

26th February 1940

**THE**

**LEGISLATIVE ASSEMBLY DEBATES**

**Official Report**

Volume I, 1940

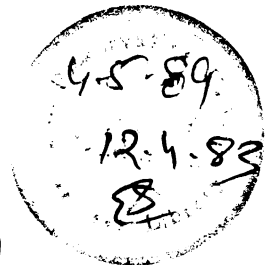
*(6th February to 5th March, 1940)*

**ELEVENTH SESSION**

**OF THE**

**FIFTH LEGISLATIVE ASSEMBLY,**

**1940**



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1940

M2LAD

# Legislative Assembly.

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

SIR ABDUL HALIM GHUZHNAVY, M.L.A.

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# LEGISLATIVE ASSEMBLY.

Monday, 26th February, 1940.

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

## STARRED QUESTIONS AND ANSWERS.

### (a) ORAL ANSWERS.

#### COMPLAINTS OF THIRD CLASS PRISONERS IN JAILS IN THE CENTRALLY ADMINISTERED AREAS.

177. \*Mr. Lalchand Navalrai: (a) Will the Honourable the Home Member be pleased to state if it is a fact that food is supplied to third class prisoners in jails in the Centrally Administered Areas in a dish and a cup made of iron or some such material which makes the food full of rust?

(b) Is it a fact that their vegetable food is cooked in oil and there is dissatisfaction over it?

(c) Is it a fact that there are only two kitchens in big jails, one for Hindus and the other for Muhammadans, in which food is not properly cooked, as it is cooked for a very large number of prisoners, and that there is a need for increasing the number of kitchens for a group of barracks?

(d) Is it a fact that husks mixed with wheat and flour are used in preparing bread for prisoners?

(e) Is it a fact that these third class prisoners are not given shoes to wear even in the hottest part of the season?

(f) If any of these complaints are correct, what do Government propose to do to remove the same and to issue instructions on similar lines to the Provincial Governments?

The Honourable Sir Reginald Maxwell: (a) The dishes and cups supplied to prisoners are made of zinc, aluminium or iron. Where, however, iron utensils are used, they are not allowed to rust and spoil the food. Steps are however being taken to replace them gradually by aluminium ware.

(b) Vegetable food is so cooked, but no complaints have been received as regards this method of cooking.

(c) Yes: but no complaints have been received that food is not properly cooked owing to the number of kitchens being insufficient.

(d) No.

(e) Shoes are not included among the articles issued to "C" class prisoners. Prisoners in the Delhi Jail are permitted to wear shoes provided by relatives, etc. The question of allowing prisoners in the Ajmer Jail to use their own shoes is under consideration.

(f) Does not arise.

**Mr. Lalchand Navalrai:** Have the rules with regard to the welfare of prisoners in jails been revised recently, within two years, and, if so, are those rules in the Library or where can they be had?

**The Honourable Sir Reginald Maxwell:** I must ask notice of that question.

**Mr. Lalchand Navalrai:** Why is it, with reference to clause (e) of the question, that shoes are not being given to these prisoners? Do they walk outside with bare feet always or is it because they are not accustomed to it and therefore shoes are not being given to them?

**The Honourable Sir Reginald Maxwell:** I am not aware of the habits of prisoners outside the jails, but I imagine a good many do walk with bare feet.

**Mr. Lalchand Navalrai:** What is the reason of the Honourable Member for not having this reform?

**The Honourable Sir Reginald Maxwell:** I have replied that shoes are not included in the list of articles issued to "C" class prisoners. The rules have not hitherto provided for this supply, but the question of allowing shoes to prisoners in the Ajmer Jail is, as I said, under consideration.

**Mr. Lalchand Navalrai:** Is the Honourable Member in a mood at least to revise the jail rules and give this convenience to the prisoners?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has already said that the matter is under his consideration.

#### GRIEVANCES OF MUSLIMS IN THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

178. **\*Maulvi Muhammad Abdul Ghani:** (a) Will the Honourable the Home Member kindly state if it is a fact that the Muslim Rights Protection Board, Lahore, pointed out to Government in appendix A to their representation that from 1925 to the date of the representation, 21 men were promoted or appointed to division I in the Department of Education, Health and Lands, of whom only one is a Muslim? Are these figures correct? If not, what are the correct figures?

(b) Is it a fact that in appendix B to their representation, they gave other instances of differential treatment to members of different communities in the Education, Health and Lands Department? Are those instances correct? If not, which particular instance is wrong?

(c) Is it a fact that in appendix C the Board gave instances of supersessions of Muslims by Hindus in the matter of promotion to posts of Assistant Secretary, Superintendents, Assistants, etc.? If so, to what extent is the statement correct?

(d) Has any Muslim been promoted to any post superseding a Hindu? If so, what is the name of the post?

