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THE

LEGISLATIVE ASSEMBLY DEBATES

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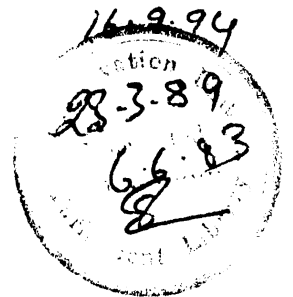
(20th January to 24th February, 1930)

SIXTH SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1930

~~Chamber suggested~~ 18-X-73



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1930

Legislative Assembly.

President :

THE HONOURABLE MR V. J. PATEL.

Deputy President :

MAULVI MUHAMMAD YAKUB, M.L.A.

Panel of Chairmen :

PANDIT MADAN MOHAN MALAVIYA, M.L.A.

MR. M. A. JINNAH, M.L.A.

SIR DARCY LINDSAY, KT., C.B.E., M.L.A.

SIR ZULFIQAR ALI KHAN, KT., C.S.I., M.L.A.

Secretary :

MR. S. C. GUPTA, BAR.-AT-LAW.

Assistant of the Secretary :

RAI SAHIB D. DUTT.

Marshal :

CAPTAIN SURAJ SINGH BAHADUR, I.O.M.

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LEGISLATIVE ASSEMBLY.

Friday, 21st February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN.

Mr. R. K. Shanmukham Chetty, M. L. A. (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural).

THE RAILWAY BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Expenditure from Revenue.

DEMAND NO. 1.—RAILWAY BOARD.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to move:

“That a sum not exceeding Rs. 12,90,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of ‘Railway Board’.”

Standardisation of Wages.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Sir, I beg to move:

“That the Demand under the head ‘Railway Board’ be reduced by Rs. 1,00,000.”

Sir, this motion is with regard to the standardisation of wages on Railways. In my opinion this forms a very important matter so far as contentment on the Railways is concerned, and although some people may think it very difficult of accomplishment, I personally think that if it was seriously tackled, it could be done. There is no doubt, Sir, that standardisation of wages in railways generally is a question that may well be referred to a committee of officers, skilled in the ethics of wage determination. With that view, Sir, I desire

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, on a point of order; last year you ruled that all questions of policy should be raised only on token cuts of one rupee or Rs. 100. If the Honourable Member is going to discuss the policy of raising the wages, can he do so by giving notice of a lump cut of Rs. 1,00,000?

Mr. President: What is the idea of putting down Rs. 1,00,000?

Lieut.-Colonel H. A. J. Gidney: I considered it was necessary. I thought a token cut would not meet my needs because this is a very important matter

Mr. President: Order, order. If the Honourable Member desires to raise a question of policy he must put down a cut of Rs. 100.

Lieut.-Colonel H. A. J. Gidney: May I with your permission now proceed to prove the question of merits in my cut?

Mr. President: The Honourable Member has raised a question of policy and he must put down a cut of Rs. 100.

Lieut.-Colonel H. A. J. Gidney: Thank you, Sir, I submit to your ruling. That will take away a few noughts from my cut, i.e., if I reduce it from one lakh to one hundred.

Mr. President: That does not mean that the Chair allows the Honourable Member to reduce his cut to Rs. 100. He knows the ruling which the Chair gave on the last occasion and he must respect it.

Lieut.-Colonel H. A. J. Gidney: Sir, I was not in the House last year, I can assure you that I had no desire to take advantage of your ruling and if any such interpretation be put on my motion, I wish flatly to contradict it, because my intention was to bring it to the notice of the Railway Board with all the force I could.

Mr. President: The Honourable Member could do that by putting down a cut of Re. 1 or Rs. 100. There are other cuts of Rs. 100 on which the same question can be raised. The Honourable Member will go on to the next cut. This cut, as he knows, cannot be moved.

Lieut.-Colonel H. A. J. Gidney: Have I your permission, Sir, to move this motion under a cut of Rs. 100?

Mr. President: Certainly.

Recent Revised Rates of East Indian Railway Wages.

Lieut.-Colonel H. A. J. Gidney: Sir, my next cut is as follows:

"That the Demand under the head 'Railway Board' be reduced by Rs. 1,00,000."

Mr. President: Is this on the merits, or does the Honourable Member again want to raise a question of policy? I am afraid it is a question of policy.

Lieut.-Colonel H. A. J. Gidney: No, Sir. It is a question of the merits and I hope my friend from Bihar and Orissa, who objected to my first motion, will be satisfied with that.

This motion is with regard to the reduced rates of pay on the East Indian Railway. Sir, this matter concerns every railway employee on the East Indian Railway. It does not refer to any particular community whatever; it refers to every employee who enters the East Indian Railway after a certain period, November, 1928.

Mr. President: How does the reduction of the Railway Board grant by Rs. 1,00,000 be justified on merits?

Lieut.-Colonel H. A. J. Gidney: Because, Sir, the Railway Board introduced this rate and not the railway concerned.

Mr. President: And therefore the Honourable Member wants to raise the question of policy again. He should have put down a cut of Rs. 100.

Lieut.-Colonel H. A. J. Gidney: Sir, I should like to have a ruling from you as to what is the difference between "policy" and "merits" when a motion is moved on Demands for Grants. Here is a question of great merit; it is a question that involves the pay of thousands of people.

Mr. President: I am afraid I cannot allow the Honourable Member to proceed with the next cut* also, which again is a question of policy. The Honourable Member could discuss the question of policy involved in these three cuts by putting down a motion for a cut of Re. 1 or Rs. 100.

Lieut.-Colonel H. A. J. Gidney: Can I move a cut of Rs. 100 on this motion?

Mr. President: The Honourable Member must keep himself in touch with what happened last year.

Lieut.-Colonel H. A. J. Gidney: Can I, with your permission, move a Rs. 100 cut now?

Mr. President: That can be moved when we reach the Rs. 100 cuts. There are other cuts of larger amounts which must be moved first. Mr. Aney.

Abolition of the Additional Post of Labour Member on the Railway Board.

Mr. M. S. Aney (Berar Representative): Sir, I beg to move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 48,000."

Sir, let me assure the House at the very outset that mine is a cut on merit.

Lieut.-Colonel H. A. J. Gidney: Sir, I rise to a point of order. Is the Honourable Member right in moving his motion for a reduction of a sum of Rs. 48,000? This refers to a policy and not merit and should be presented under a cut of Rs. 100.

Mr. President: What is the salary of the Member for Labour?

Mr. A. A. L. Parsons (Financial Commissioner, Railways): Rs. 48,000 per annum.

Mr. President: That is on merits.

Lieut.-Colonel H. A. J. Gidney: But, Sir, in my motion which you overruled, the reduction in the pay of the East Indian Railway ran into many lakhs and not merely Rs. 48,000.

Mr. President: Mr. Aney.

*"That the Demand under the head 'Railway Board' be reduced by Rs. 1,00,000 (Covenanting of employees from outside India)."

Mr. M. S. Aney: I was just going to explain that point, that mine is a cut on merits and not merely on a question of policy. The Honourable Member is definitely assured by Mr. Parsons how that amount of Rs. 48,000 works up to the annual salary of the new Member whose post we want to abolish. So it is naturally a cut on merit.

Lieut.-Colonel H. A. J. Gidney: He is worth much more than Rs. 48,000 per annum.

Mr. M. S. Aney: The point is this. I want further to assure you at the very outset that this motion is not brought with any personal feeling against any one incumbent of this office. It is not a kind of censure against any person as such. It is a protest against the retention of a post which was created virtually against the desire, against the vote of a majority of the Standing Finance Committee, and which, all experience has shown, has not served the purpose for which it was created. It is on that basis that I am going to attack the retention of the new post and support this motion. So I think my Honourable friends opposite will not misunderstand me when I am trying to make out a case in support of the motion which is before the House.

Honourable Members are aware that this new post was created last year; it is now nearly 12 months' old. Of the many reasons that were given in support of creating a post like this, the most important reason was this, that the labour questions in this country were now assuming greater and greater importance, looming larger and larger, and therefore the work that could be done by the then Member, who was known as Member General or the Member in charge of Traffic, could not thereafter be done by him alone, and a separate portfolio for labour was necessary with a separate Member for Labour in charge of it. The Honourable Sir George Rainy, then in a very lucid speech and in a speech in which he appealed not only to the reason but also to the sentiment of the Members on this side, fervently pleaded that some introduction of the human element was necessary in the mechanism of the Railway Board, because questions of an essentially human nature had to be dealt with in dealing with labour problems. Therefore, he thought that the Railway Board, which was more or less of a mechanical nature, required to be livened up with the element of what might be called human sympathy, and my Honourable friend, Mr. Hayman, was put in there. Since that time, since March or April last, my Honourable friend, Mr. Hayman, has been in charge of this labour portfolio, and he has been doing his work with all the zeal and earnestness which it is possible for one in his position to bestow. In fact, in the Budget speech this year which the Honourable the Railway Member has made, he probably anticipated some difficulty of the kind which my motion suggests, and in anticipation he has already replied, "Here I testify on behalf of the Railway Board to the work of my Honourable friend, Mr. Hayman, who has been conscientious, active" and all that sort of thing. Nobody denies that Mr. Hayman is certainly one of the ablest officers of the Railway Board. (Hear, hear.) I cannot deny it. In fact, I may say, Sir, that since 1924, since when yourself and myself have both been associated with the work of the railway administration as Members of the Railway Standing Finance Committee, for the last six years, I have had the opportunity of seeing how energetic and active an officer Mr. Hayman is. (Applause.) It is not a question of ability or

inability. The question is one whether the particular work for which this special portfolio was created has been done completely to the satisfaction of this House or not, and if not, whether on the basis of the results that are placed before us, we will be justified in retaining this post hereafter. That is the simple question which I would put before the House for its consideration, and I respectfully ask the Honourable Members of this House not to allow personal considerations to be mixed up with this question, which I want to say with emphasis is simply a bare abstract question of policy, a question of the examination of the results of the work done hitherto, during this year, and our own estimate of the same in relation to what was expected of the Labour Member during this year. That is the simple question which the House has to consider. I will show, Sir, that the particular work which he had to do has been described in the Explanatory Memorandum of the Railway Budget of last year. Honourable Members know that, last year, this House sanctioned something like 58 lakhs of rupees for improving the conditions of labour, 30 lakhs under capital programme and 28 lakhs under revenue programme, 10 lakhs under one Demand and 18 lakhs under another. Thus 58 lakhs of rupees were sanctioned by this House and handed over to the office of the New Member to do their best towards the amelioration of the condition of the low-paid staff on the State Railways. I would only like to judge the work of the Honourable Member by what he has been able to do in this direction. So first I wish to give the House some idea as to what was expected of him:

The Explanatory Memorandum says:

"It will be observed that we hope to keep the expenditure brought to account as 'Administration' down to this year's figure; and we should actually have placed it ten lakhs lower, but that we are providing for the present a sum of ten lakhs for improving the service conditions of lower paid railway employees. It is our intention, during the coming year, to start a thorough examination of the rates of pay and wages, and other conditions, under which the lower paid classes of railway servants are employed, with the object of removing any legitimate grievances that may be found to exist; and we have already, in fact, had preliminary consultations with Agents of Railway Administrations on the subject. It will be realised that the inquiry must take some time to complete, for it will entail the detailed investigation of the service conditions in numerous branches and departments, and it by no means follows that what will be found to be required is merely the increase in certain cases of the minimum wage; it is perhaps as likely to be a reduction of working hours, which will mean additional relieving staff, an extension of provident fund benefits to classes who do not at present enjoy them, or an improvement in housing conditions. But we hope that, if our organisation can be strengthened by the addition of a new Member to the Railway Board, who will be charged with the care of this and cognate questions, the completion of the task will be much accelerated. We find it impossible to make any accurate estimate of the sum likely to be required in 1929-30 on this account. Provisionally we have assumed that schemes costing half a crore annually will be ripe for introduction during the course of the year . . ."

That was the anticipation then. It went on to say:

"We are also providing specially in our capital estimates a sum of Rs. 30 lakhs for additions to and improvements in staff quarters. Since the schemes will not, in any case, be in force for the full year, we have for the moment assumed that the revenue expenditure in 1929-30 will amount to Rs. 28 lakhs, and have provisionally distributed this sum, as to ten lakhs under Administration, and eighteen lakhs under Repairs and Maintenance and Operation. But, as we have explained, the figure of half a crore on which these estimates are based is, pending the investigation, little more than guess work, and we shall not hesitate to take steps to increase it, if more is found to be needed."

[Mr. M. S. Aney.]

The House can imagine that a promise was held out in this paragraph that not only schemes for the complete expenditure of the Rs. 50 lakhs that were allotted would be ready, but that there might arise a necessity for the Railway Board to come up for supplementary grants even for a larger sum. Now, Sir, if this House has carefully read the speech which the Honourable Sir George Rainy delivered in presenting the Budget and if the Honourable Members have read these budget papers carefully, as I presume that they have, they will have found that, out of these 50 lakhs, practically a very small amount has been spent. That is the position. I say, "a very small amount" because I find in the Explanatory Memorandum an attempt is made to show, at the eleventh hour, that certain amounts have been spent—a point on which I will have to speak at some length later on. In paragraph 7 of the Explanatory Memorandum, on pages 4 and 5, we are given some details showing as to how the amount of Rs. 28 lakhs has been allotted to the different railways this year, and how much has been spent; and it is also shown that something like Rs. 18,12,000 has been spent out of the amount allotted from the revenue programme, and Rs. 7,53,000 out of the amount allotted from the capital programme. Now, Sir, I may bring to the notice of this House that—it was either in the month of August or September—a meeting of the Finance Committee was called at Simla and before us a scheme was placed. Estimates placed before us in the scheme, showed that the Railway Board had all the plans cut and dried for the recurring expenditure of Rs. 50 lakhs necessary to give effect to that scheme. I refer to the Memorandum by the Financial Commissioner of Railways on proposed improvements in the conditions of service of railway servants, with special reference to hours of work and weekly rest (Geneva Conventions). This was the Memorandum that was placed before us, and it will be found that, out of the ultimate cost of Rs. 50 lakhs in a full year for recurring expenditure, the expenditure on the North Western Railway alone was expected to be Rs. 7.5 lakhs. The costs during the current year for which the budget provision was for 28 lakhs, were reduced to 11 lakhs, and it was proposed to allot 3.25 lakhs to the North Western Railway. So also the capital cost sanctioned by the House at 30 lakhs even brought down to 20 lakhs with an anticipated expenditure of 44 lakhs in 1930-31. The North Western Railway was to have 7 lakhs out of this capital expenditure. Those were the proposals that were placed before us then. That showed that their plans were completely ready, so far as the North Western Railway was concerned, and the hope was held out that:

"From this estimate it will be apparent that the expenditure proposed will in the main benefit the lower grades of staff. It is proposed to instruct the Agent of the North Western Railway to proceed immediately with the introduction of the scheme, and it is hoped that it will be possible to issue similar instructions to other railways in the course of the next two or three months."

