anglo-Indians.

**Dr. P. N. Banerjee:** It is Anglo-Indianisation.

**Mr. Muhammad Azhar Ali:** Yes, it is Anglo-Indianisation and Europeanisation. Under these circumstances, if we say that the Railway Board are not at all taking any interest in increasing the percentage of Indians in the higher services, it cannot be said that we are wrong or that our complaints are in way groundless. I should like to know why there is so much disparity between the number of Indians on the one hand and the number of Anglo-Indians and Europeans on the other. Only with this aspect, I confine myself at the present moment and as I am not keeping well, I do not make any further remarks.

**Mr. Govind V. Deshmukh** (Nagpur Division: Non-Muhammadian): Sir, I will confine myself only to the transport needs of the country while dealing with this motion. My tale is neither long nor short and so I will not take up much of the time of the House. In the course of the debate on the motion of priority of public supply of wagons moved by my Honourable friend, Mr. Neogy, I heard the phrase "Wagon Supply Committee". If it is not a kind of poetic fancy and if it has got a habitation, as it has got a name, I should like to know something about it. This is the first time I came across this. It seems to me that—as I have learned in the course of the debate—this is a body which can be approached only by a body of collieries. I should like to know something about the composition of the body and the functions of the body and whether we, poor agriculturists, can approach this body and how to approach it. I have already talked in the general discussion of the Railway Budget about the needs of transport of this country. I should not like to say anything more at present, but I should certainly like some information on the important point raised in the debate. I request the Honourable Member in charge of Railways not to overlook this point on which I merely seek information.

**Mr. Muhammad Nauman** (Patna and Chota Nagpur *cum* Orissa: Muhammadian): Sir, I do not want to indulge in any long debate, but I just want to support the motion which is before the House as moved by my Honourable friend, Colonel Gidney. The position is that recently we have seen enormous difficulties in the matter of transport in public and even in the matter of getting transport for the purpose of war. Priority may be a very good thing, and it is certainly necessary for the successful prosecution of the war. We all appreciate that, but under the plea and under the cloak of priority, the public should not have been put to the trouble to which they have been put to. The whole position is that as my Honourable friend, Colonel Gidney, has said, it requires 'human touch' on the part of the officers running the Railway Administration. They should not be callous to the needs of the public.

Now, let me take the position of coal which is used for the purpose of fuel all over the country and which could only be kept at reasonable

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price level if reasonable transport facilities were not refused. What do we find, the price of coal had doubled and trebled within few months and only because transport could not be made available at the different coal fields. In spite of repeated requests by the merchants and even by the public, the administration was callous enough to give no facilities whatsoever to the public. I brought this question before the meeting of the Standing Finance Committee when we recently met and we heard something by way of explanation. Of course, I did not try to criticise the Member of the Railway Board who explained those circumstances in the meeting and neither do I want to criticise him now. Probably he said that owing to certain administrative reasons, he could not do any better. What I want to suggest is that in these difficult times, you have got to realise the difficulties of other people as well. I agree that we have got to share the inconvenience, we have got to shoulder the difficulties and troubles, but they have to be reduced to the minimum and not increased to the maximum to which we have been brought to. From my own experience, I can say as a president of a few commercial organisations in Calcutta and other places, that hundreds of cases were brought to my notice where the members of Hides Merchants Association of Calcutta and Cawnpore were refused wagons in time. The merchants in Dhanbad, Muzaffarpur, Durbhanga and other places who wanted to send their hides and skins,—even those who were to supply to Government for tannery purposes were not given wagons in time. Of course those small merchants could not have got priority certificates because those particular clients were not the contractors of the Government, but they had to send their goods to a particular spot from where the contractors had to supply to the Government. Well, Sir, this resulted in the deterioration of wetsalted hides in many cases.

In Calcutta, I remember a few merchants wanted a few wagons for Bombay for shifting their goods during the panicky condition of Calcutta, but no wagons were made available. I myself rang up one of the highest officers of Railways in Calcutta and I was told that no wagons were available to the public for Bombay. I asked them whether they could give those merchants even ten wagons after ten days, but the reply was, "no". This is the sort of transport arrangement that prevails now and this is the way in which transport is being carried on in this country. The Honourable Member for Railways gave a certificate to his officials sometime ago that they were doing wonderful work in the difficult days and that the different General Managers had exerted themselves by being able to meet the situation. But let him remember that it is the Railways who have driven the public to this difficult position. I do not know whether the Government of India in the Supply Department equally did not complain of transport difficulties.

Again, speaking of passenger traffic, during the days when panic prevailed in Calcutta, during the days of rush in Calcutta—the panic started on 16th December—thousands of people could not get accommodation in any train at Howrah or Sealdah. Probably the position at Sealdah was a little better than at Howrah. They probably were running a few special duplicate trains, instead of one special train for each ordinary train.

The passenger's affair may not come up on this particular motion but it has to be remembered and perhaps the Honourable Member and many

of his colleagues know the difficulties. Sir Andrew Clow may not know very much, but I am sure his Indian colleagues know these things in more details. What I want to impress on the House is that the different administrations have miserably failed to meet their obligations in time when they ought to have met with courtesy and facility. The Honourable Member may require me to cite particular cases with dates and so on. I have referred to one or two occasions and I cannot give details because I did not hold any inquiry into them as I had neither the time nor the staff necessary for it. But I can say with certainty that in many cases the prices of stocks in the country had to be raised suddenly beyond the market price because of transport facilities having been denied. One patent reply the Honourable Member may make as it is this that he had not enough wagons to provide and that he had to carry on with what little he had at his disposal. May I ask him and the Government of India who are responsible for that? Are we to answer for that with all the money and the control of the administration that we have given them? Why did you not turn out more wagons in this country? Why did you not think of this a few years ago and why cannot you do it even now? I am tempted to make many other references of the failure of Government when on this but I do not like to give them out on the floor of the House as I have no time at my disposal and it may be considered beyond the scope of this motion.

Sir, I support this motion and I hope that the Honourable Member will not only reply to it in the usual fashion but will seriously consider the anxiety of the people and remove the difficulties in which we find ourselves.

**The Honourable Sir Andrew Clow:** Sir, as this debate has ranged over an extraordinarily wide field, I hope the House will show me a little forbearance if I do not deal with all the points that have been raised. I did not expect when it started that I should have to deal with the important and difficult subject of Muslim representation or the evacuation of the members of Mr. Sivaraj's family or others; and I must really try to confine myself to the questions more immediately concerned with the cut motion as it is placed on the table. If time remains with me I shall try to deal with the others later.

Sir Henry Gidney and Mr. Nauman dealt with the wagon position, the former in fairly moderate terms and the latter in somewhat immoderate terms. We were accused of lack of foresight; we were asked why we did not provide enough wagons to meet the present needs, because it is a fact that the capacity of the railways is not equal to the present demands. It is not a question, as Mr. Nauman suggested, of our being in any way callous. He said that probably, when I was giving chits to our officers, I was not aware of the needs of the public. But if he will read my speech he will find one or two references to the difficulties that the public are facing and will have to face in the future. We are all very conscious of these and we are doing our very best to meet them; but there is simply not enough capacity to meet the demand. Then Mr. Nauman and Sir Henry Gidney say, "What a terrible lack of foresight! If only a few years ago you had provided enough wagons or enough locomotives you would not be in the position in which you are today".

Now only a few years ago, in 1937, we had an expert committee out, and we were after that pursued with quite reasonable demands from the

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House to enforce with the utmost speed the recommendations that it made towards economy. Year after year in the Railway Budget debates there was an insistent cry for economy in every possible direction and the railways were pared down to a level which we now recognise to have been unwise. But we are speaking with wisdom after the event, and it is always easy to criticise when one knows afterwards what happened.

**Mr. Muhammad Nauman:** Sir, may I ask one question? Is it not a fact that this Assembly has been pressing for the building of more locomotives in this country and it would not refuse the cost of machinery?