**The Honourable Sir Reginald Maxwell:** This question should have been addressed to the Secretary in the Department of Education, Health and Lands.

PROPORTION OF DIFFERENT COMMUNITIES IN THE DEPARTMENT OF EDUCATION,  
HEALTH AND LANDS.

179. \*Maulvi Muhammad Abdul Ghani: (a) Will the Honourable the Home Member please state if it is a fact that the Muslim Rights Protection Board in their representation to Government last year stated that in April, 1924, the proportion of the different communities in the Department of Education, Health and Lands was as under:

Hindus and Sikhs . . . . .	52.5 per cent.
Muslims . . . . .	29.5 per cent.
Christians . . . . .	18.0 per cent.

(b) Is it a fact that in June, 1937, the percentage was as under:

Hindus and Sikhs . . . . .	72 per cent.
Muslims . . . . .	23 per cent.
Christians . . . . .	5 per cent.

(c) Is it a fact that between the period mentioned above, office promotions and recruitment of the various communities in the Department was as under:

Hindus and Sikhs . . . . .	71 per cent.
Muslims . . . . .	12 per cent.
Christians . . . . .	2 per cent.

(d) If the above figures are not correct, will the Honourable the Home Member kindly give correct figures in each case?

**The Honourable Sir Reginald Maxwell:** This question should have been addressed to the Secretary in the Department of Education, Health and Lands.

TREATMENT OF AN OFFICER OF THE GOVERNMENT OF INDIA AS A LENT OFFICER  
ON TRANSFER.

180. \*Maulvi Muhammad Abdul Ghani: (a) Will the Honourable the Home Member kindly state the rule under which an officer in one circle office on transfer to another circle office of the same department of the Government of India is called a lent officer within the meaning of rule 6 promulgated in Government of India, Home Department, Notification No. F.-9-19/30-Estab., dated the 27th February, 1932 (as amended from time to time)?

(b) If that is not a case of loan of service, how and under what conditions can a transfer be treated as loan of services for purposes of the above quoted rule?

**The Honourable Sir Reginald Maxwell:** (a) I am not aware of any such rule.

(b) An officer whose services are lent by one rule-making authority to another is a lent officer for the purposes of Rule 6 quoted by the Honourable Member. I may quote as an example an officer of the Provincial Civil Service of the Punjab lent for employment in Delhi.

**PARTIAL TREATMENT OF MUSLIMS IN THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS AND ITS ATTACHED OFFICES.**

181. \***Maulvi Muhammad Abdul Ghani:** (a) Will the Honourable the Home Member kindly state how the assurance of His Excellency the Viceroy to Mr. Jinnah that Government were fully alive to the necessity for safeguarding the legitimate interests of minorities, is proposed to be applied to the employees in the Department of Education, Health and Lands and its attached offices?

(b) Do Government propose to set up an inquiry committee with non-official majority to inquire into the instances of partial treatment brought to the notice of Government by the Muslim Rights Protection Board?

**The Honourable Sir Reginald Maxwell:** This question should have been addressed to the Secretary in the Department of Education, Health and Lands.

**INCONVENIENCES FELT BY THE INCOME-TAX ASSESSEES DUE TO NON-SUPPLY OF RETURN FORMS IN DUPLICATE.**

182. \***Maulvi Abdur Rasheed Chaudhury:** (a) Is the Honourable the Finance Member aware of the inconveniences felt by the income-tax assessee, in not being supplied with duplicate copies of forms for Returns from Income-tax Officers in order to enable them to submit one copy to Income-tax Office and keep the other as office copy?

(b) Do Government contemplate supplying in future two copies of Return forms for the purpose to the assessee? If not, why not?

**The Honourable Sir Jeremy Raisman:** (a) No.

(b) Not as a matter of course; but if an assessee applies for an extra copy he will be supplied with it.

**NON-APPOINTMENT OF A SIKH AS A HIGH COURT JUDGE IN THE PUNJAB.**

183. \***Sardar Sant Singh:** (a) Is the Honourable the Home Member aware that in spite of Government's clear and declared policy to make appointments in all the services in India on communal basis, no Sikh has so far been appointed as a Judge of the High Courts in India, and particularly in the Punjab?

(b) How many vacancies of the Judges in the High Court of the Punjab occurred during the last five years and what efforts were made at each time to appoint a Sikh Judge? If none, why not?

(c) Is he aware of the repeated representations from the Sikh community on the subject?

(d) Is he now prepared to consider the desirability of appointing a Sikh Judge on the High Court of Lahore in the next vacancy? If not, why not?

**The Honourable Sir Reginald Maxwell:** (a) to (d). The appointment of permanent Judges of the High Court is made by His Majesty, and of temporary Judges by the Governor General in his discretion. The subject-matter of this question is not, therefore, the concern of the Governor General in Council.