It was then thought that, within two or three months, the Railway Board would be in a position to issue similar instructions to other Agents and ask them to proceed with their own schemes for the amelioration of the condition of these low-paid servants. Now, Sir, the total amount for the current year that was required for the North Western Railway was Rs. 3.25 lakhs out of revenue and Rs. 7 lakhs out of capital. I find here now in the Explanatory Memorandum that the North Western Railway is shown to have spent only Rs. 2,25,000 out of revenue and Rs. 5,81,000 out of capital. Probably this latter is for the building of dwelling quarters for

them. But as regards other railways, we have got here only the bare statements before us, for which we do not find any entries or items in the Pink Books. The expenditure which is shown here in the Explanatory Memorandum as incurred on the amelioration of the condition of the low-paid staff does not find any reference or get any corroboration whatsoever in the Pink Books for the different railways, which have been supplied to us. Not only that, but I may remind this House—it is very strange—that in the month of December, and till the 4th February, 1930, we were being supplied with books of Demands which showed:

"Budget estimates, 18 lakhs : Revised *nil*

Budget estimates 10 lakhs : Revised *nil*,"

which means that, up to that date, the Railway Board had absolutely no information from the different Railway Administrations as to how much of the amounts that were allotted to them—probably, whether the allotment was made or not, God knows—had been spent. I mention the date, 4th February, because here is a notice which I had received from the Railway Board to attend a meeting of the Standing Finance Committee for Railways on the 5th February. Along with it a budget book was sent to me, and I find that under Administration, under Operation, and under Capital Programme, the budgeted amounts for 1929-30 are 10 lakhs, 18 lakhs and 30 lakhs; Revised zero. For next year, that is for 1930-31, Rs. 10 lakhs under Administration, Rs. 15 lakhs under Repairs and Maintenance, and no provision under Capital Programme, Open Lines. Now, zero under Revised estimates can only mean that, up to that time, the budget officer had absolutely no information whatsoever from the different Railway Administrations about the expenditure incurred, and therefore, the budget officer could not give any figures at all. That was the position. Now, in the Explanatory Memorandum, which has been supplied to us, we have got some information. Rs. 18,12,000 from revenue and Rs. 7,58,000 under Capital have been spent. But I have got these Pink Books, which have been supplied to me by the Railway Board, and they show that there is no amount spent at all till the date of their issue.

My point, therefore, Sir, is this. If the new office of Labour Member was created mainly for the purpose of looking after the conditions of the low-paid staff of the railways, why should it be that he should not be in a position to have his schemes for full expenditure of the amounts provided for 1929-30 prepared and presented, in consultation with the Agents, in time to give relief to the low-paid staff upto the full limits which the budget amounts laid down and why, at any rate, should he not be in a position even to collect correct information from Railway Administrations for inclusion in budget papers? Practically these amounts have lapsed for this year and you are now making only meagre provision for the next year. It means that much needed relief that they could have got this year is denied to them. It can be explained only on one theory. That, knowing as I do my friend Mr. Hayman, who is an energetic and active officer, his services must have been engaged somewhere else and for some other purpose more important, in the opinion of the Members of the Railway Board, than the one for which his post was created. Otherwise I cannot understand the position. His plans were to a great extent practically ready and he promised here in a Memorandum, which was supplied to us in the month of August last, that he would, within two months, be in a position to issue the necessary instructions to all the Railway Administrations; and yet in the month of March we find there is absolutely nothing

[Mr. M. S. Aney.]

done; and the figures which are now given here in the Explanatory Memorandum are virtually not corroborated even by the Pink Books, which give the budget estimates of the different railways. What may be called a sort of patch-work is put before us, which looks like some after-thought—a statement showing some expenditure for which we find no corroboration anywhere in the Pink Books. I do not know if anybody has really checked these figures and found out whether they fit in with the figures in the Pink Books. Even for the Finance Member it would be difficult to explain these figures.

That, Sir, is the position. It cannot be said that the demands of labour and of the subordinate staff were not known to the Railway Members. In fact, it was because of these demands that it was thought necessary to create this post of a Labour Member. These demands have been before them for the last twelve months and more. They allowed things to drift in such a way that they have now already developed into a dangerous situation. There is a general strike on, and yet nothing is done by the Labour Member to consider and meet the demands of the men. Sir, some other ideas are working powerfully in the minds of the Members of the Railway Board. It is not as if they did not have their plans ready; their plans might be ready; their estimates might be ready; but they do not think that this is the proper time or that the employees, who in despair have gone on strike, are the proper men to be looked after; ideas of this nature seem to have carried away the Railway Board and the Labour Office; otherwise, I am unable to understand how, with a man so able and active as Mr. Hayman, it was impossible to make proper arrangements to secure the disbursement of this Rs. 58 lakhs for these poor men. These poor men have lost Rs. 58 lakhs this year. You may give them something next year; perhaps that something may be one-half or one-third of the sum budgeted, and for the remaining two-thirds they may have to wait for plans which might take another ten years to mature and develop. Meantime these poor men have to wait—men whose voice goes unrepresented here. The other interests manage to assert themselves, but these poor labouring interests, these poorly paid servants can be easily misrepresented. There is a great misunderstanding on the part of the Benches opposite that there are certain undesirable persons who are at present in intimate touch with these labour unions, and unless they are got out of the unions and unless the employees themselves get out of their clutches, the Railway Board are determined not to do anything. It is this stiff attitude which is responsible for the present trouble, it is not that the plans are not ready. I refuse to believe it because the memorandum which was presented to us in August clearly indicated that the Railway Board had cut and dried plans. But something has happened, and the Railway Board was disinclined to pursue the plans expeditiously and to give effect to those plans, they had withheld the relief; and since that time, for one reason or another, the Railway Board have been inventing some pretext to explain as to why the thing could not be done. My learned friend, Mr. Hayman, once gave me an explanation that he was working on developing some plans for a Calcutta railway. He had these plans worked out for the North Western Railway completely ready; the lines were laid down, the measure of progress that was to be made was clearly indicated, and the formula had merely to be applied to the other railways; yet, with all that, Sir, I find nothing has been done for the sake of labour during the last

five months by an office which was created simply for the sake of doing justice to these poor starving millions of the railway employes. No justice is done, and I am entitled to ask this House not to retain hereafter that office, but to abolish it. Rs. 48,000 represents the emoluments only for the office of the Labour Member, and I want hereafter not to allow that office to continue if it is to work as indifferently as it has been working so far in the matter of labour problems. Sir, I am very sorry I am unable to speak—I am breathless; I therefore stop at this stage and commend my motion to the House.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the impression produced on my mind by the speech of the Honourable Member for Railways was quite different from the impression produced on the mind of my friend from Berar. I thought that Sir George Rainy foreshadowed my motion, that is, of putting one more Indian on the Railway Board. He praised the only Indian Member on the Board now, and I thought the natural consequence of that praise was that he would be quite ready to employ another Indian Member whenever the opportunity arose.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Who is the only Indian now?

Dr. Ziauddin Ahmad: In this discussion there are two important questions which we have to consider. The first is whether the post is needed, and the second is whether the present incumbent is really a fit man for this post. As regards the second point, my Honourable friend admitted that Mr. Hayman is a very studious and hardworking person, and though he did not say so, one could deduce from his speech that it would be difficult to find a person more competent than Mr. Hayman. The Honourable Member also eulogised him, and I believe that any one who has come in contact with Mr. Hayman will admit the fact that he is certainly not a lazy man.

Now, the argument which was advanced by my friend comes practically to this, that certain promises were held out and those promises were not fulfilled. If this can be taken to be a valid reason for the dismissal of a person, I am afraid no person will be found on the Government Benches, because all of them have repeatedly held out a series of promises which have not been fulfilled. I go one step further and say this: we, the elected members, held out a large number of promises to our voters at the time of election, and I am afraid that very few of us will be re-elected if this test is applied.

As regards the question whether the post was needed, I may just draw attention to a pamphlet which I doubt whether any one of us has read—it is called "The Deaf and Dumb". In this pamphlet it was pointed out that the Railway Board are practically deaf; they have no ears to hear the complaints of the railway employees. But, Sir, by the addition of the Labour Member, I think they have removed this particular difficulty: the Labour Member, if nothing else, is at least the ear of the Railway Board, through which the complaints of the railway staff could be heard and attended to. No human being can ever attend to all the complaints of the railway employees. We however have the satisfaction that there is a person, not an Englishman, but an Indian, who will be quite ready to hear the complaints of the employees, especially those in subordinate positions.

[Dr. Ziauddin Ahmad.]

As regards the second point, that is, about the slowness with which these officials move, I am entirely in agreement with the Honourable the Mover. These gentlemen are exceedingly conservative and unless we, who are non-officials, put great pressure on them and try to expose them right and left, in season and out of season, they are not likely to move. The only thing, that I have to complain about against my friend from Berar, is that his language was not strong enough in condemning the Railway Board for not fulfilling the promises which they held out, and I hope that, not only Mr. Hayman, but every other Member of the Railway Board will move faster and will realise the feelings of the people and the feelings of the Members of this Assembly.

Now, Sir, instead of abolishing the post, I will move later on for the appointment of another Indian Member who may be in charge of traffic and especially the comforts of the third class passengers. This topic is really very important from a business point of view, because it is the third class passengers who contribute the largest revenue to the coffers of the railways. But their comforts are very little attended to. I would very much like to have either a Member or a Special Officer to look after the comforts of third class passengers. Therefore, Sir, instead of abolishing this post of Labour Member, to which we have not given a sufficient trial, I would rather like to have the addition of a new Member or of a Special Officer to look after the comforts and conveniences of the third class travelling public.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur cum Orissa: Muhammadan): Sir, I am sorry to have to oppose the motion for the cut moved by my friend, Mr. Aney. One thing has struck me in his speech, and that is, he seems to have introduced a communal touch in his speech, and that I hate. Simply because an Englishman ought to be removed, you should . . . (*An Honourable Member*: "He is not an Englishman. He is an Indian.") (*Another Honourable Member*: "He is an Anglo-Indian.") Whether he is an Indian or Anglo-Indian or an Englishman, if he is a competent man, as my friend Dr. Ziauddin pointed out, he should not I think be removed from his post. Therefore, I have to oppose the motion.

Mr. K. V. Rangaswamy Ayyangar (Madras: Landholders): Sir, I think it was in the year 1917 that I had pressed before the old Imperial Legislative Council for the appointment of an Indian Member in the Railway Board. When, on the presentation of the Railway Budget, I saw that the Honourable the Railway Member praised the services of the two Indians, Messrs. P. R. Rau and Hayman, I was very much delighted for two reasons. In the first place, the Government had accepted our proposal for the appointment of an Indian Member on the Railway Board and that with very great hesitation, and we naturally felt very proud that the Indian Member had fully justified his selection and had earned the confidence of the Railway Board and of the Government, and secondly, both the officers, Messrs. P. R. Rau and Hayman, come from Madras, and we felt a sort of parochial patriotism, and we felt very proud because these officers, who had been selected after much hesitation, had earned

the goodwill and confidence of the Railway Board and the Government alike, as was evident from the encomiums showered on their efficiency by the Honourable the Railway Member in his speech the other day.

Now, Sir, there is no doubt there is great force in what my friend, Mr. Aney, has said about the defects in the presentation of the Budget, but the responsibility for this is a joint responsibility and not an individual responsibility. The Indian Member is only one of the Members of the Railway Board and as such, it cannot be said, as in the Ministerial portfolio, the subject is entirely concerned with him, because all the subjects are jointly decided, and it is a joint responsibility, and I do not think that individual blame can in any way be laid upon any individual Member for all the commissions and omissions of the Board. Sir, on the day of the budget discussion I wanted to press that, inasmuch as they found one Indian Member to be very efficient in the conduct of the business of the Railway Board, another Member might be taken on the Railway Board, and that another post of Railway Membership be Indianised. But I see a number of Resolutions tabled on this point, and I should like to hear all of them. With regard to the complaint made about the defects in the presentation of the Budget, I should say that, if at all there is any blame, it is not on any individual Member because the responsibility is a joint one. It is really unfortunate that the labour troubles in the Great Indian Peninsula Railway have sprung up now when the Indian Member is holding that portfolio. I hope these troubles will be amicably settled soon, but these troubles are not new to this country. We had similar troubles in the Great Indian Peninsula Railway, in the Bengal Nagpur Railway and also in the South Indian Railway,—in fact it is a general trouble which could not be tackled by the Labour Member within the short period. But for all these troubles the Indian Member, with the resources he is able to command, is not to be blamed. With these words, Sir, I would ask the Honourable the Mover to consider whether, in view of the fact that it is a joint responsibility and not an individual responsibility, and that the trial given to the Indian Member being not long enough, whether it is fair to accuse him of all the faults mentioned by him.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadian Rural): Sir, my friend Mr. Aney has run full tilt at Mr. Hayman and demanded his head on a charger. I suggest a course by which perhaps that head may be saved, and if I do not misunderstand the real motive of my friend, Mr. Aney, it is also this. What he and myself, in fact all of us want to complain definitely about is this, that till this moment no definite information has been vouchsafed to us as to what Mr. Hayman has been doing all the while, and as I shall presently show, the kind of information which we had asked for has not been vouchsafed to us. With regard to that, I wish definitely to charge the Honourable Sir George Rainy also for having misrepresented matters to us last year when he asked for the appointment of an additional Member in the Railway Board almost solely to devote attention to labour problems, but in this year's Budget he mentions five headings under which work, it appears, was entrusted to Mr. Hayman

Mr. K. C. Neogy: That is by way of window.

Mr. N. C. Kelkar: Last year we were definitely assured that his work would appertain to the betterment of the conditions of labour. Why I call

[Mr. N. C. Kelkar.]

it a misrepresentation is for this reason. If in his speech last year he had mentioned some of the items that are now made mention of this year, he might not have got our consent to the appointment of a new Member as an integral addition to the Railway Board, because some of these items are matters which are definitely to be discussed and some of these matters have a long history behind them, and the appointment of an integral Member of the Railway Board would not have been necessary, and we could have taken exception to the appointment on that ground, but a sort of picture was put before us asking us to believe that a great problem of the betterment of the conditions of labour was being for the first time taken in hand and all the attention and energy of the new Member was going to be spent upon that and nothing else. It was that allurements that succeeded in getting from us consent to the appointment of a new Railway Board Member. Now, what are the items mentioned in the Railway Member's speech this year? Improvement in the service conditions of the staff generally and in particular of the lowest paid employees? I do say that that matter was not put before us in that light. His services were mentioned as likely to come into operation only in connection with labour and not service conditions of the staff generally. But even supposing that matter was entrusted to him, what are all the facts before us even at this moment as to what Mr. Hayman has done with regard to the improvement in the service conditions of the staff generally? Has there been any mention of that? Any summation of his work in that matter? Any concrete results put before us anywhere up to now with regard to the work in connection with the improvement in the service conditions of the staff generally? That is item No. 1.