**The Honourable Sir Andrew Clow:** I will come to that later if the Honourable Member will be patient. This Wedgwood Committee drew attention to the fact that there was an excess of wagons, and they also said as regards locomotives,—and I would remind the House again that it was in 1937,—

“The stock of locomotives is excessive and should be capable of reduction. Even in the event of a substantial increase of traffic we consider it unlikely that for the present, at any rate, there will be need to face any considerable programme for the purchase of additional locomotives.”

**Lieut.-Colonel Sir Henry Gidney:** Sir, I am afraid the Honourable Member is misinterpreting what I implied in my motion. I did not say that the shortage of wagons was because more wagons were not made in the past. I referred entirely to the present time. My point is this: India cannot build more wagons today for want of adequate facilities and has still to rely on England for certain essential parts.

**The Honourable Sir Andrew Clow:** We do build wagons in India and have been building wagons for some time. We can build locomotives in India; we have capacity for building locomotives at this moment in Ajmer which cannot be used; and if we had a larger factory we would not be in any better position today. The fact is, and I think we must all admit it,—did not we all show a lack of foresight? How few of us three or four years ago believed that we would be in the middle of a great war today? If we, on this side of the House and Honourable Members on the other side, had been able to see three or four years into the future, I am quite sure we would have adopted different lines on many of the problems of policy that confronted us. But I do not think it is quite reasonable to blame us or our predecessors because we lacked that gift of prophecy.

There was a small question asked by Mr. Deshmukh about the Coal Wagon Supply Committee. As its name implies, it is concerned with coal and has functions which were explained by Mr. Raper this morning.

**Mr. Govind V. Deshmukh:** Is there any way for the agriculturists to approach them for the supply of wagons?

**The Honourable Sir Andrew Clow:** Agriculturists can ask for a wagon in the same way as anybody else; there is no special way provided for them.

Sir Henry Gidney touched on the question, just in passing, of saloons, and said that high officials in all classes, unfailingly use their saloons for all journeys. I can assure him that that position has changed and is changing. We have issued instructions to railways somewhat on the lines he suggested. I am reminded that there are some Honourable Members moving about in bicycles and I doubt if that enables Honourable Members who are entitled to use saloons and other officers to curtail their use of saloons. I think the House will be interested to know that only a few days ago His Excellency the Commander-in-Chief passed an order that as regards military officers their saloons should in no circumstances be placed on a mail train. There are, of course, times when a train is not running to capacity. It is often of assistance rather than the reverse to have the saloon on a train because there are very often more than one officer travelling with personal assistants and others; and so long as there is spare capacity on the train I do not think there is anything to object to in it. But on trains which are now very often running to capacity the use of saloons is certainly to be deprecated.

Sir Henry Gidney passed from these questions to questions affecting the staff and I have seen since the debate began an interesting and, I admit, quite a disturbing list which he has given me. It is a little perplexing because the number of daily hours appears to have been great; on several occasions there is more than a 24-hour run. But if this is at all approximately accurate it certainly shows over-work of an individual. What I thought he said the other day was that there were train running times regularly involving 16 to 21 hours, and that was what I was dealing with primarily and when I was citing the order of the North Western Railway about 16 hours I felt sure that there were no such train runs on that line and that this order must, therefore, relate to cases where, owing to exceptional circumstances, a man was kept on the footplate for longer than the time allotted to the train run. If there are train runs of excessive length, I will be very glad if he will bring that to our notice so that we may look into those train runs. One case was brought to my notice a short time ago by Mr. Navalrai and we actually reduced the train run of certain trains in Sind. But I have a great deal of sympathy with Sir Henry Gidney's view that it was unfortunate that 10 or 12 years ago the running staff were so firmly excluded from the hours of employment regulation. But it is not easy to apply those regulations to running staff. There will have to be a great many exceptions. I rather think that one difficulty was that the staff themselves were interested in these long runs, interested from the financial point of view. And I agree with Sir Henry Gidney that that is not a consideration that we should allow to stand in the way of ensuring humane and safe hours of work. I will, however, look into the case which he has brought to my notice, and I can assure him that if any member of the staff complains to his superior about excessive hours of work and cares to produce a statement of this character, there will be no question of victimisation at all.

**Lieut.-Colonel Sir Henry Gidney:** Thank you very much.

**The Honourable Sir Andrew Olow:** Rao Sahib Sivaraj referred to the difficulty, the difficulty with which I sympathise, that members of his community experience in getting employment. But I am afraid I cannot

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accept responsibility for two cases that occurred on the South Indian Railway because I have no jurisdiction in that matter on that Railway. In one case I gather the candidate was rejected medically and that is a thing to which every one is liable and of which only medical officers can be the proper judge. In the other case I was a little surprised to hear that a candidate was asked to produce certificates from members of another community. I certainly know of no case in which that has happened on the State Railways.

I see I have a few moments left to give to the big question raised by Mr. Azhar Ali. It is not a question to be dealt with at short length because it is a difficult and an intricate one. But I do not think we get a fair measure of these things simply by citing the percentages of Europeans or the percentages of any other community at the present moment. These, as the House will recognize, represent, to a large extent, past history. They represent recruitment over a period extending for more than 30 years. At that time the Railways were almost entirely manned by Europeans and Anglo-Indians and a great many of them are still with us, but their number is being reduced. In the case of Europeans we were recruiting at the rate of only 25 per cent. among the officers and. I think, practically none amongst the non-gazetted staff, and since the war we have suspended even that, and we are recruiting no Europeans at all.

**Mr. Muhammad Nauman:** You are giving them extensions alright.

**The Honourable Sir Andrew Clow:** We are giving some extensions because we are short of officers. We have let a great many of them go. We had to let two hundred officers—many of them were experienced European officers—go to other departments, but I think the extensions are not affecting the rates at which we are recruiting officers of other communities and we are now getting those officers in approximately correct proportion. I have fully recognized—I have recognized continuously—that the share of Muslims in officers and staff is by no means commensurate with their populations in the country, but unless I am going to remove a lot of valuable officers who have given us good service and who have a right to remain in service, I am afraid there is no other solution of that difficulty except by the process of time.

**Mr. Muhammad Nauman:** We don't want you to remove them.

**The Honourable Sir Andrew Clow:** That is the only way by which it can be done.

**Mr. Muhammad Nauman:** You have got different ways also.

**Mr. Husenbhai Abdullahbhai Laljee** (Bombay Central Division: Muhammadan Rural): Sir, a great deal has been said with regard to the supply of wagons and the shortage of wagons and I quite see that the real cause is that owing to the war there has been a lot of scarcity. But, Sir, the fact is this that while we have our departments engaged on war work which must have preference over all other work, there must be some distribution made with regard to urgent demands for industries and others. It should not be taken that because of the war nothing else should be



looked into. It should not be that, under the pretext of war demands, nothing else should be attended to.

**The Honourable Sir Andrew Clow:** That is not our attitude at all.

**Mr. Husenbhai Abdullahhai Laljee:** Well, Sir, that is a general complaint. Every part of India complains about the wagon supply for industries, and if at all the Railway administrations give careful consideration to those demands, I am sure such a great cry would not come. Anyhow, Sir, a lot has been said and we know very well that endeavours will hereafter be made.

I am very glad also to note that so far as the saloon affairs was concerned, about which my Honourable friend, Mr. Jamnadas Mehta, spoke a few days ago, the Honourable the Communications Member has explained that hereafter those great privileges cannot be accorded to those great men. I am not much against that. But, Sir, I do wish to say something about the ordinary people, people who have been working very hard, as my Leader has pointed out, people who have to work hard and get very little pay. Sir, it has been pointed out that under the overtime allowance scheme Drivers, Shunters, Foremen are not included. I do not know why this discrimination has been existing. If a man really works why should not he get overtime allowance. If you do want them to work overtime they must be paid.