**Sardar Sant Singh:** Is it a fact or not that the recommendations are received from the Local Government by the Government of India and then the recommendations are made by the Government of India to His Majesty's Government?

**The Honourable Sir Reginald Maxwell:** No. It is not a fact. I have already replied to the Honourable Member's question saying that the matter is not the concern of the Governor General in Council.

#### RECRUITMENT AND PROMOTION OF WARRANT OFFICERS IN THE SUPPLY AND ORDNANCE BRANCHES OF THE ARMY.

**184. \*Sardar Sant Singh:** (a) Is the Defence Secretary aware that under the Indianization scheme a cadre of Warrant Officers in each of the Supply and Ordnance Branches of the Army was created?

(b) Is he also aware that the cadre of these Warrant Officers was divided into two grades, *e.g.*, Warrant Officers, Class I and Class II?

(c) Will he please state when the first recruitment was made in each Branch and how many men were recruited, and what is the present total strength?

(d) How many promotions have so far been made in each Branch from Class II to Class I and at what times?

(e) What conditions are to be fulfilled by a Warrant Officer of Class II before his promotion to Class I in each branch and what efforts were made by the Army Headquarters to afford facilities to the officers in each cadre?

(f) What are the reasons for slow promotions in any of the Branches and how is it proposed to bring that branch on par with the other Branches? If no action is proposed to be taken, why not?

**Mr. O. M. G. Ogilvie:** (a) and (b). Yes. The Royal Indian Army Service Corps has one cadre, and the Indian Army Ordnance Corps has two, *vis.*,

- (i) Military Assistant Storekeepers, and
- (ii) Technical Warrant Officers.

(c) As regards the R.I.A.S.C., recruitment was first made in 1936 when 74 men were taken. The present number is 144.

As regards the Military Assistant Storekeepers' cadre of the I.A.O.C., recruitment commenced in 1933 when six Indian other ranks were appointed from units. At present there are 54 in Class II.

The scheme for technical warrant officers of the I.A.O.C. was started in 1937 with 21 probationers. The present numbers are:

Class I	10
Class II	33
Probationers	34

(d) 47 promotions were made in the Royal Indian Army Service Corps as follows:

- 10 from 1st January, 1937.
- 10 from 1st April, 1937.
- 10 from 1st July, 1937.
- 10 from 1st October, 1937.
- 7 from 15th October, 1938.

So far no promotions have been made from Class II to Class I in the Military Assistant Storekeepers' cadre of the Indian Army Ordnance Corps, as no warrant officer has yet qualified departmentally for promotion.

Ten technical warrant officers have been promoted from Class II to Class I. These promotions took place after the transfer of this branch to the Indian Army Ordnance Corps.

(e) As regards the Royal Indian Army Service Corps, no special qualifications are laid down. Promotion is governed by seniority and fitness for the rank as certified by superior officers.

The qualification for promotion of Military Assistant Storekeepers of the Indian Army Ordnance Corps from Class II to Class I is the passing of a prescribed departmental examination, courses for which are held at the Indian Army Ordnance Corps Training Centre, Jubbulpore. No Indian Warrant Officer has yet qualified for promotion to Class I.

Those Technical Warrant Officers, who are recommended, are promoted to Class I in order of seniority, subject to a vacancy in that class.

(f) In comparison with other services promotion has been rapid. The second and third parts of this question do not, therefore, arise.

**Mr. President** (The Honourable Sir Abdur Rahim): A lengthy answer like that ought to have been laid on the table.

#### ABSENCE OF SIKH OFFICERS IN THE GOVERNMENT OF INDIA SECRETARIAT.

185. \*Sardar Sant Singh: (a) Will the Honourable the Home Member please state the total number of Officers of different communities in the Government of India Secretariat belonging to different All-India Services?

(b) How many of such officers were brought on to the Secretariat during the last five years?

(c) Is he aware that there is not a single Sikh Officer in the whole of the Government of India Secretariat?



(d) Is he aware that there is a number of senior and junior Sikhs belonging to the Indian Civil Service and other services available for such appointment?

(e) Will he please state the efforts that the Government of India made during the past years, and they are now prepared to make to bring a sufficient number of Sikh Officers to the Secretariat? If not, why not?

**The Honourable Sir Reginald Maxwell:** (a) The total number of officers of the All-India services in the Government of India Secretariat (omitting Attached Offices) is approximately 55; of these 39 are Europeans and 16 Indians. Of the Indian Officers, 13 are Hindus and three Muhammadans.

(b) Of these 55 officers, all except 11 have been brought into the Secretariat within the last five years.

(c) Yes.

(d) No doubt there are some Sikh Officers who have the experience required for such appointments.

(e) No special measures are required. Sikh Officers of the requisite experience and ability may safely count on receiving full consideration of their claims when vacancies to the Secretariat are being filled.