Then in regard to the Indianisation of the railway services and the elimination of racial discrimination, what had Mr. Hayman got to do with this? Were we told last year that this work would be entrusted to him? Was our consent asked for on this ground that this particular matter would be referred to him? Why is it now shown that this particular work was given to him? But even then, I do say that this has been put down here only to swell the number of items, so that we should be misled into supposing that Mr. Hayman has been very energetically working at certain things. But this question of Indianisation of railway services was not coming up before the Railway Board for the first time. It has a history of at least five years. In 1925 Government was asked definitely to abolish racial discrimination. Then they wrote to the several Agents and got replies from those Agents, and in 1928 a sort of attempt was made to make the Assembly believe that generalisations would be deduced from the reports received from the Agents, and a definite policy with regard to racial discrimination would be laid before the House. I do not want to go into the details of this question of Indianisation, but it looks funny, when I look at the individual reports of the Agents, that I find there was practically nothing more to be done. God said, "Let there be light and there was light". Similarly, here is the Railway Board saying to the Agents, "Let there be no racial discrimination", and the reports of the Agents say, "There is no discrimination". If that is the state of things, what has Mr. Hayman got to do with this? And even supposing that Mr. Hayman was busy with this, what are the results put before us? Have his labours led to a generalisation of the policy of the Railway Board? Has that policy been laid before us or the Railway Standing Finance Committee? We have gone no further

than the reply given in 1925 and 1928. In one year we were told that the Agents were consulted. In another year, we were told that the reports of the agents had been received and the Railway Board was busy with them. Beyond that I definitely want to know what had Mr. Hayman got to do with this business of Indianisation? And again I say that was not mentioned to us at all and our consent, or the consent of the House, because some of us did not consent, was obtained, I say definitely, on a wrong pretext.

Then item No. 3, Revision of the cadres of the superior services and of the methods of recruitment. We were not told last year that Mr. Hayman would be entrusted with this work in connection with the superior services. I suppose Mr. Hayman is a small man by himself to deal with the general conditions of the superior service. The whole Railway Board will have to take an interest in it. The House will have to be consulted on the matter and joint responsibility will have to be taken. There again Sir George Rainy misrepresented matters to us last year and put us on a false scent and now he is coming forward with a detailed enumeration of several items with which, we are asked to believe, Mr. Hayman is busying himself. Again what has he done? Are there any concrete results put before us in the matter of Indianisation? Similarly, also with regard to the revision of the cadre of the superior officers. There is a malicious confusion made between the betterment of the condition of labour, for which he was appointed, and the betterment of the conditions of the superior staff, as if the two were the same.

Then item No. 4, Relations of the railway management with the labour organisations. I may perhaps admit that this item comes under the purview of the work entrusted to him.

Then the preparation of materials, so far as the railways of India were concerned, for the Royal Commission on Labour. I think the Commission was appointed last year. The Railway Board knew that some preliminary work would have to be done for putting the views of the Railway Board and the Government of India before the Labour Commission, but again I say that that was not mentioned to us last year. My sole point is this. Last year we were definitely told that Mr. Hayman would busy himself exclusively and definitely with this one great problem of the betterment of the condition of labour, and at the end of the year it is all hollow. So far nothing in concrete form has been put before us, and I ask Sir George Rainy or Mr. Hayman to put their finger upon a single item in respect of which concrete results have been placed before the Legislature. Then Sir George Rainy says:

"It would take me much too long to enumerate in detail matters which have come up for review under the various heads. That would require a speech in itself and some of the subjects can only be briefly referred to."

Now if we proceed to read the further paragraphs in his speech, there again, we find only passing references have been made and no concrete results have been given. In one place we are told that the matter is under consideration; in another paragraph we are told that the matter is passing under review. The language is varied but the substance is the same. There are only vague statements and no definite results have been given.

12 NOON.

[Mr. N. C. Kelkar.]

Now, the Railway Finance Committee met on the 10th December, 1929. I do not know whether any subsequent meetings of that Committee were held, as I am myself not a member of that Committee. But on page 25 of the proceedings we read:

"The Financial Commissioner mentioned that at a later meeting he would probably be proposing an addition to the demand for the purpose of improving the conditions of service of low-paid employees."

His appointment was made in March last, and in this book I find that it is simply stated that he would, at a later stage, be probably proposing an addition to the demand of so and so. That means the work is not yet finished. It means that the work is not definitely conceived as to what would be done and what amount of money would be likely to be spent. Mr. Hayman himself probably does not know what is before him. This happened on the 10th December. But I shall stand corrected if I am wrong. I should be glad to be told that there were other meetings of the Railway Finance Committee and that these estimates were put before them.

Mr. A. A. L. Parsons: There were further meetings of the Standing Finance Committee at which the estimates under the heads, "Administration" and "Operation" were put, and certain lump sums for the expenditure anticipated at present for next year were asked for. The point was however fully dealt with by the Honourable the Railway Member in his speech.

Mr. N. C. Kelkar: In that case, should we not have welcomed on this side of the House a note giving full details of what has actually been done? Those details are not to be found in the Honourable Member's speech or in the Explanatory Memorandum. That is our definite complaint. We are entitled to know what were the actual concrete results.

I would now pass on to other things. In the first place, Sir George Rainy says in paragraph 21 of his speech:

"I may mention the matter in which we have been able to make the most rapid progress, I mean what is sometimes called security of tenure and complaints of alleged wrongful dismissal or discharge from railway service."

Now, we are told that they have made rapid progress. And what is that rapid progress? Here is a representation I have got in my hand which was submitted on the 23rd January, 1930, by the Great Indian Peninsula Railway Workmen's Union. There is also a copy of a reply given by the Agent to these demands of the railwaymen. To each of their demands only a vague reply has been given. It has been said that the rules are being framed, the matter is under consideration, the whole thing will be passed in review, the rules are approaching maturity and consideration is being given from day to day. These are the phrases in which replies have been given to those people who have been insistently putting forward their demands before the Railway Board and about which we are assured in the speech of the Honourable the Railway Member that rapid progress is being made. If there was real rapid progress, why were definite rules not placed into the hands of the Railwaymen's Union at least on the 23rd January when the Agent received them in deputation? About two weeks ago, my friend Mr. Aney and myself put

ourselves in communication with Sir George Rainy about this railway strike and the demands of the strikers. Even then, we were told that rules were in the making, and for the last two weeks we ourselves have been waiting for a copy of them.

The Honourable Sir George Rainy: Will the Honourable Member kindly let me know to which set of rules he is referring at the moment?

Mr. N. C. Kelkar: I am referring to the set of rules which relate to leave, tenure of service, pay, etc. Of course, only one set of rules is in my hand, because I was a Member of the Select Committee on the Railway (Amendment) Bill. It relates to the period of rest and the period of employment. Therefore I did not mention anything about those rules, because personally I am in possession of those rules, but what about the House? It may be said that those rules related to a certain Select Committee and therefore they are not put before the House, but they are rules after all. It was intended to operate upon these rules, and perhaps it may be claimed that their operation has already commenced. I do not think that rules relating to a particular Select Committee could prevent the Honourable Member from making them available to the Assembly along with, at any rate, the Select Committee's Report. That Select Committee's Report has been put into our hands recently, but we have not received the copy of the rules. I have got a copy, but the other Members have not. Therefore, I want to ask Mr. Hayman and Sir George Rainy point blank in what particular matter from among the eight or ten points of dispute, are we in possession of concrete results in the form of a policy, statement, rules, regulations or anything of that kind? That is my definite question, and that has necessarily a bearing upon the appointment of a special officer as a special Member of the Railway Board. Supposing rules have been framed, regulations have been made, policy has been developed, and the results have been arrived at, why should not this Assembly have an early opportunity of going into all those things? Must the Railway Member wait till these points are specifically raised as a matter of contention by the different cuts? Why should he not take us into his confidence on these vital matters earlier? In the meantime, the strike has been going on. My motion for adjournment failed, I admit, but that is no reason why the Railway Member should not take the initiative by himself and take the Legislative Assembly into his confidence over such vital matters.

In short, therefore, it comes to this, that we are still only seeking for something. We were led to believe that something was to be obtained by the appointment of the new Member, but what is the result? The result may be compared with the result in that familiar game. A man is blind-folded and is led into a dark chamber and he is asked to find a dark hat there. And the joke, last of all, is that there is no hat there. So my point is that, notwithstanding the promises of last year and the hopes which they created in our minds, we are where we were even by the end of the year. That, I suppose, is the sole reason why my friend, Mr. Aney, has put down that motion and has definitely demanded that the services of the new additional Member of the Railway Board be dispensed with next year. One can see what is the real purpose of the motion, and much will depend upon the nature of the concrete results that will be put before us even now at this day.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, I hope the House will not agree to the motion moved by my friend, Mr. Aney. The whole of his speech, as I understood it, was his criticism of the labour policy adopted by the Railway Board, and I think that the motion that he has put down is a wrong one, or, at any rate, he has chosen the wrong method of ventilating the grievance. I wish he had confined his motion to the improvement of service conditions, and in that case this House would have had a very good debate on his motion. But, Sir, having made the question very personal, after admitting that Mr. Hayman is the best man for the job, that he has done his duty well, and that he has acquitted himself well, to come forward with a motion for the abolition of the post, is I think a position which should not be accepted by this House.

Mr. M. S. Aney: I said nothing of the kind. My Honourable friend has not understood what I said.

Mr. Fazal Ibrahim Rahimtulla: Then, what did you say?

Mr. M. S. Aney: I never said that he acquitted himself well in the job.

Mr. Fazal Ibrahim Rahimtulla: You did say so. If you say one thing you must stick to it.

Mr. M. S. Aney: Well, you go on.

Mr. Fazal Ibrahim Rahimtulla: I was saying, Sir, that the usual procedure in this House, when one gives notice of a motion, is to discuss the general policy of the Railway Board and to ask for suggestions and explanations, and if those explanations are not satisfactory, then to press the cut to a division and try to carry it out. The question now is whether this post was necessary and is necessary. I wish my Honourable friend, Mr. Kelkar, had not made serious charges against the Government, like misrepresentation of facts and taking a decision on a wrong charge, and so on. These are very serious and grave charges, and I hope, Sir, that a man of the position and responsibility of Mr. Kelkar will choose his words better when he is making an attack.

Mr. B. Das: They are quite parliamentary.

Mr. Fazal Ibrahim Rahimtulla: I am not saying that they are not parliamentary expressions.

Mr. N. C. Kelkar: What is it that the Honourable Member objects to?

Mr. Fazal Ibrahim Rahimtulla: I object to the Honourable Member saying that the Government carried their motion on a misrepresentation of facts. I understand that two points emerge from the motion which was moved and carried by a majority in this House, first that the Government acceded to the demand repeatedly made by us on the floor of this House for the appointment of an Indian Member on the Railway Board.

Mr. M. S. Aney: Was it for an additional Member?

Mr. Fazal Ibrahim Rahimtulla: It may not be for an additional Member. But we have to admit that they submitted themselves to the principle of giving us an Indian on the Railway Board. Secondly, the reason was that, having an additional Member, he will look after the question of the improvement of service conditions in the Railway Board.

Mr. N. C. Kelkar: May I ask if the Government mentioned any other jobs or items of business last year in connection with Mr. Hayman's appointment, apart from labour?

Mr. Fazal Ibrahim Rahimtulla: There were no other additions.

Mr. N. C. Kelkar: Then, that is what I say.

Mr. Fazal Ibrahim Rahimtulla: Before the Honourable Member makes a serious charge, he must see whether the statement given by the Railway Member, when he presented the Budget and the Memorandum contained therein, are sufficient or not and then criticise. Here is the speech of the Honourable the Railway Member, pages 9 and 10 which practically cover paragraphs 25 to 27, in which the Honourable Member gives you the reasons for not putting into effect the various schemes that have been put forward on the ground of economy. I suppose all Honourable Members have read this speech and so I need not quote from that *in extenso*. I will read only the last paragraph 27, which says:

"One point, however, I desire to make clear. If and when we are satisfied that the introduction of well-considered schemes involving expenditure are necessary in order to secure the welfare and contentment of our staff, and if we find that the cost of these schemes cannot be met without raising our working expenses to a higher figure than is set down in the budget, we shall not hesitate to place supplementary estimates before the Assembly and ask the House to sanction the additional expenditure."

The Honourable the Railway Member has also pointed out the difficulties. He says in the Memorandum:

"Except on the North Western Railway we have not been able so far to spend any large sum from capital on the provision of extra quarters. This is partly due to the fact that we must await the passing of the Bill now before the Assembly, which will enable us to give effect to the Washington and Geneva Conventions. It is also partly due to the fact that the North Western Railway had plans and estimates already prepared and were therefore in a better position than other railways to make rapid progress."

Mr. N. C. Kelkar: Does it not mean that the North Western Railway did not wait for the passing of the law which is to bring our legislation into conformity with the conventions? This legislation has absolutely nothing to do with the reforms, if only the Railway Board wanted to introduce those reforms of itself, and the conduct of the North Western Railway only supports my contention.

Mr. Fazal Ibrahim Rahimtulla: I thought that my Honourable friend was putting a question to me. Instead of that, I find him making a speech. If I were to go on replying to the speeches that are made from time to time, I will not be able to finish my speech within the time allotted to me. If there is a specific question from Mr. Kelkar, I shall always be willing to answer the same, but I would certainly not reply to speeches and interruptions like these. The point is why the Railway Member has not been able to give effect to the recommendations. The difficulties which stood in the way of giving effect to these recommendations have been enumerated in paragraph 27 of the Railway Member's speech. I think the Honourable the Railway Member has been very frank. He says that, first of all, he promised to give effect to the recommendations, but he expresses his regret that he has not been able to present the Memorandum before the Railway Budget was introduced and that he is going to present the Memorandum, giving the House all the

[Mr. Fazal Ibrahim Rahimtulla]

things that the Railway Board are doing and will do. In paragraph 25, the Honourable Member says :

"In winding up this part of my speech, I will only say this, that it is open to any Member of the Legislature to blame the Government of India because these matters were not taken in hand in earnest at an earlier date, and if that charge were made, I should not be too much concerned to reply to it. But if the accusation be that, since the New Member of the Railway Board was appointed to deal with all the staff questions, there has been any avoidable delay in subjecting them to a scrutiny at once sympathetic and systematic and taking all possible steps to bring about the earliest possible solution, then I would only say that that charge is without foundation and could only be made by those who are unacquainted with the facts."

I think, Sir, this is a very frank statement, and I thought that my Honourable friends, Mr. Kelkar and Mr. Aney, would have waited for the promised Memorandum before levelling any charge or before raising any discussion on this motion. I personally think that the motion as it stands at present is ill-chosen and should not be supported by the House.