Then, Sir, I do want that some special officer should be appointed to examine the question of work and rest. A good deal has been said about these people working overtime. The statement which my Leader placed before the House clearly shows that not only these people are being hard worked but the efficiency and safety of all on the railway track is so much in danger. Sir, I find from the overtime Rules of the Bombay, Baroda and Central India Railway that there has been allowance given for prescribed hours over ten hours. I do not know, Sir, why that has not been given on the other Railways. Sir, this matter deserves the immediate attention of the Railway Board if their slogan "Safety First" is to be practised for the staff also. The question of hours of work and rest needs immediate examination and remedying.

Then, Sir, there is another most important question and that is with regard to the right of the people—workmen—to appeal. Sir, every now and then we have been told that complaints could be made . . . . .

**The Honourable Sir Andrew Clow:** I think this is the subject of the next cut motion.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** That forms the subject matter of the next motion.

**Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official):** Sir, it comes under Railway Administration, I think.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** Order, order. The expression "Railway Administration" is of an all-embracing character, and everything can come under that.

**Mr. Husenbhai Abdullahhai Laljee:** Human touch!

**Mr. Deputy President (Mr. Akhii Chandra Datta):** Literally speaking, according to the strict wording of the motion, everything comes in, but when there is another motion specifically on that question, I think it is better to postpone that discussion for that ~~out motion~~.

**Mr. Husenbhai Abdullabhai Laljee:** I will not say much; but with all deference to the words 'human touch' as you have rightly observed, I was only placing this before the House and drawing the attention of the Honourable Member for Communications that these people who have been working very hard do require that their grievances must be looked into and some right of appeal and also some compensation for the overtime that they work. That is only fair.

A lot has been said about amenities being provided for these workmen. I do not want to press this matter much, but, surely, the railway administration ought to provide necessary amenities and sufficient arrangements for taking rest, if they want to help them to work overtime. I am told that no arrangements have been made even while they are made to wait, for complete rest.

I am very glad some of my friends want to do the work of the Honourable the Deputy President in telling me that my time is up; but frankly speaking, my point of view is that I do feel that the railway staff is over-worked and it is essential and very important that workmen on the railways must be given overtime and rest; at the present time they are expected not only to do all the work but no compensation is paid to them. I also feel that only such work should be taken from them as will not materially affect their health. With these words I support the motion moved by my Leader, Colonel Sir Henry Gidney.

**Mr. J. Ramsay Scott (United Provinces: European):** Mr. Deputy President, I propose to deal with a few transport matters. Transport is the biggest internal problem which we have today, and I want to know what steps Government have taken or are in the slow process of considering to try and remedy matters. There is no doubt at all that transport facilities in this country are insufficient for our needs today, and I do not find that the Government of India are taking any active steps to improve or try to improve or to remedy the acute shortage. The railways are admittedly unable to cope with the situation. I believe that this position has been foreseen for some time, but I have yet to learn what action, if any, has been taken to investigate the position and to make suggestions to alleviate the situation in any way. I believe that there is a Board, called the War Transport Board, but this is so completely hush-hush that we do not even know what its functions are or what powers it possesses. I rather presume that it only deals with war transportation problems, and not even with other war transport problems such as the movement and supply of goods to and from our industries which are on war work. I hope the Railway Member will be able to tell us about its activities. Has the Transportation Board any control over the Railways? What I want to ensure is that the railway transport is being controlled in some way or other under some well considered plan. Is there any organisation in the Government of India whose job it is to deal with transport and its intensive use and co-ordination? If not, I want some organisation and some definite authority to be set up without

delay. If I understood the Honourable Member aright, the present transport organisation does not seem to have such power, and I would like to have more information than he gave to my Leader, Sir Henry Richardson.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The question is: "That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was negatived.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Before proceeding further, may I place a very old ruling of the House with regard to the subject matter of cut motions? . . . .

**Sir F. E. James** (Madras: European): Of the Chair.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Of the Chair. It lays down that in cut motions it will be difficult for Honourable Members to exercise their right of vote if it covers more than one grievance. The Chair therefore desires that Honourable Members in giving notice of cut motions will restrict themselves to one specific grievance. The debate on Sir Henry Gidney's cut motion has typically illustrated the wisdom of the ruling. It is good for the party giving notice of the motion, and also good for the Government.

The next motion is of the same Party—No. 32 on the Final List.

#### *Punishment and Appeals and Good Conduct Marks.*

**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 glad for the corrective advice you have given the House as to the undesirability of including many subjects in one motion; but in the railway administration, matters are so interwoven that it is extremely difficult to disconnect one from the other, as obtains in the case of the Head of the Railway Board being apart from the Communications Member. The subject matter of my motion is one which has certain side issues which are impossible to take away from my motion. I desire here to confine myself to one matter, that is, the question of appeals and its various implications and complications. In my previous cut motion I cited many cases indicative of disaffection and discontent among the staff of the railways and I am so glad that the Honourable Member gave that motion of mine his sympathetic attention. But, as a sequel of those matters the question of appeals is apparent as also the right of appeal and the procedure which is entailed in appeals on the railways. It is in such cases, as I have already brought to the notice of the Honourable Member, that one sees the absence of the human touch, i.e., the inadequate provision to safeguard the right of appeal. I am fully aware of the fact that the Railway Member and Board cannot look into each individual case. It would be impossible. But I do think that the Honourable Member was overstating the position when he said that he and the Railway Board were being asked to interfere with every case of promotion of an Assistant Station Master. Even the most zealous of us have a certain sense of

[Sir Henry Gidney.]

responsibility, but I do submit that the Communications Member and the Railway Board ought to be prepared to deal with even an individual case if there is *prima facie* evidence of grave injustice even to the humblest of our men working under him; and I may recall to him a glaring instance in which a predecessor of his in office exposed a Railway Agent who had confirmed the punishment (in agreement with his Chief Transportation Officer) by dismissing an humble traffic subordinate and it was proved on enquiry by the Railway Board that the Railway Agent had not even seen the file and facts of this case. In fact he dismissed him totally ignorant of the case. As a result the subordinate was re-installed and the then Communications Member had the courage to warn these officials against a repetition of their conduct. I will not go into the details—I have no doubt that Members of the Railway Board well remember that case. Why not emulate his predecessor in office. But there is a form of punishment on Railways in respect of which there is apparently no provision at all for an appeal even to the next higher rung of the administration ladder. I refer to the penalty which was recently introduced known as the “Good Conduct Marks System”. This system has been an alternative measure of punishment to fines, suspensions, demotion and reductions of grade, etc. This system was obviously intended as a milder form of punishment, and as it was introduced subsequent to the issue of appeal rules, it did not find a place in the appeal rules issued, I think, in 1935. On this account it has been held by the Railway officials that no appeal lies against such punishments. I do submit that there should be no form of punishment against which an appeal cannot be submitted to, at least the next higher authority, otherwise junior officials will feel at liberty to confine their punishments to that limit, and yet, the cumulative effect of such punishments on the workman's future in the service will be as disastrous as any other more serious form of penalty—indeed, it will eventually affect his promotion or even his retention in the service, for I understand that, in this system of Good Conduct Marks, if a man has a certain number of marks against his name, he is liable to be discharged from service. I think the Honourable Member will agree that it should be the aim of Government to remove dissatisfaction among the staff on any ground whatever, if not they must have a right of appeal to higher authorities. Let me just give you an instance. During the period of depression, for instance, on the N. W. Railway, it was decided to withhold the promotions of Grade IV Shunters to the corresponding grade of Driver. Appeals were sent against this. Prior to this period, in accordance with the terms of the agreement under which these men were recruited, Grade IV Shunters, who had passed their examinations, were automatically promoted in due course. This was not done and an appeal was made. At that time the promotion to the grade of Driver was not dependent on the strength of the Drivers cadre. Firemen and Shunters were all expected to become Drivers in due course, and both these categories were treated only as a training ground for Drivers. But the policy has since been radically changed. The men were not consulted at all, for when the depression was over, the Railway Administration fixed the number of appointments in each grade and the number of posts so sanctioned in Grade IV Drivers was actually far less than the number of those who were holding such posts. Again an appeal signed by almost all these people was sent with no effect. Whereas, on the whole of the North