**Mr. Lalchand Navalrai:** May I know if the promotions are given by seniority and by merit or on the communal basis?

**The Honourable Sir Reginald Maxwell:** The question of promotions hardly arises out of this question which refers to the number of members of All-India services in the Government of India Secretariat.

+186\*.

#### PERMANENT LOCATION OF STAFF OF BRANCHES OF THE ARMY HEADQUARTERS.

**187. \*Pandit Krishna Kant Malaviya:** (a) Will the Defence Secretary please state which of the Branches of the Army Headquarters are being permanently located in toto or in parts at Delhi and will not move up to Simla hereafter?

(b) What is the present total strength of each of such Branches and Sections and what number is being left behind in Delhi from the next move to Simla?

(c) Will he state whether it has been examined that the staff being taken to Simla for the summer 1940 is absolutely necessary? If not, is it proposed to be done now? If so, in what way?

(d) What are the circumstances for not locating any of the other Branches or more staff in Delhi and when it is proposed to curtail the move of the Army Headquarters to a minimum to effect savings to the Indian exchequer?

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+This question was withdrawn by the questioner.

- Mr. C. M. G. Ogilvie:** (a) None.
- (b) A statement is laid on the table.
- (c) Yes, it is absolutely necessary.
- (d) Does not arise.

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*Statement.*

The total strength of Branches of Army Headquarters, etc., is as follows :

	Officers.	Clerks
General Staff Branch . . . . .	92	217
Adjutant General's Branch (including Medical Directorate) . . . . .	32	195
Quartermaster General's Branch . . . . .	45	126
Master General of Ordnance Branch (including A. D. G. S. P.) . . . . .	63	434
Engineer-in-Chief's Branch . . . . .	19	212
Military Secretary's Branch . . . . .	11	62
Headquarters, Air Forces in India . . . . .	33	93

The total strength of Branches of Army Headquarters to be left at Delhi is as follows:—

General Staff Branch Fauji Akhbar Section . . . . .	1	28
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**STAFF OF THE GOVERNMENT OF INDIA SECRETARIAT MOVING UP TO SIMLA.**

188. \***Pandit Krishna Kant Malaviya:** (a) Will the Honourable the Home Member please state the number of each category of staff of the Government of India Secretariat moving up to Simla for the summer of 1940, and how many from each office are being taken up in excess of the original allotment and on what grounds?

(b) Was the possibility of bringing down this number to a minimum examined thoroughly? If so, how?

(c) What are the special circumstances on account of which some of the offices are moving up in full, some are moving more than half and some more than 20 per cent. of their strength, respectively; and cannot their number of staff moving to Simla be reduced? If not, why not?

**The Honourable Sir Reginald Maxwell:** (a) 178 officers, 429 clerks, Assistants and Superintendents, and 147 Stenographers will move to Simla during the summer of 1940. I lay on the table a statement showing the Departments and offices which have been allowed to take staff to Simla in excess of that agreed to in July last in view of work connected with the war.

(b) Yes, by departmental discussions.

(c) The only offices which are moving to Simla in full strength are those of which the staff is too small to divide between Simla and Delhi. The number of persons moving to Simla from the various Departments has been decided on the basis of the nature of the work of each Department, with special reference to the need for efficient and urgent despatch of business connected with the prosecution of the war. In view of this latter consideration, no further reduction is at present possible.

*Statement showing the Departments which have been allowed to take staff to Simla in excess of that decided in July, 1939.*

<i>Department.</i>	<i>Excess staff.</i>
External Affairs Department . . . . .	10 clerks and 1 officer.
Central Cypher Bureau . . . . .	7 clerks.
Political Department . . . . .	8 clerks.
Legislative Department . . . . .	3 clerks.
Reforms Office . . . . .	2 clerks.
Finance Department . . . . .	1 stenographer.
Central Board of Revenue . . . . .	2 clerks and 1 officer.
Communications Department . . . . .	5 clerks.
Civil Aviation . . . . .	2 clerks.
Commerce Department . . . . .	6 clerks and 1 officer.
Defence Department . . . . .	11 clerks.
Home Department . . . . .	6 clerks.
Principal Information Officer . . . . .	15 clerks and 4 officers.
Supply Department . . . . .	62 clerks and 14 officers.
Director General of Information . . . . .	3 clerks and 1 officer.
Chief Press Censor . . . . .	4 clerks and 1 officer.
War Transport Board . . . . .	8 clerks and 1 officer.
	155 clerks and 24 officers.

**Mr. Lalchand Navalrai:** May I know, Sir, when these offices will come back to Delhi, in what month?

**The Honourable Sir Reginald Maxwell:** It will be sometime in September, I think.

**Sir Muhammad Yamin Khan:** Do Government realise that a large number of the staff who have been accustomed for a very long time to spend their summer at Simla will not be able to discharge their duties so efficiently as they have been discharging at Simla, and the stopping of the exodus will greatly affect the efficiency of the Departments?