Mr. M. K. Acharya (South Arcot *cum* Chingleput. Non-Muhammadan Rural): Sir, if I were Mr. Hayman, I believe I should have felt very grateful to Mr. Aney, for the very strong speech which he made this morning; because if I understood him correctly, what my Honourable friend was saying was that Mr. Hayman was an able man, that he was an active man, that he was an energetic man—he used a number of adjectives—that he was a man in whom he had very great confidence, but that he wanted Mr. Hayman to spend heaps of money all in one day. Others also have complained against Mr. Hayman, that he was not spending fast at all. I should believe that to be a very great compliment. The charge against Mr. Hayman is that he is not spending fast all the budgeted money of 58 lakhs. The gravamen of the charge against Mr. Hayman seems to be that he is spending very slowly and has not been throwing away heaps of money somewhere, somehow. I thought, Sir, that that was a strange kind of rebuke to be brought against an officer, that he is not spending money fast enough. After all, it is the poor man's money, not mine nor Mr. Aney's. The charge that man does not spend money fast enough is one which everybody would like, rather I would consider that neither a charge nor a charger. I was wondering whether Mr. Aney was making that charge seriously, or whether it was all an interesting joke. It is only in the *Arabian Nights* that one reads of people spending enormous sums of money all in one night upon their favourites, man, woman or eunuch, and such light things. If I should, as Member, make any speech in a popular House, I should say that every pie should be carefully scrutinised. I for one am not concerned whether Mr. Hayman is able, active and energetic or not; I would much rather have his head on a charger if he dare spend a single thousand rupees more than are absolutely necessary. That should be the canon that ought to guide us in safeguarding the people's money. But here the funny charge that we hear to-day is that more money has not been spent. On what? The reports have not come; it may be Mr. Hayman's fault or it may not be; it may be the Agents' fault; it may be this man's or that man's fault, or it may be the postman's fault. Neither am I nor is Mr. Aney competent to say whose fault it is that the plans have not matured if any plans could have matured at all. Of course from the Railway Member's speech. I too thought that there were a great many plans in the inception stage or in the conception stage.

or whatever else it was. Therefore I should have thought that it was an absolute duty which Mr. Hayman and the Railway Member owed to this House that every proposal that came for fresh expenditure should be carefully scrutinised. And here, being a philosopher, let me enter my protest against falling victims to mere verbal labels; how dearly we often pay for mere labels! I cannot complain because a sum of 58 lakhs has not been spent on the improvement of the empty label, "labour conditions"; or that expenditure on the improvement of something else with some other bare label did not mature in half an hour's time.

Well, Sir, whether it is the improvement of labour conditions, or Indianisation, or any other matter, I repeat each item of expenditure will have to be scrutinised carefully, almost with religious care. We have heard today the charge brought against a man that he has not spent too much money. I wonder if the Finance Member or any other Member, who has got to expend lakhs, nay crores of rupees in this country, may also not like to be asked to throw away more money and more money as fast as possible. That may be Mr. Aney's way of looking after the poor man's money, but it is not my way, and I do not believe it is going to be the way of the majority in this House. That, however, was the gravamen of the charge. I am sure that Mr. Aney has shot at random, as my friend Mr. Fazal Ibrahim Rahimtulla put it. I would support any token cut which said that service conditions had not been improved in the various railway departments as fast as we should like. I am sure we all would agree to that kind of criticism. We all want every beneficial scheme to be pushed as rapidly as possible. But, while pushing every desirable scheme as rapidly as possible, we ought, at the same time, to be very economical and very business-like, because we are really spending the country's money, or the poor man's money and not our own.

Then, Sir, the next speech was that of Mr. Kelkar's. He being a philosopher, his speech was of another kind. His speech came to this, I thought, that enough material was not given to him for writing a number of articles; that he found only an airy-fairy thing here, or something else there. Well, Sir, I greatly sympathise with Mr. Kelkar; I sometimes feel that we all live in a world which is very often airy-fairy. I have greater sympathy with what Mr. Kelkar was saying to the effect that we are entitled to much further information on many heads. But unfortunately Mr. Kelkar's motion, which in fact comes up later, is quite different from Mr. Aney's motion. Now it is not for me to speak on this charge; the Railway Member is there to answer the charge brought against him of putting before this House many items on wrong pretexts and things of that kind. Sir George Rainy is, I think, humorous enough to relish all this joke, and to give us, after all, such information as may be possible. I therefore do not hold a brief for him. I certainly think that we want to have as much information as it will be possible for the Railway Board to give; and I do hope that hereafter the policy of simply giving us vague statements will cease; that airy-fairy, general indications and all that will not be continued in future. But granting every word of what Mr. Kelkar said to be true I cannot support Mr. Aney's motion; because his charge is one on which I fundamentally disagree. We may not have got all the information that we would like to have upon various items. There are many things in the world on which we would like to have more information. Even so in railway matters. I would myself like to have some more information about the Madras and Southern Mahratta and South

[Mr. M. K. Acharya.]

Indian Railways, and I am sorry at not having got it. But that is all by the way.

My greatest appreciation is for the remark of my friend, Dr. Ziauddin Ahmad, regarding the deaf ear of the Railway Board. If that be true, then I do not know it. Mr. Hayman is Dr. Hayman. I hear that even my Honourable friend (Dr. Ziauddin) is only a Doctor of Laws; and probably a Doctor of Laws has no better ears than anybody else. Anyway his statement I thought was quite appropriate, that a deaf ear could not be cured in a day. Even a doctor will have to make very many trials, and he may have to make many operations as he may not always succeed in the very first operation. On this score I would like to wait and see what this particular doctor is going to do with regard to the malady we complain of.

As the definite motion before the House that my friend, Mr. Aney, has brought is I think a more or less humorous motion, I hope in good humour he will withdraw it.

Diwan Ohaman Lall (West Punjab: Non-Muhammadan): Sir, I hope the debate will not become unreal as it threatens to be, over a purely personal issue. We are not discussing, as unfortunately my friend Mr. Acharya seemed to believe, a personal issue involving the appointment of Mr. Hayman alone.

Mr. M. K. Acharya: I never said that.

Diwan Ohaman Lall: We are discussing a principle—whether it is Mr. Hayman or somebody else makes no difference—and what matters is the principle involved, and it is for that reason that I beg your leave to say a few words with regard to the question of railway grievances. The question that has been raised by my friend Mr. Kelkar is this. Here is a Member appointed on the Railway Board to represent the workers' point of view. What has he done during the course of his appointment, which has been for one year now, in the matter of adjusting the grievances of the workers? That, I take it, is the substance of the charge that has been made by Mr. Kelkar. It is not for me to give a reply to that charge. I hope Mr. Hayman when he gets up to give a reply will be in a position to satisfy himself, his own conscience and the conscience of this House and the Members on this side. That is for him to do. My object at the present moment is this, to say that I am not satisfied that the Railway Board have been doing the right thing, and have been dealing with the labour problem in the right spirit, or with expedition or with efficacy or with intelligence, during the past year. And I say that for very good reasons. The first thing that I would like to draw the attention of Honourable Members to is this. I do not know that there is any one here on the non-official side who really does understand the technical details of the problem that we are discussing.

Mr. M. K. Acharya: Not even you?

Dewan Ohaman Lall: Not even I, and I am humble enough to confess that; and I do not indulge in those wild speeches in which my Honourable friend has been indulging, pretending that he knows anything about a subject when he does not know anything about it. I have been trying for the

last ten years to study the problem and I am humble enough to confess that I do not understand the full implications of this problem yet. What I do understand I am going to give my Honourable friend the benefit of, and I hope he will be a wiser man after he has listened to my speech. The first thing that I understand, Sir, is this that here was a demand made by the organised trade unions of the Railways who went up in a deputation to the Honourable Member in charge last May, and they said, "Here are our 25 demands, will you look into these demands, will you discuss these demands with us, and after having discussed them will you give us your reply?". The Honourable Member was good enough to take the members who came in deputation into his confidence. He had a full discussion and a report of the discussion I hold in my hand and after the deputation disappeared—in Simla I think it was—from that day to this, nearly a year, the Railwaymen's Federation has not had one line from the Honourable Member or from the Railway Board in regard to the grievances which they brought to his notice. (Hear, hear.) I want to know what policy was being dictated to the Honourable Member by the Railway Board, or what policy he was dictating to the Railway Board, which prevented him from getting into touch with the Railwaymen's Federation and telling them exactly what he had done or what he contemplated doing with regard to the grievances brought to his notice. It might have been a policy of non-co-operation. Non-co-operation has been in the air for a considerable period. My impression of the Railway Board is that they are a body of absolute autocrats, who do not regard anything that has happened during the last ten years as that which might make them change their policy towards the labour unions of this country. I do hope I am mistaken. I hope what I am saying at the present moment is not going to be the policy of the Railway Board for the future. But I want to know from them at the present moment why it is that they could not have sent at least one letter to the Railwaymen's Federation saying, "These are the things we have discussed with you, these are the things we have accepted, these are the things we are not prepared to accept". If the answer is that the time was too short, we were not in a position to come to any settlement or any decision with regard to the numerous grievances brought to our notice, then my reply to them is this. Are there not certain matters which the Railway Board, since last May, have decided? And I want to know from them if it is not a fact, taking one instance alone, the service agreement, that they have already come to an agreement. Have they or have they not come to a decision? Did they consult the Railway unions before they announced that decision? If they did not consult the Railway unions, what else is it but pure autocracy on the part of the Railway Board in coming to a decision on a matter vitally affecting the service of eight hundred thousand employees on the railways and not consulting them as to the decision that they intended to announce by taking them into their confidence before announcing the decision? And what is that decision? As Honourable Members probably are aware, except my friend, Mr. Acharya, any railway employee can be dismissed or discharged arbitrarily or could be, before this new rule was made. They have now made a rule to the effect that, in the case of employees of ten years' service, the man who is going to be dismissed will have the charge sheet placed before him and such summary of the evidence that there may be. Now if that is the position with regard to men who have been on the railway lines for ten years in your service, why, I ask in the name of all that is logical, all that one calls common sense, do you not apply the same rule to people who have been in your service for one year? Why a limit of ten years? If a man, desirous to have his

Mr. President: Is the Honourable Member going to take long? Today is Friday and I should like to adjourn earlier.

Diwan Chaman Lall: I think I would like to take a few more minutes, probably half an hour.

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

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

Mr. President: Mr. Chaman Lall.

Diwan Chaman Lall: Sir, I was referring to one matter which I consider to be of some considerable importance, namely, the fact that, unless and until the question of the service agreement is definitely settled at the time of the agreement, there will always remain this tangle, this sore between the Railway and the employees as regards their service agreement. Last May this matter was raised and it was said by Mr. Giri who came leading a deputation, that so far as this question is concerned it is a matter in which railway men in India feel very keenly. They expect they should not be discharged without being informed exactly for what reasons. I want to ask the Honourable Member in charge whether it is not a just demand to make to ask the Railway Board to make such rules in the service agreements as would enable a man, before he is discharged or dismissed, to obtain a charge sheet, to obtain the evidence that is against him, and be given an opportunity to defend himself by testing the validity or the truth of the charge. I take it that that is the procedure in almost every other Government Department. Why should there be an exception so far as the Railway Board is concerned? I want a definite lead in this matter from the Honourable Member.

However, that is only one of the matters that I have to mention. There is another matter of very great importance, and that is the question of the 60 hour limit. We understand that the Railway Board have been dealing with the question of the Washington and Geneva Conventions. They presented a draft Bill to the Assembly, but the 60 hour limit was accepted, so far as India is concerned, nearly ten years ago. It was an exception made against India, for reasons I do not know. I want to know what the policy of the Railway Board is in regard to a revision of the 60 hour limit. Have they a policy of their own, or are they sticking to the policy which was embodied in the Washington Convention? Further, I want to know what leave rules they have sanctioned. I want to know whether they consulted any of the unions before they sanctioned those leave rules. I want to know whether, before they publish those leave rules, they intend to take into their confidence the united body of railway workers under the federation of railwaymen's unions, and if they do not intend to do that, I want a reply to the question, why is it that they do not intend to do that? Now, in every Government Department—I understand in the Postal Department—there is a 20 per cent. leave reserve. I want to know what the extent of the leave reserve is so far as railwaymen are concerned. I want to know whether this matter, having been raised

last May by the deputation that saw the Honourable Member, has received the careful consideration of the Railway Board, and if it has, what conclusions they have come to in regard to this matter, and having come to certain conclusions, whether they intend to take the next step which I think is absolutely essential in order to secure peace on the railways, namely, to consult the railwaymen's unions. Sir, it is one thing to listen to grievances, and after having listened to grievances, to set your own machinery in motion and evolve certain schemes which you think are just and considerate; but it is quite a different thing to take the men into your confidence and evolve those schemes in complete consultation with the men who are going to be affected by those schemes you are evolving.

Mr. President: How are these matters relevant to the question of the abolition of the post of Labour Member?

Diwan Chaman Lal: I am not wanting to dispense with his services. What I am saying is that, if I get a satisfactory reply from the Railway Board in regard to the points that I have raised, I will not oppose the demand, but if I do not get a satisfactory reply, I will be forced to oppose it. I am raising all these points because they are points which might affect the Labour Member himself as he is in charge of the labour portfolio, and I want to know, since this matter has been raised, what the policy of the Railway Board has been as distinct and apart from the policy of the Railway Member. I take it that the Railway Board will be competent enough to give me a reply to all these matters. Take another matter which is of very great importance, and that is the question of the policy of the Railway Board towards railwaymen's unions. What is the policy of the Railway Board? Is it a policy of encouragement, or is it a policy of defeatism? I want the Honourable Member to tell me what the policy of the Railway Board is in regard to the encouragement and formation of these unions. If the Honourable Member says to me that he is quite willing to deal with these unions as he dealt with them last May, and that the policy of the Railway Board is one of encouraging these unions, I ask what has happened to the Railway Board that they should have taken the step which they took a few months ago—a short while ago—namely, taking away the passes which they were issuing to the accredited representatives of these unions, who went about on union business? If their policy is one of encouragement, why was this step taken? It seems to me, Sir, that the policy of the Railway Board is one of defeatism at the present moment. I am mentioning all these points in order that I should get a reply from the Honourable Member as to whether he is prepared now to lay down a definite policy in regard to these matters, and if he is not prepared to lay down a policy, then I must throw in my lot with those who wish to censure the Railway Board in regard to this matter.