Western Railway, there were 131 Grade IV Drivers the sanctioned strength was 102. Thus the Grade IV Shunters who according to their original agreement, were entitled to automatic promotion in due course, have no chance whatever of being promoted, until the excess which has resulted in the cadre of Grade IV Drivers, consequent on the arbitrary fixation of the sanctioned strength, had been absorbed in vacancies occurring in the normal course in the sanctioned strength. This was the position in 1936. The men again appealed in a body—again no result. I understand that, as a result of the job analysis undertaken in 1937, this position was again revised, and the sanctioned strength of Grade IV Drivers was still further reduced. Another appeal was sent by these men—useless. Today Grade IV Shunter—passed—Drivers who have no hopes of being promoted as Drivers, although they are being utilised as Drivers. The fact that there is an excess in the grade of Grade IV Drivers beyond the sanctioned strength also indicates very clearly that the sanctioned strength was fixed without regard to the actual position and needs of the Railway. The non-restoration of the privilege of automatic promotion, even after the depression, was, in my opinion, a distinct breach of their agreement and the conditions of service under which these men were originally engaged. Again they appealed—a wasted effort. Sir, the preservation of the vested interest and accruing rights in the matter of prospects and promotion of service men is a well recognised policy of the Government, and I do feel that Government ought not to deny this privilege even to subordinates. I, therefore, maintain that an appeal in such matters must receive the serious consideration if not of the administration, at least of the Railway Board, and an independent enquiry should be made into this very serious matter.

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

In conclusion I would repeat that every cause of dissatisfaction, especially when there exists substantial grounds for such dissatisfaction, ought to be removed as far as possible. I was glad to hear the Honourable Member pay a tribute to these workers as apart from the officials, but I do not want him to give practical evidence of the gratitude which he expressed by giving his personal attention to the points on which I have touched within the limited time at my disposal.

Sir, generally speaking, the policy of the Railway Board in regard to these appeals is very unsatisfactory. On paper they appear very perfect; while in practice they are hopelessly imperfect. The appeals are forwarded or not at the sweet will and pleasure of the officers. If the subordinate demands an enquiry he is told that his appeal does not lie to a higher official. If he repeats his request, he is told to be careful and not to be insubordinate. If he presses his request for a third time, he is threatened with discharge from service, and I have letters with me to prove, if the Honourable Member cares to know more about such matters, that this is actually the position. Sir, these servants have been at times intimidated, they have been silenced, and it is for this reason that Members of this House cannot produce concrete cases, lest those men, by their repeated appeals against punishment, be further punished, though they do not deserve to be victimised, and I am glad to have the Honourable Member's assurance that the case I brought to his notice a little while ago will receive his attention and that the person concerned will not be victimised. If he is I shall forcibly represent his case to the

[Sir Henry Gidney.]

Honourable Member and this House. It is a very difficult thing indeed to give concrete cases of victimisation, but I do know of an upper subordinate's case on the N. W. Railway a Mr. MacGrath one of the ablest senior foremen in which the Honourable Communications Member who occupied this office a few years ago personally enquired into the matter and gave his orders contrary to the N. W. Railway Agent's order. What was the result? The Chief Mechanical Engineer on being told of the Honourable Member's views was heard to say—"I will just see whether in my Department I rule or the Honourable Member, Communications". He refused to accept this order and the subordinate went on furlough and subsequently retired. In other words he was hounded out of his office to the great loss of the N. W. Railway. That was the result of that appeal. Sir, I ask the Honourable Member completely to change his outlook and that of the Railway Board on appeals and to give his sympathetic consideration to the present unsatisfactory rules governing appeals, and to make them from these make-appeal value to sound practical and comprehensive rules and that threats should not be permitted to aggrieved employees who submit appeals especially in those cases in which the judge and the prosecutor is one and the same person.

**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 Nayakrai** : Sir, I rise to support this cut. I should like to point out that there are many handicaps in the way of railway subordinates in regard to bringing their grievances before the higher officers. Sir, to begin with, I find that the rules regarding appeals require to be revised. Whenever any matters are brought before the General Manager against the decision of the Divisional Superintendent by way of an appeal, generally the General Manager rejects such appeals and says that the revision does not lie with him and that there are no rules for it. This is really very hard indeed for poor subordinates as there are no supervisory powers vested in the General Manager. It is true that the Honourable the Railway Member himself would find it difficult to examine the cases of each individual, but there are no revisions, and no appeals can reach the Railway Board. If the appeals reach the Honourable the Railway Member, kind as he is, he will at least look into those appeals sympathetically and decide matters in suitable cases.

I personally know that cases of certain officers have been brought to the notice of the Honourable Member, and where he has thought fit, he has actually interfered. But what I do want is, you should revise the rules and provide for something more than what the rules contain at present. Let us see what happens now. A Divisional Officer has got to give a certain punishment to a subordinate. What does he do? He issues orders under the signature of the Divisional Superintendent, and presumably, when he does it, he consults the Divisional Superintendent and then passes orders. To whom will the appeal lie? Under the present rules it lies to the Divisional Superintendent. Is that fair? That is the practice at present. The Divisional Superintendent passes the orders, and the aggrieved person goes to him and says, here is my revision, kindly forward it to the General Manager. He says, no, there is no revision allowed and I am not going to forward. But even in those cases in which a certain

appeal lies, for instance, dismissal by the Divisional Superintendent,—in that case a man has been dismissed and an appeal would go to the General Manager, but when an appeal is preferred, on many occasions, the appeals are withheld. In these circumstances, the real remedy is that the rules should be modified. The Honourable Member knows how many questions on this point have been put. Therefore, it is high time that the rules of appeal and revision were revised. I have nothing more to say. I give way to other Members who may want to speak.

**The Honourable Sir Andrew Olow:** This question of appeals is a difficult one and occupied I think nearly a whole day of our time about a year ago, and I am afraid that in the seven or eight minutes remaining to me I cannot add very much to what I then said.

We do provide in practically all cases for at least one appeal. Sir Henry Gidney raised the question of giving people good conduct marks. It is extraordinarily difficult to provide for an appeal against what is really not so much a mark as a remark. I was urged the other day by Sir Henry Richardson, and as he spoke, Dr. Sir Ziauddin Ahmad echoed his words with a loud "hear, hear", that we should exercise a great deal more selection and proceed much less by seniority than we do. With that sentiment I have a great deal of sympathy, but I am not sure that that sympathy is felt by every Member of the House. I am constantly being told, "Stick to seniority, otherwise there is favouritism, officers' personal prejudices would come into play, or otherwise, members of a certain community will not receive justice from members of another community". So I am afraid there is a constant temptation on the part of officers to promote by seniority. They know that if they promote the senior man they have a complete reply to any body from the Honourable Member to a Member of the Assembly who may ask a question on the subject, and they feel that it is the easiest course. If they exercise, when they should, strict selection, there is always the danger that they will be called upon to explain why A, B, and C, were passed over. That is a weakness I think with State administration, for which some remedy will have to be found. Now, one way of guarding against promotion depending too largely on one officer's personal predilections, is the recording of opinions by his predecessors, that is, by confidential or other remarks, or the award of good conduct marks. But if every time what is merely an opinion is going to be recorded, it is going to be an extraordinarily difficult matter.