**The Honourable Sir Reginald Maxwell:** That seems to be a matter mainly of opinion.

#### FIRST DIVISION VACANCIES FILLED IN THE GOVERNMENT OF INDIA OFFICES.

†189. **\*Khan Bahadur Nawab Siddique Ali Khan:** Will the Honourable the Home Member kindly lay on the table a statement showing the number of vacancies and posts—both permanent and those likely to become permanent—in the First Division filled in the various Departments of the Government of India and their Attached Offices by promotion or transfer during the year ending the 31st December, 1939, and the communities of the candidates so appointed?

**The Honourable Sir Reginald Maxwell:** The information is being collected and will be laid on the table of the House in due course.

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

**TEMPORARY THIRD DIVISION VACANCIES FILLED IN THE GOVERNMENT OF INDIA OFFICES.**

†190. \*Khan Bahadur Nawab Siddique Ali Khan: Will the Honourable the Home Member kindly lay on the table a statement showing the number of temporary vacancies in the Third Division and the Lower Division (I. A. C. C.) in the various Departments of the Government of India and their attached offices filled during the six months ending the 1st January 1940, otherwise than by the appointment of candidates nominated by the Home Department, and the communities of the candidates so appointed thereto?

**The Honourable Sir Reginald Maxwell:** The information is being collected and will be laid on the table of the House in due course.

**OFFICERS DEALING WITH ESTABLISHMENT MATTERS IN THE GOVERNMENT OF INDIA OFFICES.**

†191. \*Khan Bahadur Nawab Siddique Ali Khan: Will the Honourable the Home Member kindly lay on the table a statement showing the communities of the assistants or clerks, superintendents, if any, the immediate officers-in-charge (e.g., Assistant Secretaries, Chief Superintendents, Administrative Officers, etc.) and the higher officers (i.e., Deputy Secretaries) dealing with establishment matters in the Government of India Secretariat and its attached offices at the headquarters?

**The Honourable Sir Reginald Maxwell:** The information is being collected and will be laid on the table of the House in due course.

**VACANCIES OF PEONS FILLED IN THE GOVERNMENT OF INDIA OFFICES.**

†192. \*Khan Bahadur Nawab Siddique Ali Khan: Will the Honourable the Home Member kindly lay on the table a statement showing the number of peons' posts and vacancies (permanent and temporary, separately) filled during the year ending 31st December, 1939, in the Government of India Secretariat and attached offices and the communities of the men appointed thereto?

**The Honourable Sir Reginald Maxwell:** The information is being collected and will be laid on the table of the House in due course.

**RESTRICTED ADMISSION OF CANDIDATES TO THE INDIAN AUDIT AND ACCOUNTS SERVICE EXAMINATION.**

†193. \*Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Honourable the Home Member kindly state how many candidates applied for admission to the Indian Audit and Accounts Service and allied services examinations in 1939, how many were admitted by the Federal Public Service Commission, and how many actually took the examination?

(b) How do these figures compare with those of the preceding two years?

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

(c) Are Government aware of the fact that there is a strong feeling that the existing system of restricted admission defeats the object of open competition?

(d) If so, will Government kindly state what action they propose to take to remedy this defect?

**The Honourable Sir Jeremy Raisman:** (a) 850 candidates applied for admission, 328 were admitted, and 187 actually took the examination.

(b) The corresponding figures for 1937 are 632, 315 and 167 respectively, and for 1938, 750, 289 and 174 respectively.

(c) Some complaints against the system have come to the notice of Government, and are under consideration.

(d) The question is under active consideration, but I am unable to make any statement at this stage.

#### ASSISTANTS AND CLERKS IN THE CASH BRANCHES OF THE GOVERNMENT OF INDIA OFFICES.

†194. **\*Mr. M. Ghiasuddin:** Will the Honourable the Home Member be pleased to state:

(a) the number of Assistants, Second Division clerks and routine clerks employed in the Cash Branches of various Departments of the Secretariat, and the total number of officers and staff for which they have to cater, *vis-a-vis* the Supply Department; and

(b) the number of Muslims in these sections?

**The Honourable Sir Reginald Maxwell:** The information is being collected and will be laid on the table of the House in due course.

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#### UNSTARRED QUESTIONS AND ANSWERS.

#### IMPOSITION OF CIRCUMSTANCES AND PROPERTY TAX ON PERSONS SERVING UNDER THE CENTRAL GOVERNMENT BY DISTRICT BOARDS IN THE UNITED PROVINCES.

