

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1966-67 for the purposes of Railways."

The motion was adopted.

Shri S. K. Patil: I introduce† the Bill.

13.40 hrs.

APPROPRIATION (RAILWAYS)
NO. 2 BILL† 1966

The Minister of Railways (Shri S. K. Patil): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1965-66 for the purposes of Railways.

The Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1965-66 for the purposes of Railways".

The motion was adopted.

Shri S. K. Patil: I introduce† the Bill.

13.40½ hrs.

APPROPRIATION (RAILWAYS)
Bill, 1966—contd.

The Minister of Railways (Shri S. K. Patil): I beg to move†:

"That the Bill to authorise payment and appropriation of certain sums from and out of the

Consolidated Fund of India for the service of the financial year 1966-67 for the purposes of Railways be taken into consideration."

Mr. Deputy-Speaker: Motion moved:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1966-67 for the purposes of Railways, be taken into consideration."

Shri U. M. Trivedi (Mandsaur): This is an Appropriation Bill and I am not going to take much time. But I would refer briefly to two or three points.

During the budget discussions, two pertinent questions have been vexing my mind—and that should apply with equal force to the hon. Ministers concerned—and those are about the class III employees on our railways. One point creates a lot of irritation every-time I think about it, because as a lawyer it has been my misfortune for nearly every year to deal with cases of departmental inquiries where ultimately the cases are dragged in the courts, and where *prima facie* patent injustice had been done to the employee. This injustice stems from the fact that the inquiring officers are generally prejudiced, being officers superior to the persons against whom the inquiries are held. The remedy that is available in the High Court under art. 226 is generally limited to any breach of the rules; the facts are never gone into.

To remedy this state of affairs, I would make this plea to the hon. Minister. We are all men in the street we know the difficulties of the ordinary class III men. The point for consideration is whether the time has not now come to establish a sort of independent administrative tribunals, even though they may be within the

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†Introduced/moved with the recommendation of the President.

railways, to adjudicate upon offences committed by railway employees in their employment in the railways.

The second question concerns the imposition of heavy penalties on class III employees. Year after year as have a budget where we calculate that a certain expenditure is necessary. It is voted by the House. Yet it appears that class III employees, particularly those discharging commercial duties, are always subjected to heavy penalties of such a nature that for years, one, two, three, four, ten—permanently—they are deprived of their increments and promotions. In cases, where increments are withheld, their future is affected. With the net result that most of them suffer for years together tremendous losses. For a loss of only Rs. 6 an employee—I have once calculated this—was imposed a penalty of Rs. 18,000. This is out of all proportion to the offence. Instructions must issue from the administration to the divisional officers that such heavy punishments should not be meted out to the employees, particularly in these days.

The third point that strikes me is this. Where there has been upgrading of posts, somehow the administration is not quick enough to give actual effect to it.

The Railway Board decides, for example, that certain posts are upgraded, from Rs. 100 to Rs. 150. Yet orders will not issue from the zonal headquarters to say that the posts have been upgraded, with the net result that though upgrading has been sanctioned by Government, the employee does not get the benefit of it for nearly a year and a half, in some cases for three years. In such cases, there is already a provision in the budget of about Rs. 17 lakhs. Proper utilisation must be made of this provision so that employees whose posts have been upgraded get the financial benefit and

employees who have not been paid the arrears from the date of the upgrading are paid the arrears expeditiously.

There are many other complaints. Since I have already placed them before the House at the time of the general discussion, I do not wish to reiterate them. At this stage, I will only request the Minister to see that these very patent grievances which I have mentioned are taken into consideration and necessary action taken.

श्री सरजू पाण्डेय (रसड़ा) : उपाध्यक्ष महोदय मैं केवल एक बात बहुत संक्षेप में मंत्री महोदय की सेवा में निवेदन करना चाहूंगा और वह है जमानिया स्टेशन के सम्बन्ध में

Shri S. K. Patil: This cannot be in the Appropriation Bill stage

श्री सरजू पाण्डेय : यह जमानिया रेलवे स्टेशन दिल्ली हावड़ा मेन लाइन के ऊपर है। इस स्टेशन पर लाइट नहीं है। दो साल से बराबर इसके लिए कहा जा रहा है लेकिन अभी तक उस की व्यवस्था नहीं की जा रही है। मैं चाहता हूँ कि उसकी व्यवस्था की जाय।

एक मात्तनीय सदस्य : प्राय मंत्रों जी को लिख कर भेज दीजियेगा।

Shri S. K. Patil: If the hon. Member writes to me, I would surely go into that.

So far as the request made by my hon. friend, Shri U. M. Trivedi, is concerned, surely the points he made are very important ones. As regards having some kind of an inter-departmental tribunal so that judgment could be given as quickly as possible, I can understand it. But how it could be done has to be considered because it is a new thing, I shall examine it. Something should be done by which the matter is expedited. He does not want a body outside the department. Within the

[Shri S. K. Patil]

department, there should be some kind of body which will dispose of cases expeditiously. I can understand it.

Coming the question of oppressive fines, he mentioned a case where a class III clerk was made to pay Rs. 18,000. Surely, it must be very oppressive. It is possibly because everything has been counted, loss of pay and many other things. I shall go into that and find out. The punishment should not be so deterrent that the man simply goes out of service. That certainly is very hard.

The third request is really very reasonable. When a post is upgraded, the man must get the upgraded salary from the date of the upgrading. That could be attended to.

Mr. Deputy-Speaker: The question is:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1966-67 for the purposes of Railways, be taken into consideration".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"Clauses 1 to 3, the Schedule, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

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

Shri S. K. Patil: I move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

13.50 hrs.

APPROPRIATION (RAILWAYS)
No. 2 BILL, 1966—contd.

The Minister of Railways (Shri S. K. Patil): I beg to move*:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1965-66 for the purposes of Railways, be taken into consideration".

Mr. Deputy-Speaker: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1965-66 for the purposes of Railways, be taken into consideration".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

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

The motion was adopted.

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

Shri S. K. Patil: I move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

*Moved with the recommendation of the President.