**Lieut.-Colonel Sir Henry Gidney:** Is this going to count against him?

**The Honourable Sir Andrew Olow:** It does. I may record my opinion formed after quite an intimate knowledge of the officer, that the officer is rather a mediocre. If I am asked to put down in several pages an explanation of the instances on which that statement is based, it is going to be a very difficult thing indeed. Promotion by selection obviously depends on some officer's individual judgment, and you have to have a system, as far as possible, by which he can be guided by past experience. My experience, after reading many officers' character rolls, is that they do not err on the side of hardness. In fact, there is almost a different language used, which one can translate. Thus, if just the word "satisfactory" is constantly recorded, I begin to suspect that his work is not all that it should be. If we are going to provide appeals against every little thing of that

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type we are going to interfere very seriously with the administration. We are at the same time—and here I am in sympathy with Sir Henry Gidney— anxious that in every possible way, where we provide an appeal, that appeal should be a real one. It is not correct that if an order is first passed in the name of the Divisional Superintendent—an appeal against that order lies to the Divisional Superintendent. If you were to bring me one or two cases of that kind, I would forward them to the General Manager.

**Mr. Lalchand Navalrai:** It is occurring every day.

**The Honourable Sir Andrew Clow:** Last year, following the debate in this House, the Railway Board considered very carefully in consultation with me the orders that they should issue regarding appeals, and issued careful orders designed to ensure that the appeal was real. They issued orders, for example, that the appellate authority should record the grounds of appeal and briefly his reasons for dismissing it, so that orders passed in the old days, like "Appeal dismissed", would no longer be permissible.

They also issued orders that the officer was not to consult his superior to whom an appeal might lie, before passing the order. It is a very natural temptation for a young and probably not very experienced officer to go to an officer of wider experience, and say: "I am thinking of dismissing this man. Do you think I am right?" We have asked that that should not be done, because the effect is that when the appeal goes to the superior officer he may find that there are other facts not brought to his notice at that time and he will obviously be embarrassed. He has either got to go back on the advice he gave himself . . . . .

**Mr. Lalchand Navalrai:** The officers are not so judicially minded.

**The Honourable Sir Andrew Clow:** . . . or reject the appeal which he feels he ought not to do. Then, the Railway Board also issued instructions designed to remove the impression which prevails, I am afraid, among a certain number of officers in junior posts, that if their orders are reversed in disciplinary cases, discipline would become weak. That is not my view, and it is not the view of the Railway Board.

But I must state that if we institute a system of revision such as Mr. Lalchand Navalrai desires, the revision would tend to become a second appeal and I feel that we have appeals and counter-checks which are very many. May I, in conclusion, just give the House a very recent personal experience? I had the unpleasant duty only a few weeks ago of dealing with a case in which the removal of an officer was concerned. This had been considered first of all, by a committee of three officers who had recorded evidence at tremendous length, then it had been considered by the General Manager, then it had been considered by the Railway Board; all those officers are working at very high pressure during the war. It had been considered at length by the Public Service Commission, and I had to devote a good portion of my time to it at a time when the Budget was under consideration. The papers had to be sent to me in a specially large box because they were so numerous. I should be the last to suggest that safeguards for members of the services in any ranks should be thin or unsatisfactory, but I feel that in some cases we are in danger of losing a little



our sense of proportion by concentrating too much on the individual and too little on the needs of the services.

**Lieut.-Colonel Sir Henry Gidney:** Has all *demi*-official correspondence been stopped between officers?

**The Honourable Sir Andrew Clow:** On the subject of appeals?

**Lieut.-Colonel Sir Henry Gidney:** On the subject of the efficiency of a servant. The *demi*-official letter practice was the curse of the Railways at one time.

**The Honourable Sir Andrew Clow:** I do not see any harm in a *demi*-official letter. Perhaps I am not thinking of the same thing as the Honourable Member.

**Lieut.-Colonel Sir Henry Gidney:** I refer to punishments.

**Mr. Lalchand Navai:** Will the Honourable Member agree to this—that the revision might be hedged round with certain restrictions so that it may be only in a few special cases?

**The Honourable Sir Andrew Clow:** Heads of departments and General Managers have certain powers of revision but the matter must rest within their discretion. I myself have dealt with cases on one or two occasions, if not in the Railway Department but in another department, by way of revision.

**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.

**Mr. President** (The Honourable Sir Abdur Rahim): The next motion, that will be taken up, is in the name of Mr. Joshi.

### *Grievances of the Employees of Indian Railways.*

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

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

Sir, the notice of this cut motion was given in order to bring to the attention of the House some of the grievances of the employees of the Indian Railways.

**Mr. President** (The Honourable Sir Abdur Rahim): I must point out to the Honourable Member that the object of the cut motions is to discuss some specific matters. The Honourable Member's motion refers to the grievances of the employees of Indian Railways. I believe last Session pointed attention was drawn to this fact, and it has been ruled by the Chair before that the question to be raised under a cut motion should be definite, and that it should raise one particular question and should not be a roving motion like this.

**Mr. N. M. Joshi:** I am very sorry that I lost sight of the ruling which you had given last year. In future I shall certainly remember the ruling and give a definite idea of the grievance which I want to ventilate. In

[Mr. N. M. Joshi:]

order that there should be no inconvenience in any case to the Department I had told the Department which of the grievances of the Railway employees I would bring before this House this afternoon. Moreover, the grievances I propose to lay before the House are not new ones. Most of these are very old, perhaps some of them are ten years old and some perhaps twenty years old. I assure you that it is no pleasure to me to continue year after year to talk about these grievances. Unfortunately, the grievances on which I have to talk are not removed and if Government sometimes make an effort to remove them they do it in such a partial manner that I have to continue my work again.

Sir, the grievance which I propose to place before this House first is as regards the system of Provident Fund that exists on Indian Railways. I said that this is one of those grievances which is not a new one and year after year this is being placed before this House. I think it was two years ago that the Government of India, in a moment of generosity or, I may say, when their conscience was touched agreed to set apart a sum for extending the benefit of the Provident Fund system to the low paid employees of the Indian Railways. I have brought to the notice of the House one wrong principle which the Government of India always follow in the treatment which they give to the employees. They first provide for their employees who are better paid and who need the assistance of systems like the Provident Fund less than the low paid employees. The Government of India when they established a Provident Fund system provided for the better paid employees of the Indian Railways. They did not give the advantage of the Provident Fund system to the low paid employees but, as I said two years ago, their heart was touched and a provision for, I think, 12 lakhs of rupees was made in the Railway Budget for giving the benefit of the Provident Fund system to the low paid employees. The Government of India discussed this question with the Railwaymen's Federation and they have now given the benefit of the system to certain low paid employees. I think the Government of India have now ruled that those who get Rs. 30 or more than Rs. 30 will necessarily come under the compulsory Provident Fund system. For those who get less than Rs. 30, they have now provided that those who have put in 16 years' service or more shall be brought on a voluntary basis within the scope of the Provident Fund system. I have not got the figures of the number of people who have got the benefit of this new provision. I know that the Government of India had provided for 12 lakhs of rupees but I am told that on account of bringing in an additional number of people on the above mentioned basis the Government of India will have to spend only six lakhs or seven lakhs of rupees. The Government should have, in my judgment, given the benefit of the system to a larger number of people, not only to a larger number of people but first to those people who get the lowest wages. I would therefore suggest to the Government of India to solve this question once for all by telling this House within how many years everybody employed on the Indian Railways will get the benefit of the Provident Fund system. I am told that the Honourable Member in charge of the Department may go to a higher post soon. Well, I wish him good luck but I would like the Honourable Member before he leaves this job to solve this question once for all. This is an old question and deals with the lowest class of railway employees. I am told that if Provident Fund is provided for all Railway employees it will cost Government an additional sum of

Rs. 70 lakhs. That was the estimate made by the Government of India but in these matters the Government of India make wrong estimates. I just now told you that they thought that by bringing in the railway employees of over 16 years of service they will have to spend 12 lakhs of rupees but actually they have spent only a little more than six lakhs. I do not know why their estimates went wrong but generally they make rather wrong estimates in this matter. However, taking it for granted that the extension of the Provident Fund system to the low paid employees will cost Rs. 70 lakhs, I would like the Government of India to make a scheme so that in five years' time every employee of the Indian railways will be brought within the scope of this system. If the Government of India want two years more, I am prepared to agree. If they think that five years is too short a period to complete the scheme, let them complete it in seven years' time. But let them once announce in this House that by stages, if they like in seven years' time, every employee of the Indian Railways will get the benefit of the Provident Fund system.