36. **Mr. Umar Aly Shah:** Will the Honourable the Finance Member please refer to Notification No. 311-S., dated the 16th December, 1920, and state the item of Schedule II of the Scheduled Taxes Rules under which a tax on pay and allowances of a person in the service of the Central Government can be imposed by a local body merely on the ground of that person residing within the area of that local body?

**The Honourable Sir Jeremy Raisman:** Presumably the Honourable Member has in mind a "tax on circumstances and property" levied by some of the local bodies. If so, I would refer him to the reply given by me to unstarred question No. 17 on the 14th February, 1940. If, however, the reference is to a tax on trades, professions and callings, his attention is invited to item 9 of Schedule II of the Scheduled Taxes Rules.

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

**IMPOSITION OF CIRCUMSTANCES AND PROPERTY TAX ON PERSONS SERVING UNDER THE CENTRAL GOVERNMENT BY DISTRICT BOARDS IN THE UNITED PROVINCES.**

**37. Mr. Muhammad Azhar Ali:** Will the Honourable the Finance Member please refer to section 80A(8)(a) of the Government of India Act, 1919, and state the number and date of the notification under which the previous sanction of the Governor General was given to the imposition of a 'Tax' on pay and allowances of the services under the Government (termed as "Circumstances and Property Tax" while residing in rural area of a District Board) by the Provincial Legislature of the United Provinces of Agra and Oudh?

**The Honourable Sir Jeremy Raisman:** The previous sanction of the Governor General was given in an official letter to the Government of United Provinces and not under a notification. I would, however, point out that a "tax on circumstances and property" is a tax on persons assessed according to their circumstances and property and not a tax on pay and allowances of the services as the Honourable Member seems to suggest.

**STATEMENTS LAID ON THE TABLE.**

*Information promised in reply to parts (a) to (e) of starred question No. 222 asked by Shaikh Rafiuddin Ahmad Siddiquee on the 19th September, 1939.*

**INDIAN STALLS AND EUROPEAN REFRESHMENT ROOMS ON THE ASSAM BENGAL RAILWAY.**

(a) The income from the refreshment rooms and stalls was as follows :

	1936-37.	1937-38.	1938-39.
	Rs. a. p.	Rs. a. p.	Rs. a. p.
Indian refreshment rooms and stalls . . . . .	16,614 0 0	21,409 8 0	21,729 5 0
Upper class refreshment rooms . . . . .	73 13 0	84 12 0	85 7 0

(b) The expenditure incurred by the Railway during the same period was as follows :

	1936-37.	1937-38.	1938-39.
	Rs. a. p.	Rs. a. p.	Rs. a. p.
Indian refreshment rooms and stalls . . . . .	7,244 0 0	20,801 0 0	5,590 0 0
Upper class refreshment rooms . . . . .	228 0 0	63 0 0	8,607 0 0

(c) It is not possible to give an accurate estimate of their financial value.

(d) Certain relevant conditions of the contracts are common to both, but not all of them.

(e) As upper class refreshment rooms have little custom the revenue from sales does not permit payment for facilities to the same extent as by the Indian refreshment rooms and stalls whose turnover is large and whose profits are substantial.

*Information promised in reply to starred question No. 31 asked by Mr. Lalchand Navalrai on the 8th February, 1940.*

CALLING OF ALL THE PARTNERS OF A FIRM TO APPEAR BEFORE THE INCOME-TAX OFFICERS IN SIND.

The reply is in the negative in so far as the firm's return of income is concerned. Under section 23 (5) of the Act partners of registered firms, and those of unregistered firms in certain circumstances, are assessed separately. In such cases the partners are asked to attend for their individual assessments in case the Income-tax Officer finds their presence necessary to ascertain their correct income.

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

SECOND STAGE—*contd.*

DEMAND NO. 1—RAILWAY BOARD—*contd.*

*Grievances of Railway Employees—contd.*

**Mr. President** (The Honourable Sir Abdur Rahim): The House will now resume discussion of the Railway Budget and deal with the Demands for Grants. We will take up Mr. Joshi's motion No. 2:

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

**Lieut.-Colonel Sir Henry Gidney** (Nominated Non-Official): Sir, when we adjourned on Saturday, I was discussing the question of Railway passes . . . . .

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

**Lieut.-Colonel Sir Henry Gidney**: On Saturday, when we adjourned, I was discussing the question of railway passes, and I have very little to add further on that matter except to say that my friend, Mr. Joshi, was wrong because the inferior servants have now been given their passes. Sir, I now want to say a few words about retired railway servants. It seems that retired officers get, after 25 years' service, three passes on all lines, whereas subordinates, even if they have put in 30 or 35 years' service, get less. I cannot understand this continued distinction between subordinates and officials.

The next point to which I desire to refer is the question of Provident Fund. The Honourable Member for Communications said that if Provident Fund were granted to the inferior staffs, it would be a recurring item of expenditure. Surely, the Lee concessions, which are still being continued in spite of the public demand for economy in expenditure, are also a recurring item of expenditure, and I would ask the Honourable Member in charge to consider the question of granting Provident Fund concessions in that light.