Now, I come to the question of wages. I listened to the Honourable Member the other day, and he amazed me when he made a statement in replying to a question that was put to him. The question was this: how are you going to settle and improve the wages of the lower paid employees on the Eastern Bengal Railway, and the reply came—I do not know if Honourable Members noticed the significance of the reply—the reply was that, "We are going to discover the prevailing rates of wages in those localities, and then we are going to get hold of the cost of living index, and on that basis we shall revise the rates". Now, the Honourable Member knows, and I think every Member of this House knows that one of the most difficult things to get at is the cost of living index. You will have to appoint, Sir, not one expert, but a series of experts for working

[Diwan Chaman Lall.]

it out, not for a period of a year or six months, but over a period of years before you arrive at a correct estimate of the cost of living index, and it will not be an easy matter for the Honourable Member even to go to the length of finding out the actual living wages in those particular areas; that is an impossibility under present conditions, and I take it that, whatever is going to be done is going to be done by mere guesswork and not by means of any scientific investigation, which I consider, in present circumstances is impossible, because Government do not possess the machinery to make these necessary investigations. If that is the position, I want again to ask the Honourable Member what is the policy of the Railway Board in regard to the improvement of the position and wages of the lower paid staff. We in this House, Sir,—I say this deliberately,—are less concerned than the employees on the railways; the 800,000 employés who are working on the railways want an answer to all these questions, and they want to know exactly what the policy of the Railway Board is. The manner in which the Honourable Member can satisfy the railway unions is by keeping in close and constant touch with those unions. I submit that it would be absolutely impossible for any one of these unions to get a satisfactory reply to all the questions that they have raised unless and until the Honourable Member takes them into his confidence and evolves a scheme whereby he can constantly keep in touch with these unions and hear their grievances from time to time. In regard to this matter, another question comes to my mind, a very important question; the policy of the Railway Board so far has been to discourage any consultation between the unions on the one side and the administration on the other in regard to individual grievances. I say that is a wrong policy. I say that deliberately because it is the individual grievance which goes on accumulating and which leads to the bigger general grievance; and I want the Honourable Member to tell me whether in view of these matters which have been raised and brought to his notice, he is prepared now to revise the policy hitherto followed of not consulting the unions with regard to individual grievances. He can quite easily follow the lead of the Bengal Nagpur Railway, where in spite of this rule, I am told on definite authority, individual grievances are discussed between the representatives of the unions and the administration; and if that can be done and happy results achieved because it is done, I want to know why it cannot be done on other railway systems in other parts of India.

Then comes the question which was raised by Colonel Gidney some time ago in regard to the welfare committees, a question which is akin to the question of the recognition and encouragement of trade unions. What is the basic idea behind the welfare committee? I take it that there is this distinction. With a trade union you have a free combination of men who can order their own society as they choose. With a welfare committee there is no free combination of men: they are ordered by the Railway Administration according to rules laid down by the Railway Administration. I ask again, is it the policy of the Railway Board to encourage unions which are officialised unions, whose rules and regulations are laid down generally by the administration, or is it the policy to encourage real *bonâ fide* trade unions on the railways. (Hear, hear.) I say deliberately that these grievances, not only in regard to these matters, not only in regard to housing and fines, but in regard to a multitude of other grievances, have cropped up from time to time and have now

accumulated to such an extent that it is up to the Honourable Member to throw out a generous gesture and say, "We are prepared to deal with the recognised unions and place our cards on the table and ask for a discussion in order that we may settle the grievances that have been brought to our notice". There is no other method, excepting the autocratic method of sitting and deciding in the Railway Board with men, some of whom may be experts and others may not—people who are generally not in touch with the labour world—deciding matters which affect the destinies of nearly a million human beings. It is not possible by this method to get any satisfaction for these human beings or us who happen to be their representatives. The only method is of close consultation; the only method is to go and take them into your confidence; the only method is of encouraging those regularly constituted and fairly strong unions on the railways which have presented and have done their best to present their case in the best light possible to the Honourable Member. And in winding up my speech, I ask the Honourable Member to pay attention to all these matters, and I ask him to announce to this House without any further delay, what his policy is and the policy of the Railway Board is in regard to these matters that have been raised, and to let us know what method he intends to adopt in order to put an end to the grievances that have been brought to his notice. I submit that the position of the men on the railways now is not at all a healthy position, and I think it is up to him to realise and up to the representatives of the people in this Assembly to bring to his notice that it is not a pleasant and healthy state of affairs. Something drastic, something urgent, something reasonable has got to be done in order to bring about a better feeling on our railways and better satisfaction for the men whose grievances have not been redressed for such a long time, and I hope the Honourable Member will take this step and announce to this House and through this House to every labour employee on the railways what his policy is going to be—not a policy of negation but a policy of constructive goodwill and co-operation with the workers in order to better their conditions, life, labour and service.

Lieut.-Colonel H. A. J. Gidney: Sir, I hold no brief for Mr. Hayman or for the Mover of the motion, my reason for entering this discussion is because, as a man who has spent twelve years in intimate touch with railway problems and railway workers—not as a President of a union or just casually meeting the workmen in order to hear what they may have to say—I feel I am able to bring practical evidence to bear on the issue. Sir, I have heard every grievance and argument from the men themselves and so I feel I possess a very deep knowledge of railway problems today. As I listened to the speech of my friend, Diwan Chaman Lall, I was very pleased to notice a marked change and contrast in the way he tackled his subject this year as compared with his methods of last year. It clearly shows that my friend, Diwan Chaman Lall, has now come out as a labour leader of moderate views, and one possessed with a solid desire and determination to do some good for the railway men in a proper constitutional manner. I refer particularly to his remarks on labour unions.

Sir, the remarks made by the Mover appeared to me to be a sort of double-edged compliment to the Labour Member of approval and disapproval. At first Mr. Aney paid Mr. Hayman a great compliment, after which he appeared to want to kick him out of office as useless. You may shake your head, Mr. Aney, but you cannot blow hot and cold, that is how I interpret your speech. He first said that Mr. Hayman was a very capable

[Lieut.-Colonel H. A. J. Gidney.]

officer, and next he catalogued a list of crimes or sins of commission and omission which he and other Members of the Railway Board have committed. He was followed by my friend, Mr. Kelkar, who made some very serious and wild allegations against the Honourable Member, Sir George Rainy. Sir, I hold no brief for either of the Honourable Members, but I have watched the progress and change of railway development, for the past twelve years, and I am personally familiar with all the work that has been done by the Member in charge of Labour. I care not whether he is an Anglo-Indian, an Indian or a European. I look upon him as an officer of the Government and as a servant of this House, and I make bold to say, without any fear or contradiction, that I do not know of any one who could have done the amount of work that Mr. Hayman has performed during his eleven months period of office, or as efficiently. I do not say this because Mr. Hayman happens to administer this portfolio, but because of the full conviction which I have of what he has done. Let me take a few instances with which I am personally familiar. Mr. Kelkar talked airily about dismissals and discharges. He is evidently not aware that this question of dismissals and discharges was settled by the Railway Board and I believe was in the hands of Agents in November last. I know that it appeared in the East Indian Railway Weekly Notice of the 15th January, 1930. This new procedure, Sir, is a great advance on what it was before. A railway man now has ample opportunity to present his grievances and his defence before discharge and to get a sympathetic hearing directly from the officer concerned. Moreover, there are many railways today in which their officers are in personal and close touch with their men, although I agree with Diwan Chaman Lall that all Welfare Committees, which are really "Farewell Committees" should be done away with. This happy position in the railways today is the outcome of the labours of Mr. Hayman; and yet my friends, Messrs. Aney and Kelkar, wanted to know today what has been done, and in their ignorance desire to censure and get rid of the Member. We hear a lot from the opposite Benches about the evils of racial discrimination: well, that has now been abolished on railways. The cry, that racial distinction in the matter of educational facilities should be abolished, has also been listened to and been abolished; the great cry that there should be no racial distinction in wages between various classes of employees has also been almost abolished and is entirely in the revised East Indian Railway rates of wages, and today let me tell this House that a European or Anglo-Indian working as a cleaner can only do so on a princely pay of ten rupees a month. Now, Sir, all these corrections and improvements have been effected by Mr. Hayman and within the short space of eleven months. There are many other improvements he has effected. Mr. Kelkar wanted to know what had been done by Mr. Hayman in regard to the improvement in the lot of the lowest paid railway employees. I know that, in the East Indian Railway, every low-paid employee from the gangman, *bhisti*, sweeper, etc., upwards, has had his pay raised from 20 to 30 and 40 per cent.—this being the difference in pay between 1920 and 1929. How they got the money to effect this improvement is another question, which I propose to deal with on another occasion; but, it is a fact that every low-paid employee in the East Indian Railway has had his pay raised. The Eastern Bengal Railway has also improved the wages of these employees. The Bengal Nagpur Railway today has a union working on its own Railway . . .

Mr. N. C. Kelkar: Is that the information before the House?

Lieut.-Colonel H. A. J. Gidney: It has been published in the Press and is public property. I am not giving any private information. These are some of the accomplishments effected by this Labour Member, but not all, Sir. Then with regard to the housing conditions of the staff generally. In this matter no distinction is now made between any class of employee. This has been another of the activities of the Labour Member.

Then take the question of Indianisation of the Railway Services. Why should you bring the charge that there has been no Indianisation in the Railway Services? You have only to take up any Report issued by the Railway Board this year to find how far the Indianisation of the Services has progressed, some say too far. I am not going to criticise this matter as regards its effects on Anglo-Indians, for if I wanted to, I could, but I refer to it in this manner to prove to the House that Indianisation is a very live wire today. The Reports of the Railway Board say that the official cadre has been Indianised during the year from 31 to 32 per cent.; but, what of the hundreds of Indians in officiating appointments? If this is not Indianisation, what is it? Leaving other matters aside, Indianisation is such a live wire today, that you cannot Indianise any more on the railways although there is a distinction made in the opposite Benches between the Indian and the Anglo-Indian, in your minds, not in mine. (Hear, hear.)

Now, Sir, my friend, Mr. Kelkar, asked what had been done with regard to the revision of cadre of the superior services. When the Honourable Member in charge referred in his speech to the superior services, I think he meant the promotion of subordinates as officials and the appointment of Indians to the superior services. I know, Sir, that a large number of Indians have been appointed by the Railway Board. The recent eight direct appointments, that were made in the Transportation (Power) Branch, were made because the present superior apprentice branch was unable to supply qualified and trained recruits, and, may I add, these direct appointments were made despite the fact that the Central Advisory Committee ordained that 20 per cent. of promotions to official grades should be from subordinates. So even here the Labour Member has gone out of his way to Indianise a particular Railway Department.

Then, Sir, I should like to refer to the improved relations today between the railway management and their workmen. I have been in close touch, and my friend Diwan Chaman Lal will support me in this, with all the railway workmen who presented themselves to give evidence before the Labour Commission and I can assure the House and my Honourable friends, Messrs. Aney and Kelkar, that the railway men themselves today realise that there is in operation a serious and determined effort on the part of the Railway Board and Administrations to establish a feeling of *bon camaraderie* that in my opinion, unhappily ceased to exist when the railways were brought under State control and the Divisional system was introduced.

Then, Sir, we come to the last of Mr. Kelkar's grouses, the part played by Mr. Hayman in the preparation of the Railway Board's Memorandum for the Labour Commission. I have nothing to say about that work, because the Memorandum speaks for itself as an outstanding proof of Mr.

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Hayman's ability and fitness for office. I hold no brief, as I said originally, for Mr. Hayman, but I am telling this House absolute facts with which I am personally familiar, and I was really surprised when I heard the charges brought against him by my friends, Messrs. Aney and Kelkar. Sir, these Members appear to have specialised in the art of walking on thin ice. My surprise is that their ice has not cracked long ago and they have not drowned themselves in their sea of ignorance on railways matters. My friends, Messrs. Aney and Kelkar, talk as if they were really familiar with railway labour problems, but when put to the test, as evidenced in their speeches, they show their unfamiliarity with, indeed they show their abysmal ignorance of the whole subject. Now, I ask, is it the work of the Labour Member to build houses and if he does not squander the taxpayer's money at lightning speed and within a given time, is this to be considered a crime? On the contrary he is entitled to our eulogy and approval, not our censure.

Mr. M. S. Aney: Who suffers in the meanwhile because the necessary assistance is not given? Do you?

Lieut.-Colonel H. A. J. Gidney: Neither you nor I. Suffer Mr. Aney.

Mr. M. S. Aney: That is the reason.

Lieut.-Colonel H. A. J. Gidney: My friend must remember that Rome was not built in a day.

Mr. M. S. Aney: Yes, yes; it won't be built in a century.

Lieut.-Colonel H. A. J. Gidney: But we shall both be dead by then. The question before the House is this. If you are going to pass a vote of censure on a Member, pass it for some solid reasons, and not for imaginary reasons such as Mr. Aney has thought fit

Mr. M. S. Aney: The reasons contained in these papers are quite obvious.

Lieut.-Colonel H. A. J. Gidney: I give you facts. I have now told you what has been actually done by Mr. Hayman during the last twelve months of office, and I have not the slightest hesitation in adding that every railway Indian workman will bear me out when I say that a change of heart is in evidence everywhere, because there is a definite change of policy, and that policy is being guided by the Honourable Member in charge of the Railways, and is being operated and led by Mr. Hayman, the Member whom you now wish to censure with a cut of Rs. 48,000. Sir, with these few words I oppose the motion.

The Honourable Sir George Rainy: Sir, I am grateful to my friend, the Mover of this motion, for he made it clear that he was not moving it in any sense for personal reasons, and indeed, there was nothing in his speech which could have conveyed a different impression. He said that the point he wished to bring out was not a personal question at all, but a question as to the manner in which the work of this very important branch of the Railway Board had been performed; and the chief reason he gave in support of his motion was that the progress made had not been nearly as rapid as it should have been. In particular, he pointed out

that we had been unable to spend even half the money included in the Budget for the current year, and he also mentioned the fact that, in August last, we were much more sanguine as to our ability to spend during the current year. Perhaps, I might explain that particular point at the outset. In August last, when the figures were prepared, we were still in hope that the Bill to amend the Indian Railways Act, in order to give effect to the Washington and Geneva Conventions, would be passed in the September Session. It is obvious, I think, that until the Legislature had definitely embodied the new provisions in the law, we could not embark on an extensive building programme, nor could we engage the additional staff on any large scale until buildings were provided for them, where necessary. That, I think, explains that point.

It is not only on the other side of the House that there is regret that we were unable to proceed as rapidly as we should have liked, and I can assure the House that it is the desire of the Railway Board and of the Government of India that we should make as rapid progress as possible with these matters. But my Honourable friend will perhaps forgive me if I say that his proposal is not altogether logical having regard to the reasons which he advanced in support of them. His argument amounts to this, that because we move so slowly, we must not be allowed to move at all. If no provision is made in the Budget for a Staff Member of the Railway Board, then the whole of the work we have been trying to do during the last eleven months in this direction, will be paralysed; the essential machinery will be destroyed, and instead of accelerated progress we shall see progress most seriously retarded. I do think that, if what my friend desired, was that the House should express dissatisfaction with the rate of progress, an ordinary Rs. 100 cut would have been quite as effective and a more logical method of conveying his idea.

I should like to turn now to what was said by my friend, Mr. Kelkar, who brought what is unquestionably a somewhat grave charge against myself. He said that, by the manner in which I presented my proposal for the appointment of an additional Member of the Railway Board to the Assembly last year, I had misled the House, and that I had obtained sanction on the plea that the work of this additional Member was to be confined strictly to labour matters, and that he was to do nothing else. Now, that charge is absolutely and entirely without foundation, and I would like to draw the attention of the House to what I said when I dealt with that matter. I first of all pointed out the various branches of work which at that time came within the sphere of what was known as the Member, General. I said:

"Since the railways exist for the conveyance of passengers and goods, his primary concern is with the movement of traffic."