I know the Honourable Member in charge of the Department has great sympathy for the working classes, but unfortunately sometimes he comes to a wrong conclusion on account of the very sympathy which he has got for these poor people. He has a fear that some of the railway employees are very low paid and if you have a system of Provident Fund, which is a contributory system, every low paid railway employee may have to contribute out of the small earnings to the Provident Fund system. This feeling is quite natural. I am not saying that this is not a natural feeling. But the remedy lies in the hands of the Honourable Member if some of the railway employees are paid such small wages that you do not like that they should make a provision for the future by paying even a very small portion. Therefore, I feel that the Honourable Member should not be frightened by the very sympathy which he has for the poor people and be afraid of introducing a system of Provident Fund. Let him raise the wages of the poorly paid people to such a level that they may be able to pay a very small portion of it for the Provident Fund. But if I have a choice between putting some strain on the small resources of the poor man to keep aside a small portion for providing against his old age and having no provision at all, I would certainly ask that man to put some strain upon his small resources but not lose the benefit of the system of the Provident Fund.

I do not wish to say anything more on this subject, but I would appeal to the Honourable Member that he should come to some definite decision on this point, namely, that a provision for the Provident Fund for the low paid employees will be made and that a scheme will be made. That scheme should be completed within a certain period. I have said that five years should be a reasonable period but if the Honourable Member wants to add two years more, I shall have no objection.

The second question which I would like to bring to the notice of the Honourable Member is this . . . .

**Mr. President (The Honourable Sir Abdur Rahim):** The Honourable Member has one minute more.

**Mr. N. M. Joshi:** I am sorry, Sir, but I shall not take long. The second question which I wish to bring to the notice of the Legislature is the

[Mr. N. M. Joshi.]

block of promotion of low paid staff. The Government of India some years ago laid down certain scales of wages and salaries for the railway employees. The salaries are so arranged that after a few years they reach a certain level of salaries and beyond that they cannot go unless there are vacancies in the higher grades. This system has resulted in a block of promotion in most of the departments on almost all the railways. Take the case of a clerk who goes up to Rs. 60 per month or Rs. 70 per month. After 10 or 12 years he finds that for a number of years he does not get any increase in his salary on account of the fact that there are no vacancies in the higher grades. The same thing happens about the workers working in workshops. A man there rises up to a certain limit by getting increased wages, but when he reaches a certain level, there is a block. The question of blocks in some of the departments has been brought before this House several times, for example, the block of promotion of the clerks on the North Western Railway and the block of promotion of the guards on the same railway. Several such cases have been brought to the notice of the Legislature and the Government of India. I would, therefore, like the Government of India to examine this question very thoroughly not only as regards the instances that have been brought before the Legislature and the Government of India but with regard to all the departments on all the railways because this grievance has been found to exist in all railways and in almost all the departments. Therefore, my request to the Government of India is that they should examine this question thoroughly, preferably with the help of the representatives of the Railwaymen's organisation, so that this grievance which is very keenly felt in all sections of the railways may be soon removed. I hope the Government of India will give very sympathetic consideration to the grievances which I have placed before them.

**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 I rise to support the motion moved by my Honourable friend, Mr. Joshi. I can conceive of the tremendous difficulties the finances of the Railway Board will have to face if every employee of the Railways were to be given the benefits of the Provident Fund. But why make fowl of one and fish of the other. If you engage a railway servant as is done with other servants of Government, you do not make such hidebound compartments and tell your employee : "I will employ you, but because I choose to give you no higher salary than Rs. 29 p.m. you cannot come within the benefit of the Provident Fund." On principle, this is wrong. As regards the practice, I can conceive of the difficulties but the Honourable Member need not bother about it. He has over 26 crores at his disposal but he chooses to put all that into the Depreciation Fund and the revenues of the Government which have swollen to a great extent while these worthy servants are unable to put a little bit away for a rainy day, living as they are on very small salaries. Indeed their wages may be described as starvation wages. But I did not understand Mr. Joshi when he was elaborating his point. Did he mean that these servants, who are outside the Provident Fund scheme draw such small salaries that they would not be able to stand any reduction from their salary? Am

I to understand that he wants the Railways to contribute to their Provident Fund or does he want the recipient of the Provident Fund to pay a small portion of his salary?

**Mr. N. M. Joshi:** What I said was that if Government is opposing the introduction of the Provident Fund on the ground of the wages being small, then, instead of opposing it, let them increase the wages. I do not want that they should oppose the scheme.

**Ident.-Colonel Sir Henry Gidney:** I am glad Mr. Joshi has explained it. I support that proposal very whole-heartedly.

The next point which Mr. Joshi raised relates to blocks in promotion. This is an ever increasing disadvantage under which all railway servants are labouring today. The Honourable Member, may be he is not aware, but I am sure the Railway Board knows that many complaints have been made by these men and by the Federation and Railway Unions particularly the N. U. R. of All-India and Burma on this very matter. There is not one railway, I do believe, except may be the Bengal Nagpur Railway and the Bombay, Baroda and Central India Railway—thank God they are Company-managed railways—I do not think there are any other railways in which blocks in promotion do not occur. I give you one instance and I am sure the Honourable Member, Mr. Raper, who was till lately, the Agent of the Great Indian Peninsula Railway will remember the case. There are even today any number of men who are officiating as drivers on the Great Indian Peninsula Railway, but who have no chance of being confirmed. Their promotion is blocked.

A Member of this House said the other day that the Honourable Sir James Grigg, once the Finance Member, was muddle-headed. I say that those Railway Administrations who refuse to recognise the rights of people for promotion are "block-headed". It is really a fact amounting to a sin to slave people for all time without holding out any prospect of promotion for them. To add insult to injury—I have repeatedly brought this to the notice of the Railway Board and I do wish they would listen to what I say—a practice is being exercised today, owing to the paucity of staff, particularly experienced staff—to recall to service what is called 'dug-outs'. These are retired men or men who are on leave preparatory to retirement and who are again engaged and placed in their original positions. For instance, a retired ancient Traffic Inspector, or a Loco Inspector or a Loco Foreman is dug out from his home—years after he has received his Provident Fund money and everything else—is brought back to his old job, thus depriving people who have been patiently waiting for promotion and who have a right to expect to be promoted. Is this just? It is not that you have got no experienced men who can and should be promoted to Traffic Inspector or Loco Foreman or Loco Inspector. You cannot get away with this bluff.

There is another class of servants who are today smarting under this injustice. I refer to guards, shunters, drivers and clerks whose promotions are hopelessly blocked. My Honourable friend, Mr. Joshi, referred to the question of guards and clerks on the North Western Railway. Indeed this is happening in the Loco Department and the Traffic Departments all over the railways and the Railway Board quietly allows the Agents to continue this unjust practice of depriving capable men of their well earned promotion. I say it is wholly wrong to do this. At the present moment when you are

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bringing in retired men, it is not right to replace them in their former jobs. I say you should not bring a man and put him in a job in which he has already spent a major part of his senior service, thus depriving the other worthy man who has been looking forward for promotion and hoping to get it when the senior man retires. I reported this matter to the Railway Board. This was brought to the notice of the Great Indian Peninsula and the East Indian Railways and I am glad to say that some steps have been taken to remedy it. The same thing is happening in Railway workshops. Recently, in the Bombay, Baroda and Central India Railway, which is now under State control, the habit of keeping posts vacant has crept in. They recently brought in an aged officer who had retired years ago and put him as Head of the Statistical Department thereby refusing promotion to another particularly efficient man in the lower grade who had the right to be selected. They brought this old man, after some years of retirement, and put him in a job that he never held before. I ask is it fair to deny promotion to younger and able men waiting promotion? I submit it is wholly wrong and should be discontinued.