Then, Sir, there is another point on which I should like briefly to touch regarding the employees at the Manmad Bridge Engineering Depot. Why is it that all the subordinates employed there are temporary employees even

[Lt.-Colonel Sir Henry Gidney.]

though they have put in 15 and 18 years' service, while all the officials, even those recently recruited, are all permanent, the contrast is very marked.

I now come to the next point, and that is about the Foremen on the North Western Railway. The North Western Railway suddenly awakened a few years ago to the fact that they had inefficient Assistant Foremen and wanted to import ten Foremen from England. I protested against this and demanded that an advertisement be put in the press. This was done and to my utter surprise I was told that not a single man in any community in the whole of India was found qualified for the job, and yet, the European engineering firms in India rely on India and recruit their Foremen in India for their skilled work. Sir, I refuse to believe that India is absolutely bereft of skilled Foremen, especially when we know that, for years, Indian and Anglo-Indian Assistant Foremen have officiated in these Foremen appointments very efficiently. Sir, I consider this not only to be very very unjust and contrary to what one is told to believe as British justice on Railway Administrations, but an insult to India. The time has come, indeed has long past when Indian Railways, if they desire to train people here, must train them as efficient men fit to fill all these appointments. The time has also come when we should stop this unnecessary and unjust importation of such employees from England. Sir, we have stopped importation for other employees, e.g., guards, firemen, and drivers. I ask why was it necessary for the North Western Railway alone to import Foremen from abroad, when there was an abundance of suitable material in this country? But what is the hardship on employees recruited in India? The hardship is this? These men, who come from England at an average age of 30 years, remain in the country and they are placed in the seniority list above the heads of all the senior men who, for years, have been waiting for promotion to Foremen. This is not only absolutely unfair but unjust and can no longer be tolerated by India. I say if you introduce new machinery, bring out your new men from England, let them train our men and go back after three or five years service, but why allow them to remain here for life as senior to the seniormost men in this country and so block them utterly for further promotion. This is un-British as we are taught to interpret this word.

I now come to what I consider to be a very important matter referring to the community I represent in this House. I, therefore, ask the Honourable Member for Communications to be so kind as to listen to me,—I refer to Anglo-Indian communal representation in subordinate services of Railways. I feel I must voice my protest against the manner in which the provision made for the reservation of appointments for Anglo-Indians are being put into effect. Prior to the orders issued in accordance with the Home Department Resolution of the 4th July, 1934, recruitment of Anglo-Indians to the subordinate grades of Indian Railways was in the region of 12 per cent. per annum. Subsequent to the passing of these orders, however, it was reduced by about one third, that is, brought down from 12 per cent. to 8 per cent. I submit this was not the intention of fixing the minimum percentage of recruitment at 8 per cent. The object behind prescribing a minimum percentage is to ensure that the community does not get anything less than that minimum and it is certainly not the view of the Government that Anglo-Indians should not be given more than that minimum percentage of posts. In the case of other communities,



however, this ruling apparently has not been so strictly interpreted, for instance, I am glad to see that although only 25 per cent. of posts were reserved for Muslims, recruitment of Muslims, since the 1934 Resolution, has invariably stood at 30 per cent.—1/5th more than the minimum. . . .

**Mr. Muhammad Nauman** (Patna and Chota Nagpur cum Orissa: Muhammadan): What did you say about Muslim representation?

**Lieut.-Colonel Sir Henry Gidney**: I am sorry you did not hear me. I said that although 25 per cent. of posts were reserved for Muslims, recruitment of Muslims, since the 1934 Resolution, has invariably stood at 30 per cent.—1/5th more than the minimum and this proves my point.

**Mr. Muhammad Nauman**: It ought to be so, but it is not so.

**Lieut.-Colonel Sir Henry Gidney**: My criticisms are devoid of any hostile feelings to my Muslim friends. On the State Railways Anglo-Indian recruitment has always been below 8 per cent. during the years subsequent to 1934-35 (it being only 6.48 per cent. during 1938-39), and were it not for the fact that recruitment on Company-managed Railways continued to be at a reasonable level, the over-all percentage of Anglo-Indian recruitment to Indian State Railways would have been far below the minimum prescribed by the Home Department Resolution of July 4th, 1934, and this despite the fact that the South Indian and the Madras and Southern Mahratta Railways do not follow the Resolution of the Home Department of July, 1934, but exercise this percentage according to the gyratory movement inaugurated when the Justice Party was in power in Madras.