That was the first branch of his work. I then said:

"The second main branch of his work is commercial and might, I think, be summed up under the name of 'Salesmanship,'"

Then, in the next paragraph, I dealt with the third branch with which the General Member has to deal, namely, establishment,—

"which covers the rates of pay and conditions of service of every grade of official employed on the railways of India, who now number more than 800,000 men. He must be prepared to grapple with the intricacies of pay and allowances when schemes

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of reorganisation have to be carried out, and with the special problems which arise when a Company-managed railway is taken over by the State and its staff has to be incorporated in the State railway services. He must also be prepared to deal with all the multitudinous questions that may be summed up under the general heading 'the welfare of labour', which includes housing, provident funds, leave rules, medical attendance, assistance towards education, hours of work, etc."

Now, I explained, as clearly as I could, that it was very hard to expect that the Member who was chosen for dealing with the traffic questions and with the commercial questions should also have the capacity to deal effectively with establishment questions. I then said in paragraph 25 of the speech:

"The conclusion at which the Government of India have arrived, was that the General Member should be set free to devote his whole time to those matters which are his primary concern, namely, transportation and the commercial management of the railways, and that a new Member must be added to the Board who would be specially charged with responsibility for all establishment questions and for the welfare of labour and of the staff generally."

Now, surely that is perfectly clear. I never suggested that his duties were to be confined purely to labour matters. On the contrary, I was at great pains to explain otherwise. Finally, on this point I should like to refer to the Memorandum placed before the Standing Finance Committee for Railways by the Financial Commissioner on this very matter. This is what he said, and I believe this was before every Member at the time the discussion took place in the House:

"For these reasons the Government of India have decided that it is necessary to create an additional appointment of Member of the Railway Board, thus providing that there will be one Member in charge of the transportation and commercial work and one Member who will be in charge of all staff work, including both labour questions generally and all the establishment work which at present is performed in the Establishment Branch."

Now, could anything be clearer? I know quite well that my Honourable friend had no sinister motive in charging me with misleading the House, but I do hope he will recognise that it was hardly a fair charge to make. (*Cries of "Withdraw".*)

Mr. N. C. Kelkar: May I just interrupt the Honourable Member for one minute and point out to him two things, which give the impression that I have got, which is the impression shared by many? As he is referring to the establishment side, I draw his attention to paragraph 27 of his speech last year. It begins, "On the establishment side", etc., and then throughout that paragraph he refers only to two things and nothing else—a good deal of unrest and trouble amongst the railway workmen. That is one, and the only other illustration he says which I would give is, "The obligations the Government of India have incurred under the Washington and Geneva Conventions", all along giving us the impression that the centre of gravity of the work to be done by the new Member lay entirely on the labour problem. Just one word more. I will point out what impression he gave at the very time to Mr. Jamnadas Mehta, and here is what Mr. Jamnadas Mehta said. It is relevant from this point of view that it was the impression created upon the mind of a Member

who was present and listened and knew everything. I will just quote him. He said :

"Sir George Rainy, I did not know, was a great tactician with a very skilful strategy behind him. Twenty eight lakhs are provided for increasing the wages of labour; what a great increase of work for the Railway Board. Thirty lakhs are to be spent on improving the housing conditions of labour. Does it require another Member?"

That will show that, so far at least as Mr. Jamnadas Mehta was concerned, he was under the impression that the additional Member must be responsible mainly for this labour work, and the contention that we have here put forward throughout is that he is not attending to that side of the work.

The Honourable Sir George Rainy: I had hoped to hear a different statement from my Honourable friend, but I do not think that the personal question is of sufficient importance that I should take up the time of the House with it further. I do not doubt for a moment that my Honourable friend was conveying what was quite clearly in his mind, but I hope I have satisfied the House that it ought not to have been in his mind.

I turn now to the matter to which I propose to devote the major part of my speech. As I said when I introduced the Budget, I regret that it was not possible to place in the hands of the Members before the discussion a Memorandum explaining the work which has been done by the Railway Board in his sphere since my Honourable friend, Mr. Hayman, assumed charge of the branches concerned with establishment and labour questions. But I promised a Memorandum would be placed before the Central Advisory Council, and I am quite ready to promise also, if Honourable Members would like to have it, that we will circulate copies of the Memorandum to every Member of the House. I quite recognise the right of the House to ask for information as to what we have been doing during the last 11 months, and I will endeavour to satisfy that desire. There must of course be a limit to the amount of information one can convey in a speech on a proposed reduction of a Demand, but I will try as far as I can to amplify the brief outline which I was able to give in introducing the Budget.

I should like, in the first place, to make it clear that, although Mr. Hayman is not confined purely to labour matters, yet unquestionably much the greater portion of the work he has been doing during the past year has in fact been directly connected with labour questions. It has always been recognised that labour matters must have precedence. But, before I come to these more directly labour questions, I should like to say a little about some other important matters which have come before him during the year, because no account of the work he has been doing would be anything like complete unless something was said on these subjects. Now, one of the questions with which he has been dealing is that of racial discrimination. I was very surprised to hear from my Honourable friend, Mr. Kelkar, that that was not a proper matter for a Labour Member to undertake; I was surprised because, judging from what one reads in the newspapers, it is emphatically a matter which, in the opinion of the railway workers of India, should be considered by a Labour Commission, and if it is suitable for consideration by a Labour Commission, I do not quite see why it should be excluded from the purview of a Labour Member.

Mr. N. O. Kelkar: I thought it was already disposed of and that there was nothing remaining to be done.

The Honourable Sir George Rainy: Even assuming that my Honourable friend's impression was right, and that Mr. Hayman was confined to labour matters, even so, racial discrimination is a perfectly proper and suitable matter for him to consider. I said, when I introduced the Budget, that as regards this question of racial discrimination, we had reached a stage where I thought that discussion with the Central Advisory Council would be helpful and fruitful. I could not possibly attempt to go through all the various items today, but I want to mention some of them, where we have already taken action since Mr. Hayman assumed charge. Here, for instance, in the Bombay, Baroda and Central India Railway, the limit of pay for the grant of second class residential and school passes was lower for the European and Anglo-Indian employees and higher for the Indian employees, and this distinction has been abolished in respect of all staff appointed after a certain date. In the second place—this is on the East Indian Railway—the quarters allotted for European and Anglo-Indian employees were more spacious than those allotted to Indian employees, and orders were issued by the Agent in December last, that in future all allotments should be made by posts and not by individuals, and so the quarters previously reserved for European and Anglo-Indian employees will be available to Indian employees at the same rents, should they desire to occupy them.

Again distinctions made as regards free medical assistance and other facilities have been removed by the issue of an order issued in January last to the Chief Medical Officer, whereby equal medical assistance and other facilities are admissible to all staffs in a particular grade, irrespective of their nationality.

In the case of travelling allowance, the distinction between the rates of daily allowance admissible to Europeans and Anglo-Indians on the one hand, and Indians on the other hand, under the Company rules has been removed by the orders of the Railway Board—issued in July last—and the travelling allowance of all subordinates is, for the future, to be governed by the State Railway rules.

Take another matter. The Railway is now prepared to equip all quarters for senior subordinates with electricity at stations where electricity is available, provided the occupants are willing to pay the charges. There again racial discrimination has been removed.

The training of nurses was formerly confined to the daughters of European and Anglo-Indian employees, but it has now been extended to the daughters of Indian employees as well. I could give three or four more instances, but it is hardly possible to give an exhaustive list in a speech. I have mentioned them now because I want to make it clear that, quite apart from these matters which we hope to discuss with the Central Advisory Council, we have already, wherever we found it possible, taken action to redress what was complained of.

Amongst other subjects, unconnected with labour, I should like to mention that, with the addition of a new Member to the Railway Board's office, and with the introduction of the new standardisation department, a considerable amount of reorganisation was necessary in the Railway Board's office, the burden of which fell on Mr. Hayman, and he had also to take

responsibility for framing the course of instruction at the Dehra Dun Staff College. Again there was the big question of settling the cadres of the superior services, a matter which may be of some interest to the House, because I hope that, before very long, it may enable us to settle the vexed question about the local traffic service which from time to time pops up at question time. This question also fell to him. But I will not go on to dilate upon these matters, not directly connected with labour, because I recognise that it is labour questions which are of primary importance, and it is in them that the House is most interested. For all reasons they must have precedence. One of them, however, I think I had better leave to another occasion, because when the Bill for the amendment of the Railway Act comes before us, there will be a natural opportunity to deal with questions about the hours of employment and the periods of rest.

Of the various points that were brought to my notice by the deputation of the Railwaymen's Federation that I received at Simla, I think, perhaps, one to which they attached primary importance—I do not say they put it absolutely first—was the question of security of tenure to which my Honourable friend, Diwan Chaman Lall, has referred in his speech. The new rules on this subject were issued in November last and a copy was sent to the Secretary of the Railwaymen's Federation. I am very sorry indeed that these rules have not penetrated to the railway unions, and I propose to issue instructions to the Agents that, when general orders on a matter of that kind are communicated to them, it is very desirable that they should, on their part, convey the orders of that sort to the unions which they recognise. Copies of these rules are already in the Library of the House, but here, again, if it would meet the convenience of Honourable Members—the type is still standing—there would be no difficulty in printing extra copies. We shall be very glad to circulate copies to the Members of the House, and I will see that that is done.

Now, these rules that we have issued were criticised by my Honourable friend, Diwan Chaman Lall, and in particular he argued that a distinction was drawn in these rules not as regards dismissal,—I think "dismissal", was the word which he used—but as regards discharge for inefficiency, and that distinction was drawn between men who were of less than ten years of service and men who had more than ten years of service. I do not want to discuss the merits or demerits of that particular distinction today, but what I do wish to point out is that, whether or not the rules go as far as my Honourable friend would like to see them go, or as the Railwaymen's Federation would like to see them go, they are clearly a marked advance over the procedure that was in existence previously. We have taken a distinct step forward in the direction which the Labour Unions wish.

My Honourable friend raised the question why, before we issued these rules, we did not have a further discussion with the Railwaymen's Federation. My answer is this, that when we had clearly made up our minds that we could go a certain distance, it seemed to me desirable that we should go that distance at once and not wait for further consultation, which might hold up the case for a long time, in the hope that perhaps we would go further. It does not mean that these rules are fixed like the laws of the Medes and Persians, for all eternity, so that they cannot be altered. This is a matter which I know is of great interest to the

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railway staff generally, and I anticipate that it will become the subject of discussion from time to time between the Railway Board or possibly the Railway Member and the Railwaymen's Federation.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Was there previous discussion between the Agents and the Trade Unions, as promised by the Honourable Member to the deputation which he received in May last?

The Honourable Sir George Rainy: As regards these particular rules, I do not think so, but I am not absolutely certain.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

Another matter was the leave rules. The new leave rules, I am informed by my Honourable friend, Mr. Hayman, are likely to be published in Saturday's Gazette, and I will issue instructions as regards them also that copies should be circulated to Members of this House so that they may see what they are. The question of the leave rules is a complicated one; technical questions are involved which gave us infinite trouble, and these questions had to be settled with the Auditor General and the Finance Department. It was not till my Honourable friend, Mr. Hayman, took them in hand that we were able to get out of the thicket of technical difficulties in which we were entangled. These rules apply not only to inferior servants, but also to all new entrants into the service, whether they are in the officers' grade, the subordinate grade or are inferior servants. The rules are not of course uniform for all grades, but within a grade,—whether of inferior servants, subordinates or officers—the only distinction that arises is over the question of domicile. In certain cases the rules for officers of European domicile are more liberal than those for officers of Indian domicile, but there is no distinction on the ground of race or nationality. Now the great step forward so far as the former Company-managed railways are concerned in respect of these rules is that, whereas at present I think it is true to say that for large classes of their lower paid establishments with the exception of certain holidays in the year,—the number varies on different railways, 15 on one and 17 on another—the workmen are not entitled to any leave except leave without pay. Under these new rules, once they have completed three years' service, they become entitled to 10 days' leave in the year on full pay, apart from holidays; after ten years' service, 15 days', and after twenty years' service, 20 days', plus a certain amount of leave on medical certificate. I will not go further into the details because Honourable Members will be able to see for themselves when they receive copies of the rules. It may be that, in this case also, we have not found ourselves able to go so far as the Railwaymen's Federation would like to see us go; but we have made a genuine attempt to improve the conditions of service in this particular respect, and we mean to make our policy effective by the provision of leave reserves which will be required if it is to be made possible for the men to take leave to which they become entitled under the new rules.

There was another matter which engaged Mr. Hayman's attention, a very practical matter which clearly affects the welfare of the staff, namely, the acceleration of the payment of wages at the end of the month. He

made a special inquiry into that matter at Moradabad and what he found was that the orders issued by the Railway Board were perfectly sound orders, which did not require alteration, but that practical effect was not being given to them. He took immediate steps, with the approval of the Board, to put an officer on special duty to work out a detailed scheme, so that full effect should be given to the orders previously passed to prevent delay in the payment of monthly wages.

Then again he has given special attention to the service conditions of workshop employees. In their case, the new leave rules will be a distinct improvement, and there are other provisions such as a month's notice on discharge, and one or two small matters of that kind, which ought also to be appreciated. Another matter which has received attention is the Staff Benefit Fund. The rules about this Fund are in their final shape and will come into effect on the 1st April, 1931. I hope that Staff Benefit Funds will be established generally, not only on the State-managed lines, but also on the Company-managed lines.

Another question we have taken up,—and I personally believe it is a very important matter for the welfare of the staff,—is that of co-operative credit societies for the railwaymen. My attention was specially drawn to it at the Conference of Railway Agents last October, when the President, Sir Ernest Jackson, who has done a great deal for the employees of the Bombay, Baroda and Central India Railway in that particular line laid great emphasis on its importance. I said then, and I should like to repeat it now, that anything which can be done in that way to relieve the indebtedness in which so many railway servants are involved would be a very real improvement.

Now, as regards what must obviously be a question in which railwaymen take special interest, namely, the revision of the wages of the lowest paid employees, I explained what the position was in my Budget speech. Having got the first case settled, we are now going on to the others in accordance with our programme previously laid down, to take up in succession the Great Indian Peninsula Railway, the East Indian Railway and the North Western Railway, and we will try to get these schemes through and get them approved as quickly as we possibly can. My friend, Diwan Chaman Lall, I think inadvertently suggested that we were going to consider not only the prevailing scale of wages of the locality, but also the cost of living index. That is correct, except that I did not use the word "index". His comment was that everybody knew that to get an accurate cost of living index was a very difficult and troublesome matter indeed and required very full investigation. There I entirely agree with him. But I did not in the least intend to suggest that we would delay action until somebody had made a complete investigation and devised an accurate cost of living index. All we can do is, using such data as we have and can readily obtain, to ascertain approximately what might be reasonable figure to take and to work on that. I think it necessary to say that, because I should be very sorry to convey an impression that we were holding up action until we could comply with what I think is, today in India, only an ideal. I do not think anybody has yet solved the question how in India a satisfactory cost of living index can be devised.