Sir, I support this motion very warmly and I consider the Railway Board should give serious attention to it. I readily concede that at the present moment experienced staff are not to be had easily, but, at the same time, when you have these senior appointments vacant, do not fill them with men who have been dug out. Give them to capable men who are waiting for promotion. Do just towards them. Sir, I support the motion.

**Mr. Muhammad Nauman:** Sir although the scope of the motion is wide enough, and probably the grievances of the railway employees are also very large, yet, I would not indulge in giving elaborate details of those grievances. I will just point out one or two of those grievances within the short time at my disposal.

My Honourable friend, Mr. Joshi, while moving his cut motion, dealt fully with the question of Provident Fund to employees in the lower grade getting Rs. 30 and below. First of all I want to know from the Honourable Member for Railways what happens to those who get no Provident Fund. Next I want to refer that there is a peculiar system in the case of a man who is dismissed for misconduct and in that case what happens to the gratuity.

**Lieut.-Colonel Sir Henry Gidney:** Gratuity is different from Provident Fund.

**Mr. Muhammad Nauman:** I know it is different but this is one of the grievances. In the case of a man who is dismissed because he has done something later on in life, why should gratuity be forfeited. His well-earned money is to be denied because he has committed something at a certain stage of life for which he is punished by dismissal. The mere fact that he is removed from service and is dismissed is probably not considered sufficient and the Government, therefore, forfeit the gratuity. This appears to me to be inequitable. I do not know whether there is any such practice in any other parts of the world, or even in India in any other department. I do not know what sense of equity demands this particular

rule. I would just invite the Honourable Member to look into this question once again and see whether there could be any justification for maintaining such a rule in the Railway Board for the railway servants.

Another point which I want to bring to the notice of the Railway Board is the question of appeals, particularly against punishments.

**Mr. President** (The Honourable Sir Abdur Rahim): This motion relates only to the two questions raised by the Honourable the Mover. The Honourable Member cannot go into the question of appeals. The present motion relates only to Provident Funds and block in promotions.

**Mr. Muhammad Nauman:** I just wanted to say that security of services on railways should be on the same lines as it is in other departments of the Government of India. For that, any dismissals or discharges should be subjected to the same scrutiny as it is in the different departments of the Government of India.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is now dealing with some other question which has been discussed already. The Honourable Member must not go beyond the terms of the motion.

**Mr. Muhammad Nauman:** But the motion simply says "to discuss the grievances of the employees of Indian railways".

**Mr. President** (The Honourable Sir Abdur Rahim): True, but the Honourable the Mover confined himself to only two grievances. The Honourable Member cannot raise something else for discussion now.

**Mr. Muhammad Nauman:** So far as the Provident Fund question is concerned, I have nothing more to add over what the Honourable the Mover has already said. I support the motion. I thought the motion was wide enough for me to refer to the question of appeals also.

**Mr. President** (The Honourable Sir Abdur Rahim): I have given my ruling.

**Mr. Muhammad Nauman:** Then I have nothing else to say if that is your ruling.

**Mr. Jamnadas M. Mehta:** Sir, there are five lakhs of low paid railway workers on whose behalf this appeal has been made in the cut motion. This number reaches the half a million mark, it may be a few thousands less. After nearly ten years of persistent knocking at the door of the Railway Board, that door opened—I will not say widely, the door only slightly opened—about two years ago. After various calculations and estimates, the Railway Board came to the conclusion that if all those who are waiting to get the benefits of the Provident Fund were brought under the system, then 72 lakhs of rupees would be required every year. Within less than one year they gave 27 lakhs recurring to a few superior railway services. But these 27 lakhs were not given to five lakhs of poor workers. We were told that 12 lakhs of rupees would be provided in the first instance, and when it was found that under a voluntary system these 12 lakhs may not be required I asked the Railway Board in one of their meetings with

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our Federation what it was that they intended to do. We were promised that it was not intended to pay less than 12 lakhs; and if a sufficient number of people did not take advantage of what was offered the 12 lakhs would be spent by reducing the number of years for which that worker had served.

The calculation disclosed that if all those who had worked for 16 years or more took the benefit of this provision the amount required would be 12 lakhs. When we asked whether in case they did not all take advantage of it they would withdraw that amount, we were told that in that case they would extend it to those who had been 12 years in service or eight years, but that they had no intention of spending less than 12 lakhs. Therefore, in order that people with lesser service should come into the benefit 12 lakhs would be required. Now I find that they have made a provision not much more than six or seven lakhs. That shows that they are not bringing down the number of years of service of their low paid employees. I would, therefore, request them to bring down the number of years for which these employees have served so that the whole of the 12 lakhs may be spent in one year. But even that does not meet the full requirement of the case; 72 lakhs being the total amount required how many people will go to their graves before the whole amount is given? If they will go on providing 12 lakhs at the end of every three years, 18 years will be required for extending the scheme to all the five lakh workers, during which time two and a half lakhs out of five will have either retired or gone to their graves; because the normal rule is that a man cannot be in service for more than 30 years; and in 18 years more than half of five lakhs will have either retired or gone to their graves and their families will be left in the streets without anything to fall back upon. One thing, therefore, that I would request the Railway Board to do is to expedite the extension of the Provident Fund contributions to the entire low paid staff. The amount required is not more than 72 lakhs; and at a time when they are earning a surplus of 30 crores they might well provide for their low paid employees the paltry sum of 72 lakhs which will be required if every one was to be covered.

But this will not happen unless they made the scheme also compulsory. Today everybody above Rs. 30 is compulsorily within the benefits of the fund; those below Rs. 30 to whom the extension has been given are not being compulsorily brought in. For them it is left purely voluntary, and these poor people, being poor as they are, already being unable to make both ends meet, will not readily agree to the Provident Fund benefits unless they were compelled. If, however, Government felt sympathy with them for their low wages and did not feel like compelling them, they must either increase their wages or make their own contribution without compulsion on the workers to contribute. Some provision should be made for these poor people; otherwise, at the end of their career they will go empty-handed in the streets without anything to fall back upon. Either they must make it compulsory or pay their own contribution without waiting for them and let it be made compulsory. This is particularly necessary now because on account of the war the cost of living has gone up so high and the dearness allowance given is so low that unless some compulsion were imposed there is no chance of the majority of five lakhs of people taking advantage of this provision.



On reading the *Bombay Labour Gazette* for December, 1941, I find that the cost of living of these poor employees has gone up by 29 per cent. over the 1934 basic figures. And what is it that they have got by way of dearness allowance? It is not more than 10 to 12 per cent. What must be the strain on their scanty resources with the prices going up by 29 per cent. and the dearness allowance being not less than 15 per cent. And the provision for Provident Fund being voluntary you can excuse these poor people for being unable to contribute to the Provident Fund. In this case I will quote the evidence of an humble employee of the railway at Jhansi. His name was Noor Khan, *Agwallah* and he gave evidence before the Rau Committee in 1940 at Bombay. The evidence given there by these poor people was a moving tragedy. My Honourable friend, the Railway Member, is even now inclined to think that he is paying something generous to the railway workers and, therefore, he thinks everything is good for them. The evidence of this man is given on pages 59-60 of the Rau Committee Report and I am sure the House will appreciate it. This man says he was getting a salary of Rs. 80 as *Agwallah*; he has got four children and one more dependent; he has got a debt of 450 rupees with the *Sahukar* and he would have incurred a debt from the Railway Co-operative Society if it was possible; he is paying Rs. 4 to 5 by way of deduction for his debt, etc. When asked, how he carried on and what he would do, he said, he did not himself know; all that he could say was that his salary was Rs. 80, and outgoings more. He was unable to cope with the rise in the cost of living. And this was not the worst case. There were people who borrowed money from their fathers-in-law, who sold their wives' ornaments, who wore a smaller *dhoti* than they used to wear, who denied milk to their children, who took their children off from school. These are the classes from whom, in this year of war Rs. 80 crores is your surplus. I am asking the Railway Board to do something in the matter of increasing their total remuneration.