My Honourable friend went on to ask for a declaration of policy,—it was the policy of the Railway Board he asked for—but in these matters, it is more often than not the policy of the Government of India which is in

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question, and I should be very glad indeed if I were in a position to deal at length with these various topics. I do not, however, think, it is possible for me today to take up his various points one by one and try to answer them *seriatim*. What I do want to say is this. I quite recognise that, when I received the deputation from the Railwaymen's Federation in Simla, that was not the last stage in the discussion. When I addressed the deputation, I tried to make it clear to them that, while I recognised that there ought to be further discussion between the representatives of labour and the Railway Administrations, that would not necessarily take place between the Railway Board and the Federation. It might more appropriately take place between the Railway Administrations and their own local unions. But at the same time, there are some of these demands put forward which are not of a local nature; in their essence they are really of an all-India nature, at any rate, so far as the State-managed railways are concerned. I mean such questions as the leave rules or the security of tenure rules, hours of work and so on. Now, I quite recognise that there may be advantages if consultations take place with representatives of labour at the headquarters, and I do not exclude that idea for a moment. I think it is probable that such further discussions may come about.

Lieut.-Colonel H. A. J. Gidney: If the Honourable Member will permit me interrupting him, will he kindly state whether those consultations will only be confined to the Federation of the Railway Unions, or extended to representatives of other bodies?

The Honourable Sir George Rainy: I was speaking, Sir, on the assumption that the Railwaymen's Federation was representative, or at any rate, the most representative body of railway labour. If there are other bodies, not connected with the Federation, who would wish to be consulted at such a time, I have not the least idea of suggesting that they ought to be excluded. All I can say is that, at the moment, they were not present to my mind. My mind was naturally concentrated on the body whose representatives I have met. I do not think it is possible for me to go in detail into all that the Honourable Member, Diwan Chaman Lall, said. I should like to say this, that the general policy of the Government of India towards Railway Trades Unions is quite definitely an attitude of sympathy and encouragement. I can imagine that from time to time, there may be difficulties about particular unions. Our hope would always be that these difficulties would be overcome and we should strive to maintain amicable relations wherever it was possible. It is only to this extent that I wish to qualify what I have said. Clearly at this stage, when trade unionism in India is in its early days, it may not always be possible to maintain cordial and friendly relations with all the unions. That is a question for practical decision in each case as it arises. But undoubtedly, our general view is that the trade unions, if wisely guided—and I cannot over-estimate the enormous importance of wise guidance to the unions at this stage—if wisely guided, they are capable of doing a great deal of good work in the interests of labour not only on the railways but in practically all industries, and I should like, if I may—interested as I am and interested as the Government must be in wise guidance of labour—to express very briefly my appreciation of the courageous action taken by some in November last at Nagpur, when it seemed there was a real danger of the whole labour movement coming under unwise management. (Applause.) I do think those who acted so promptly on that occasion are entitled to great

credit and are entitled to be heard with great respect whenever they speak on labour questions. (Hear, hear.)

I do not wish, Sir, to weary the House. I have tried to give the House some idea of the magnitude and volume of work with which Mr. Hayman has had to deal. If the House thinks that he has not been proceeding as fast as they wish, then censure the rest of us as much as you like. But do not censure him, and in particular do not deprive me of the Labour Member of the Railway Board, because I am sure that if you do so, then the work which he has been doing will come to a standstill altogether. I do hope that the House will not carry this motion. (Applause.)

Mr. M. S. Aney: Sir,

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): May I ask, on a point of order, if the Honourable Member has got any right of reply?

Mr. Deputy President: He has moved the cut.

Mr. Muhammad Yamin Khan: The rules which apply to Resolutions do not apply to cuts.

Mr. Deputy President: Let me see what the Honourable Member has got to say?

Mr. M. S. Aney: I have heard with great interest the very exhaustive statement which, if not completely satisfactory, is somewhat assuring. That is one redeeming feature of the debate which unfortunately took a somewhat acrimonious turn at one stage. The one point which I have not been able to understand is this—and it was the point which I wanted to raise—that we have had a certain allotment made at the beginning of the year, that this House wanted the Railway Board to utilise a particular amount of money in the interests of labour by the end of the year. That was the meaning of the allotment, and the manner in which the budget allotments have been worked out is the sole matter under consideration by this House on this motion at this stage. Even now, they do not say how the 10 lakhs, 18 lakhs and 80 lakhs allotted have been spent. In fact, if we go by the figures as they are given under the revised estimate in the volume of the Demands for Grants, we find absolutely no mention made of any expenditure during the course of the year there. That is the great difficulty, and that is the main reason why I think I was justified in bringing to the prominent notice of this House the absence of information as to how and in what useful way this money was spent, or whether any money was spent at all. I would therefore request the Financial Commissioner of Railways to revise the book of demands in view of the statement he has made in a certain paragraph of the Explanatory Memorandum. So long as he does not do that, the world will always understand what I have stated as the only correct position with regard to the money allotted. However, I have received the assurance that something is being done, and a good deal is intended to be done within as short a time as possible. I hope that this year at least we have got a promise about which we shall have no occasion to repent or grumble. I do not therefore wish to press my motion.

Mr. Deputy President: The question is that leave be given to Mr. Aney to withdraw his motion.

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

Displacement of Anglo-Indians and Domiciled Europeans on the various Railways.

Lieut.-Colonel H. A. J. Gidney: Sir, the motion that stands in my name and which I move is:

"That the Demand under the head 'Railway Board' be reduced by Rs. 10,000."

Sir, the question of this reduction became apparent when I received Volume II of the Railway Board's Report.

Mr. A. A. L. Parsons: On a point of order, Sir. In accordance with the Honourable the President's ruling this morning, I am doubtful whether Colonel Gidney can move this cut to reduce the Demand under the head Railway Board by Rs. 10,000. The Honourable Member is raising a question with regard to the pay of certain Anglo-Indians and domiciled Europeans on various railways, whose pay is brought to account under the head 4—Administration or 5—Repairs and Maintenance and Operation. The point of his motion is to urge on the Railway Board that a certain number of domiciled Europeans and Anglo-Indians should not be displaced. It appears to me that he is raising a matter of policy on a grant which does not cover the salaries of employees concerned on the various railways.

Lieut.-Colonel H. A. J. Gidney: My motion relates to a question of policy in the same way as Mr. Aney's cut of Rs. 48,000.

Some Honourable Members: No, no.

Lieut.-Colonel H. A. J. Gidney: I am not addressing you and your "No, noes". I am addressing the Chair and I say, "Yes". But I am prepared to reduce my cut to Rs. 100, if I can do that when the time comes, and if you will permit me, Sir. In order to remove any apprehension of the Railway Board, for it appears to be afraid of all my cuts today, I am prepared to let the Railway Board have a *baksheesh* of Rs. 9,900 of the cut proposed, and shall move a cut of Rs. 100 when the time comes later on, as regards the policy of the Railway Board. May I have your permission to do so, Sir?

Mr. Deputy President: Yes, Mr. Neogy.

Re-examination of the Convention of the Separation of Railway Finance from General Finance.

Mr. K. C. Neogy: Sir, I beg to move:

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

It is my intention to raise the question of the re-examination of the convention of the separation of Railway finances from General finances. This is the sixth year in which we are considering the convention of separation. Full five years have gone in which this convention has been worked, and more than once before the demand has been put forward from this side of the House that this convention should be re-examined and revised. From a perusal of the Resolution of September 1924, which embodies this convention, it will be seen that it was laid down in that very Resolution itself that, the "arrangements shall be subject to periodical revision but shall be provisionally tried for at least three years". That indicates,

Sir, that at that time it was considered by the authorities that three years' trial would be quite fair, and that on the termination of three years, this convention should be examined for the purpose of finding out as to how it has worked in practice and in what respects it might be usefully revised.

(At this stage Mr. President resumed the Chair.)

At this stage, Sir, I desire to go as briefly as I may into the history of this separation of the two Budgets which, as far as I can remember, was first raised in the year 1899. The proposal then was that the Budget of the Public Works Department, which included the Railway Department in those days, should be separated from the General Budget. We do not find that any action was taken on that proposal at that time. It must be remembered that, in those days and for years before, complaints were voiced, mostly in England, that the railways in India were being starved, and that the departmental financial rules under which the railways worked in India were not quite suitable to the requirements of a big commercial undertaking which the railways represent. In 1901 we find one, Mr. Thomas Robertson, was appointed Special Commissioner for Railways in India by the Secretary of State to go into the various questions relating to railway administration in India, including the question of State *versus* Company management; and this gentleman was expected, among other things, to report on the feasibility of adopting a systematic plan of railway development in India, in response to the complaints which I have mentioned that the railways in India were being starved, and that there was no systematic plan of railway development, thanks to the hand-to-mouth policy which was followed in respect of railways. Mr. Robertson in his Report dated, I think, 1903, made certain suggestions which have some sort of resemblance, though a very distant resemblance, to the separation convention which is in operation at the present moment. He recommended the formation of what he called a railway fund, more or less corresponding to the Railway Reserve Fund that we have at the present moment, and he also made certain other recommendations, which remind one of some of the details of the present convention. It does not appear that any definite action was taken even on this Report so far as these points were concerned. Next we come to the year 1907, when what is known as the Mackay Committee came out, and here again we do not find that any radical change was either recommended by the Mackay Committee in the financial arrangements of railway administration in India, or that any definite line of action was chalked out by Government as a result of that Committee's recommendations so far as the question of separation of finances went. The Mackay Committee tried to remove certain misapprehensions which prevailed with regard to the defects of the late departmental system, and made certain practical suggestions for improving the procedure in regard to allotments. We then find that this question of separate budgets took shape only after the Acworth Committee came out in 1920-21. We also find that in 1921 the Associated Chambers of Commerce passed a resolution asking definitely for the separation of the Railway Budget from the General Budget. As is well known, the Acworth Committee were equally divided with regard to the most important question of principle which was referred to them, namely, the question of State *versus* Company management; but they were unanimous in making a recommendation that the finances of the railways should be separated from the general revenues and that there should be a Member of the Executive Council in charge of the Railway portfolio and it should be his

[Mr. K. C. Neogy.]

duty to present the Railway Budget separately from the General Budget. I need not go into the details of the recommendations because they are well known to this House. In those days the Government of India were generally opposed to the idea of State management, but it seems they favoured this idea of the separation of finances. When, therefore, in 1923, the policy of State management was practically accepted by Government, though only with regard to the Great Indian Peninsula and the East Indian Railways at that particular moment, at the instance of this House, they made a proposal, so far as I understand, to the Secretary of State that as the policy of the Government was going to be in future to undertake the management of the State-owned railways, they did not like the idea of the Legislative Assembly, a popular House as it is, interfering in the details of the railway administration; and my information, Sir, is that they made a positive proposal to the effect that the Railway Budget should be separated from the General Budget and should be made wholly non-voted, just as the Army Budget is at the present moment; that it might be open to the House to criticise the Budget, but that it should not be needed to put the different Demands to the vote of the House. That was their original proposal to the Secretary of State. Be it said, Sir, to the credit of the authorities in England, that they did not fall in with this proposal. The Secretary of State, it is understood, pointed out that the railways of India belonged, as they do, to the taxpayers; and in view particularly of the fact that the general revenues, which means the taxpayers again, had subsidised the railways in the past in the days of their adversity when they could not pay their pay, it would not be just and proper to remove the Railway Department from the control of the Assembly, and that he would not agree to any departure in this matter being made without the consent of the Legislative Assembly itself. This led to the convention which is embodied in the Resolution which was adopted in this House in the year 1924. As a result of this convention, we have the Commerce Member presenting the Railway Budget separately year after year, and this is the sixth separated Budget that has been presented.

Now, Sir, when the Commerce Member rose to make his speech in presenting the Budget, the other day, I felt tempted to rise to a point of order for the purpose of drawing attention to the rather ambiguous constitutional position which he occupies with reference to the Railway Budget, for those who have studied the latest Report of the Public Accounts Committee must have noticed that this question came up for examination at their hands. It was pointed out by certain Members that the Government of India Act and the Statutory Rules framed thereunder seemed to contemplate only one annual budget of the Government of India, and only one Finance Member who was given certain specific rights under those rules. I am perfectly aware that a notification, or rather an order, has been issued by His Excellency the Governor General investing the Honourable Commerce Member with certain specific rights under certain statutory rules in which certain definite functions are allotted to the Finance Member. Sir, I do not know what the exact position of the Honourable Member is today. The Honourable Sir George Rainy represented a trinity yesterday—he was the Commerce Member, he was the Railway Member and he was also the Finance Member. It may be that he is no longer the Finance Member today, having regard to the particular rule under which His Excellency the Governor General's order was promulgated. Yesterday I was rather struck

by the fact that my Honourable friend, Sir George Schuster, made himself rather scarce from the floor of this House; he did not seem to feel quite comfortable in his seat and he did not stay for more than two or three minutes at a time when he came in. Well, Sir, it is a sort of conundrum that the Finance Member ceases to be a Finance Member when the railway finances are under discussion; and the fact that the Honourable Sir George Schuster allowed himself to fade into the background yesterday is to my mind symbolical of the position which he and the Finance Department occupy with reference to the Railway Department under the convention of separation.

I think we might now examine this question as to how far the separation affects the financial control; and from that particular point of view I will take up the position of the Financial Commissioner of Railways for examination, because I take it he constitutes the pivot of the scheme of separation, the pivot on which the system works. I am perfectly aware, Sir, that the underlying idea of separation, both here and also in those European countries where it is in operation—I mean those countries where there is State management of railways and where Railway finances are separated from the General finances—the fundamental idea is that the Finance Minister should not exercise any meticulous control over the financial administration of the railways. Sir William Acworth, who is the author of this idea, or rather one of the authors of this idea of separation so far as India is concerned, has also an interesting Report on the Austrian railway system, and in that Report he amplifies his idea about the position of the Finance Minister under a scheme of separation. There he points out that the Finance Minister, under a scheme of separation, should be the watch dog, whose duty shall be only to bark and not to bite,—that is how he put it. Now, Sir, the position, therefore, is that the Finance Member of the Government of India no longer bites the Railway Member or the Railway Department as he used to do in the past, but he is content with merely barking at it. Not merely that. Instead of doing the barking himself, he has delegated the work of barking to the Financial Commissioner. The Financial Commissioner I described at one time as the Dr. Jekyll and Mr. Hyde of the Railway Department. In one capacity he is expected to represent the Finance Department. Inside the Railway Board he is a sort of ambassador of Sir George Schuster; in another capacity he is thoroughly identified with the day to day administration of the Railway Department. On a previous occasion I pointed out that, from the manner in which he seems to identify himself with every little detail of railway matters that comes up in this House in the shape of questions, it seems that, though he may not be said to have altogether lost his financial soul, certainly his financial soul has got rather attenuated and his railway soul predominates at the present moment.

Now, Sir, the examination of the position of the Financial Commissioner gives us the real key to the whole position. Questions have been asked time after time in this House regarding the various powers which the Financial Commissioner exercises, and it was brought out only very lately, that in regard to certain matters, his powers exceed the powers which used to be exercised by the Governor General in Council before the separation of finances. (*An Honourable Member*: "No, no.") Now, Sir, the Honourable Member will say that that is the essence of separation. I say, yes, that is certainly separation, and if anybody in this House is dissatisfied with the condition of things, he really is fighting not merely for tinkering with the convention, but his objection goes really to the very root of the matter.