About blocks in promotion the less said the better; this evidence the Railway Board should read. People on Rs. 100 per month were obliged to borrow in order to keep themselves alive. That is the evidence; and, therefore, I say that these blocks in promotion to which reference was made by Mr. Joshi whom I heartily support, should also be lifted, either by increasing their salary or by increasing the percentage of jobs in the higher grade or in some other way. Fancy a man for 19 years, for 15 years and for 12 years being blocked up at the highest of his grade which may be 50, 60 or 70 rupees. The Coaching Clerks at Bombay Central are blocked up at Rs. 70. The Ticket Examiners in G. I. P. Railway are blocked up at Rs. 50. The Guards for want of amalgamation of grades on the North Western Railway are blocked up below Rs. 70, and all these people are starving in order that the Railway Board can earn a surplus of 80 crores. This appeal, therefore, is made in the name of human touch—not the Gidney touch.

**Lieut.-Colonel Sir Henry Gidney:** What is that touch, and how does it differ from the Jamnadas Mehta touch?

**Mr. Jamnadas M. Mehta:** Perhaps, the human touch and the Gidney touch is identical; perhaps it is not. But, Sir, I submit that in view of all the facts I have stated the dearness allowance is wholly inadequate—29 per cent. rise against 15 per cent. dearness allowance—and then they

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are surprised when sometimes there are strikes, and they want there should be unhampered production. You must also see that the poor men at least get a square deal even in these days when they have got to live with such low incomes. Above all, these blocks in promotion and these Provident Fund grievances and the dearness allowance should be remedied if the Railway Board and the Government are to appeal to the workers in the name of the war needs, and the safety of the community and the State. The workers will go on producing, adding supplies, adding transport, but they demand a square deal and full two meals, that their children shall not be left to die in the streets and, above all, for 19 years they shall not be blocked at the same amount.

**The Honourable Sir Andrew Clow:** Sir, the debate has centred round two questions; mainly round that of Provident Fund and, to a less extent, round that of blocks in promotion or, as I have seen them described in memorials, blockades. Now, this phenomenon of 'blockade' is a rather curious one. In the old days most Government servants were on fixed grades of pay and they had to wait for promotion until their superiors died or disappeared. And then, in later years, there has been a tendency to move to incremental scales. The feeling has been—and I do not contest it—that incremental scales make on the whole for greater satisfaction and contentment. But it has produced a curious reaction because it is quite clear that in the minds of a good many employees there is a grievance if increments are not continuous. There is a 'blockade' if one is not going on getting increments and if one's pay does not always rise. Now, it is a very rare phenomenon, I think, outside Government service, for pay to rise continuously, and, obviously, as all services are on a pyramidal basis, so that the higher the fewer in the matter of posts, it is not possible to provide continuous promotions for every one. Nor, I am afraid, can I conceive that it is necessarily a grievance, because a man has remained on the same rate of pay for a number of years while he has been doing exactly the same kind of work. At the same time we have examined one or two cases where the grading appeared to us to be unreasonable and also retaining men for too long on a particular scale of pay. Mr. Navalrai pleaded eloquently for one or two years in this House for a number of workers on the North Western Railway, and during the last year or so we have added about five hundred posts . . . . .

**Mr. Lalchand Navalrai:** 508.

**The Honourable Sir Andrew Clow:** Thank you. We have added about 508 posts to the upper grade, mainly because we felt that the demarcation between the two grades did not correspond with sufficient closeness to the duties that were performed by the two grades collectively.

**Mr. Lalchand Navalrai:** There are some 11,037 in all and you have only . . . . .

**The Honourable Sir Andrew Clow:** I have no doubt that the Honourable Member has got the figures on his finger tips, but we have up-graded a good many men.

**Mr. Lalchand Navalrai:** But nothing for Guards.

**The Honourable Sir Andrew Clow:** Guards have better prospects of promotion in other directions.

Sir Henry Gidney went on from that to the difficult question of the employment of retired officers, and he raised the particular case on the Bombay, Baroda and Central India Railway. Fortunately, owing to his having previously raised this with the Railway Board, I have the particulars in front of me and I find that in the present case the officer who held the post from which promotion is normally made was only 35 years of age and had only been in the post since another gentleman retired at the end of December, 1939, about two years ago. I do not think, therefore, that that can be cited as a case of any serious hardship. There are undoubtedly cases of hardship in which retired officers are taken back, or even when an officer is given an extension. But I am afraid we have to look, as I said in an earlier speech, rather more to the community than to the individual and we have to try to remember that these things, which are a result of the war, are comparatively minor hardships compared to those that many others are suffering . . . .

**Lieut.-Colonel Sir Henry Gidney:** This man was put in a post he never held before . . . .

**The Honourable Sir Andrew Clow:** That is true. In this case there was no candidate for the post except a young man with extremely short experience.

Now, Sir, I come to the bigger question of the Provident Fund. Mr. Jaimnadas Mehta put the thing in a rather wrong perspective when after referring to a large surplus this year—a surplus of which we on the Railway side are only being allowed to retain a small proportion—referred to ‘a paltry sum of 72 lakhs’. Well, to me 72 lakhs is not a paltry sum, but I will say this that if I could extend the Provident Fund to everybody on the Railway by spending a paltry sum of 72 lakhs I would try to do it. But, unfortunately, it is not a paltry sum of 72 lakhs. It is a sum of 72 lakhs a year which is a very different thing. It means 72 lakhs will be paid, not only during my tenure but by my successors for many years to come, and who knows what the position may be then? Actually, we did set aside a sum of 12 lakhs and I admit that the full amount is not being spent.

Mr. Joshi said our estimates went wrong. Well, to a certain extent they did, because they involved a factor that we could not calculate and that was the proportion of men to whom the offer was made who would accept it. I think that so long as we are not in a position to bring everybody in, the optional system is a reasonable one, because it gives the Provident Fund to those who desire it most and who are best able to meet the charges involved. I believe it is quite right that the men who have hitherto joined—and of course the men can still change their minds—involve an annual payment at present of between six and seven lakhs, although that sum will rise later. But I can undertake that we are not anxious to secure a saving here and the Railway Board

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will discuss with the All-India Federation the possibility of further extension, probably by reducing the age limit of service which at present is applicable. I would, however, point out that even as regards the most poorly paid employees who, as Mr. Jamnadas Mehta said, went open-handed, they do not go empty-handed or open-handed, because even the employees in the lowest grades are entitled to a gratuity which I think is legal provident fund also. They get a gratuity of half a month's pay up to a maximum of thirty times that—that is, 15 months pay when they leave; and that is not the average pay throughout their service, but the pay they were drawing at the end of their service.

Mr. Joshi reminded me that others also get it, which is a tribute to the generosity of the railways . . . . .

**Mr. N. M. Joshi:** Do not be generous to one class of people only.

**The Honourable Sir Andrew Clow:** But that is not by any means a negligible bonus with which men leave, although, personally, I should like to see an increase. I hope, therefore, that these discussions with the Federation will result in the extension of the offer to a larger number of men and to a greater measure of contentment all round.

**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.

**Mr. President** (The Honourable Sir Abdur Rahim): I do not think the unattached Members have any other motion . . . .

**Mr. Jamnadas M. Mehta:** Will you allow another labour motion, Sir? I have got some . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I cannot upset the arrangement arrived at between the Parties.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 26th February, 1942.