[Mr. K. C. Neogy.]

I am in entire agreement with the Government in this matter that it is not possible to tinker with this convention. Either you should concede the powers to the Financial Commissioner that he at present enjoys, or you should restore the control of the Finance Department as it used to be in the past. There is, I daresay, no half-way house. Theoretically, of course, the Honourable the Finance Member can always call upon the Financial Commissioner to come up to him and explain matters, and it is always open to the Financial Commissioner to approach the Finance Member and consult him in regard to the financial questions involved in the railway administration. But from what we know as a matter of fact, from experience of the past few years, I do maintain that this control of the Finance Member is nothing but illusory. So far with regard to the relations between the Financial Commissioner and the Finance Member.

With regard to the relations between this House and the Railway Department, I do maintain that this House has been made to impose a self-denying ordinance on itself as a result of the acceptance of this convention. In so far as it is no longer open to this House to claim anything beyond a fixed percentage of dividend from the Railway revenues, to that extent I take it it will be conceded that this House has imposed a restriction upon itself. Apart from that, Sir, it has been brought out in several sessions of the Public Accounts Committee that the powers of re-appropriation enjoyed by the Financial Commissioner and the Railway Board practically reduce the vote of this House, particularly in regard to capital construction, to more or less a farce. This matter was brought out in discussion once or twice before this House, and those Honourable Members who have gone carefully through the Report of the Public Accounts Committee, and through the evidence that was tendered before the Public Accounts Committee on behalf of the Railway Department, know very well what the exact position is. It is rather a technical point, and I do not want to take up the time of the House any further by dwelling on it.

Now, Sir, what is the net result, from the point of view of efficiency of administration, of all these five years of trial of this separation convention? What evidence will satisfy this House on this point? Will the evidence of the Auditor General satisfy them? Sir, here I am reading out the observations made by Sir Frederick Gauntlett in September last before the Public Accounts Committee, page 825 of the Evidence Volume. He was referring to the different Appropriation Reports on the railway accounts. He says :

"It leaves me with rather a feeling of disquiet. This is the last occasion on which I should be present, and I do think that while there is steady improvement elsewhere, I hesitate to say that things are all right in the Railways. I do see substantial improvement in the Army, but I cannot say the same thing about the Railways."

Then a question was put to him as to what he attributed this to. His answer was, "Inefficient administration". That is the testimony of an officer who has spent his lifetime in the service of India, and these are the words which he uttered on the eve of his retirement, after we had given full five years trial to the system of separation.

Sir, it was claimed by the supporters of this separation, that most of the ills from which the Railways suffered were due to the departmental system of control, and that as soon as the separation was inaugurated, things would settle themselves. But I have quoted the opinion of a very impartial observer who was in intimate touch with the financial aspects of the railway administration to show how these hopes have been realised.

Then, Sir, reference was made to the policy of extravagance to which the Railways seem to have been committed ever since the separation convention was established. Reference was also made by no less a person than Sir Purshotamdas Thakurdas to an incident in which the rent payable by the Postal Department to the Railways on account of accommodation given to them by the Railway Department at the Lucknow station had gone up something like 100 times on account of the lavish expenditure undertaken by the Railways in re-building their station at Lucknow. Sir, the Executive Council of the Government of India is a close corporation. We do not know what passes within the closed doors of the Cabinet. We are not privileged to know whether any individual Member differs from any other individual Member on any particular question. When they come to this House they present a united front. It is seldom, therefore, that it is possible for us to find out as to what one Honourable Member thinks of the administration of another Honourable Member. But, Sir, in this particular case, which was referred to by Sir Purshotamdas Thakurdas, we have the advantage of the opinion of Sir George Schuster on the policy of extravagance followed by the Railways. I think the Honourable Member in an unwary moment expressed himself very frankly on this particular point, and the circumstances of the particular case were so appalling that any one who was present at the meeting of the Public Accounts Committee could not help giving vent to his inmost feelings. Honourable Members will find a reference to this particular case on page 47 and onwards in the evidence volume of the Public Accounts Committee, the latest issue. This is how the case was summarised by Sir Frederick Gauntlett. A new station was built at Lucknow on a great scale of elaboration and the Posts and Telegraphs Department is now being asked to pay a huge rental for a room in the new station for the Railway Mail Service! It seems that the rent paid by the Railway Mail Service before the new building was put up was about Rs. 55, and as a result of the huge expenditure on this new building, the rent had gone up more than 100 times, and the Postal Department was asked to pay this enhanced sum, because the rent depends upon the proportionate cost of the space occupied. This is what Sir George Schuster said:

"I think this enormous increase in rent indicates that the accommodation provided at Lucknow has been provided on an extremely elaborate scale and I doubt if the Government of India can afford to maintain that sort of standard."

And we share his doubt to the fullest extent. Of course he was speaking with reference to the extra charge that is laid on the shoulders of the Post Office in this transaction, but this observation has an indirect reference to the extravagant policy of the Railways too. Now, Sir, the Honourable Member further went on to observe, "The principle seems to be rather important". The question is why didn't you fight the Railways over this question? This was the question that some of us put to the Postal Department, and the Honourable the Finance Member said, "The principle seems to be rather important and when big sums are involved I think it would be worth your while to fight for the principle". Sir, if I may pause here for a moment, here is an instance in which the Honourable the Finance Member is inciting the Member for Industries and Labour to fight the Honourable the Railway Member. I am sorry the Honourable the Home Member is not here at the moment. Otherwise I should have asked him to consider, in consultation of course with the Honourable the Law Member, as to under what particular section of the Penal Code the Honourable the Finance Member could be brought to trial for this incitement.

[Mr. K. C. Neogy.]

Now, Sir, that at least shows the gravity of the situation, I have quoted the evidence of two of the most eminent authorities who could speak with inner knowledge, and certainly with a proper sense of responsibility, namely the Auditor General of India and the Finance Member of the Government of India. If we had a minister in charge of the railways responsible to this Legislature, as the Minister for Transport—this happens to be the case in every other country where this system of separation exists—I mean those countries where the systems of State ownership and State-management exist,—perhaps I would not have complained. But so long as the Honourable Member is not responsible to this House, I would, acting on the principle of setting a thief to catch a thief, rather have one irresponsible Department of the Government of India, namely, the Finance Department, controlling another irresponsible Department of the Government of India, namely, the Railway Department. Till we have responsible government established in this country, that would be a fairly satisfactory arrangement of things so far as I can judge.

Now, Sir, simultaneously with the establishment of this convention, there has been a very large delegation of authority, first from
4 P.M. the Secretary of State in favour of the Government of India in regard to the management of railways. The Government of India, which is another name for the Railway Board, have in their turn made a very large delegation of financial and administrative powers in favour of not merely all the Agents of the State-managed railways, but also in favour of the directorates of the Company-managed, State-owned lines. The result has been that the control of the Railway Board has got diluted. They themselves admit that their control has changed in character. They do not admit that the control has been altered to any very material extent so far as practical results are concerned, but they admit, at the same time, that the control has changed considerably in character. The result of that is every year visible in the Public Accounts Committee. I do not want to weary the House by going again into the evidence given before the Public Accounts Committee, but I may tell the House this much, that so far as the experience of the Public Accounts Committee goes, this delegation of powers has produced results which are not at all satisfactory. Instances are on record in which the money of the taxpayers has been wasted in capital expenditure and in revenue expenditure. The abuse perhaps is nowhere greater than in the case of the Company lines. The control exercised by the Railway Board over the Company lines has never been of the same character as the control exercised by them over the State-managed lines, and very naturally too, but this system of delegation of authority, which has benefited even the Company Agents, has been accompanied by very distressing results. We had a very elaborate examination of the question before the Public Accounts Committee last time when we had the benefit of the evidence of Sir Austin Hadow, among others on this point, and the feeling that was left on our mind was that things were not going on well in the Indian Railways. In these circumstances, quite apart from the provision which is contained in the convention of separation, that *this convention shall be open to re-examination at the end of three years*, it is needed that an early re-examination of the whole position should be made at the instance of this House. Sir, I know that there are some Honourable Members who are prepared to swear by the present arrangements, there are some, again, who would be satisfied if the arrangements

could be modified to a certain extent here and there. I have never concealed my attitude in this matter. I have ever been an opponent of the whole scheme of separation, but I am free to admit that certain arrangements which have been brought into being simultaneously with separation, and which have no essential connection with separation, have improved things to a certain extent, so far as this House is concerned. I am free to admit that the institution of the Standing Finance Committee, the Central Advisory Council and the distribution of Demands into different heads in the Budgets, all these things are undoubted improvements, but they have no essential connection with the scheme of separation. Again, Sir, the institution of a reserve fund is not also of the essence of separation. What has been lost by separation is the rigid financial control of the Finance Department, and I should like to see that restored exactly in the same manner as it used to be exercised before the separation was brought about. Sir, I move.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): May I just inquire whether the reply of the Government Member can only follow all other speakers? Personally, I should prefer to hear what the Government have to say before we proceed with this motion further.

Mr. President: The Honourable Member for Government will not be given a second opportunity to speak.

Sir Purshotamdas Thakurdas: As a matter of fact, there are three Honourable Members on the Treasury Benches intimate with railway matters and they can arrange among themselves to speak after we have spoken. It would be very convenient to know at this stage what the Government have to say about the case put forward by my Honourable friend, Mr. Neogy. I therefore suggest that an Honourable Member from the Government Benches may usefully be asked to speak now.

The Honourable Sir George Rainy: I quite appreciate what has fallen from my Honourable friend, Sir Purshotamdas Thakurdas. It is sometimes convenient that the Government Member should reserve his speech until a reasonable number of other speakers have spoken, but in other cases it may happen that Honourable Members of the House wish to hear, at an early stage of the debate, what the Government have got to say. Now, it seems to me that my Honourable friend, Mr. Neogy, in what he said in support of his motion, was under a certain misapprehension. He said that the essence of the separation convention was not one thing and it was not another, but the essence was the position and powers of the Financial Commissioner—I think I correctly understood him . . .

Mr. K. G. Neogy: I described him as the pivot of the whole scheme.

The Honourable Sir George Rainy: But the remarkable thing is that the Financial Commissioner had the same position and powers before the convention that he has at present, and therefore it is very difficult to say that what had already been given to him before the convention for the separation of the Railway finance, is in principle the essence of the convention. It would be quite possible to abolish the convention tomorrow, but it would not in the least follow that there would be any change in the position and powers of the Financial Commissioner as regards the sanctioning of expenditure and so on.

[Sir George Rainy.]

My Honourable friend justified his motion, mainly on the ground that a tree shall be known by her fruits, and that the fruits of the railway tree during the last five years were not palatable to him. I think that the Members of the Railway Board would be perfectly content to be judged on the result of their administration since 1924, provided due regard was had to the conditions prevailing in the Railway Board before that year. No one would contend that we have reached the stage of perfection and that there is nothing more to be done to improve the administration of the railways. We are quite conscious that there are a number of things which might with advantage be done. But I do say that, since the whole system of railway administration was reorganised, beginning from the date when Sir Clement Hindley was appointed Chief Commissioner of Railways, the administration of the railways during the following years will challenge comparison easily with any previous period in the railway administration in India. There was a different spirit breathed into the administration as compared to a time that I can remember not so very long ago. Now, when the House is asked to judge the results of the present system on the basis of mistakes, errors of judgment and so on, to which attention has been called by the Public Accounts Committee, I would ask the House to remember that necessarily the Public Accounts Committee had only one half of the picture before it. As I pointed out to a meeting of the Railway Agents in last October, the Audit Department is not interested in the good deeds of an officer; it is only interested in his crimes. That is the purpose for which it exists and it must discharge those duties, and rightly and naturally it brings to notice what it finds amiss. The best that any one could expect from an Audit Department would be an entirely blank report. As against any mistakes or any errors of judgment that may have been brought to the notice of the Public Accounts Committee last August or September, I should be perfectly content to set on the other hand the remarkable improvements which have been made in the railway administration of India during the last five or six years. In the passage which my Honourable friend read from what Sir Frederick Gauntlett said to the Public Accounts Committee, I regretted a little that he did not read a little more. He read the passage up to Mr. Roy's inquiry when Sir Frederick Gauntlett said that he could not see there had been the same improvement in railways as in other departments. Then Mr. Roy asked:

"What do you attribute this to? What has been your reading?"

To which Sir Frederick Gauntlett replied:

"Inefficient administration.—I won't say at the headquarters. I was talking to Mr. Wrench this morning, and I told him that if there was an officer of Mr. Wrench's calibre in any branch of the railway administration, he would obtain the same results that he has obtained in the workshops during the last five years, and that is nearly a crore of rupees a year."

Yes, but how is it that Mr. Wrench was given the opportunity of producing these valuable results? Precisely because the people who have been administering the Indian railways for the last six or seven years have always been on the look-out to find talent which would give them results of that kind, and as they were on the look-out for it, they found it. I should like to quote a further passage from what Sir Frederick

Gauntlett said and which my Honourable friend has not read. Colonel Gidney asked:

"Then you admit there has been improvement?"

Sir Frederick Gauntlett replied:

"I want to make the point quite clear. I think the amount of work that is being done by the Railway Board shows a wonderful record, and all that I say is that the job is so enormous that there is still a great deal to be done. It is not merely the general administration at the top that is to be looked into, but it is the strengthening of the individual control right down the lines that requires a close investigation."

Mr. K. O. Neogy: Hear, hear.

The Honourable Sir George Rainy: Now undoubtedly all that has fallen from the Auditor General in a matter of this kind ought to be treated with the greatest possible respect, and if his views are, as a result of his experience, that a tightening of individual control is required, I think very likely his views are correct. But it is evident from what he said that, while his object was to emphasize the need for a distinct improvement in the railways, it was not in any way his object to condemn the system as a whole. I should like also, when I am on this point, to draw the attention of the House to certain figures. For the four years before the separation of Railway Finance, the net gain to the State from the railways averaged 106 lakhs a year. During the five years following the separation, they have averaged 972 lakhs a year; that is to say, the average gain per year to the State since the separation has been more than nine times the average gain in the four years prior to the separation.

Mr. K. O. Neogy: What does the Honourable Member argue from that?

Mr. B. Das: Mismanagement in the past!

The Honourable Sir George Rainy: I think I am entitled to say that, if under a changed system of administration a very important improvement results, *prima facie* some credit is due to the people who have been in charge of the administration and of the system. Surely that is a reasonable inference.

Mr. K. O. Roy (Bengal: Nominated Non-Official): Sir, will the Honourable Member kindly tell me what have been the real net earnings since 1924?

Mr. President: Order, order. Will the Honourable Member be ready to answer this question tomorrow?

The Honourable Sir George Rainy: I shall be quite ready to answer it tomorrow.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 22nd February, 1930.