The recruitment figures for 1938-39 are still more alarming than those of the years previous. Whereas during the years 1935-36, 1936-37 and 1937-38 Anglo-Indian recruitment to Indian Railways was 8.33 per cent., 8.7 per cent. and 9.2 per cent., respectively, during 1938-39 it is down today to 7.6 per cent.—far below the amount adumbrated in the July Resolution of 1934.

The fact that prior to 1935-36 the railways were able to recruit as much as 12 and 18 per cent. of their subordinates from the Anglo-Indian community is proof that the necessary material is available in the community and it is only the policy governing the recruitment which has contributed to the lower figure of recruitment. The policy apparently is this: There is a feeling among recruiting authorities that there is no need to—and in some cases that they should not—recruit more than the minimum prescribed for the Anglo-Indian community, while, in the case of other communities, there seems to be no such discrimination. I make one exception and that is the Indian Christian community which is very badly represented on all Railways and needs rectification. The other difficulty is in view of the fact that distribution by categories of posts has not been clearly laid down and when the number of vacancies to be filled cannot be divided into exact proportions, the recruiting authorities are likely and do, in fact, err on the side of liberality towards communities other than the Anglo-Indian, because there is still the feeling among certain sections of officers on Railways that Anglo-Indians already have a large proportion

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of posts on Railways. In this connection I feel I must add that when an Honourable Member in the other place talked about Anglo-Indians as being superfluously employed and paid, he talked from the back of his hat, I mean Pandit Hridayanath Kunzru who knows as much about railways as he knows about flying and this is: Nil. This belief is a myth which it would be well to explode. I submit that the rate of Anglo-Indian retirements from railways is definitely higher than the rate of Anglo-Indian recruitment to the initial grades. In any case the policy which has influenced the recruitment of members of the community during the past five years (that is, years subsequently to 1934-35)—indeed from 1929, has tended to discourage Anglo-Indians greatly. The effect of this will perhaps be realised in course of time and when that time comes (although signs are not wanting even now) others may appreciate—may be too late in the day—the need and the utility of the Anglo-Indian in the services with which he has been associated in the past and has materially helped to build up.

I have represented this and other matters connected with it to Mr. D'Souza who has been appointed as Officer on Special Duty to enquire into this matter generally (no doubt with particular reference to the Muslim community). I would appeal to the Government to give my observations their due and sympathetic consideration.

Talking of communal recruitment, the Anglo-Indian community is specially interested in the matter of the distribution of the over-all percentage not by provinces or areas (as is necessary in the case of Muslims), but by categories of posts. Although the Government of India, in the Railway Department, issued the necessary orders for the distribution of the posts in this manner as far as the recruitment of the Anglo-Indian community is concerned, it is, today, admitted that several railways do not find it possible to carry out this order. We have been repeatedly demanding information on this question of distribution, but we were time and again assured that the Government had satisfied themselves that the provisions made for the recruitment of Anglo-Indians have been complied with. And, yet, in 1939, five years after the original order was issued, it was admitted by the Government that several railways did not find it practicable to put those orders into effect. I submit, in the circumstances, Government cannot, with any justification, assert that the provisions made for the Anglo-Indian community have been carried out even at the bare minimum.

If correct distribution by categories did not take place in 1934 it is practically useless to start it now on the basis of the figures obtaining after the tremendous deterioration in the position of Anglo-Indian employment which has taken place during the past decade. For, during these years, owing to the stress of unemployment and the change of Government's policy, many Anglo-Indians, rather than starve, were compelled to seek any post in any category irrespective of whether his forefathers were associated with that branch of service or not. I contend their association in the past with particular categories of posts contributed in no small measure to the efficient working of administration and I venture the view that many experienced railway officials will agree with this observation. It is, therefore, not always a one-sided affair, although it may appear so to some uninitiated people.

In any case, if the Government and the community are to check and find out whether or not the provisions made for the protection of the employment interests of the Anglo-Indian or any other community are being fully given effect to, figures of such distribution (prescribed and actual) should be made available to those organisations, Unions and Associations who are interested in various questions affecting the community.

This is a matter of very great importance to my community to which I should beg the Communications Member to give his careful consideration. I am not asking for much. I am asking for what I have been given and am entitled to and nothing more. I shall, therefore, ask the Honourable Member to see that matter honestly, fairly and squarely considered, irrespective of what others may think that it may be a privileged position or whatever they may call it—I care not—I regret—give me what I have been promised—what I am due—do not cut it down, and let not people who are ignorant of facts as Mr. Kunzru grumble that we have a superfluity of appointments and percentages which we certainly have not. On the contrary of which we have been deprived.....

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

**Lieut.-Colonel Sir Henry Gidney**: I just wish to say one more word . .

**Mr. President** (The Honourable Sir Abdur Rahim): No. The Honourable Member has exhausted his time.

**Dr. Sir Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): I do not want to detain the House very long, but I just want to draw the attention of the House to one or two points. The first thing I want the attention of the House to is the system of appeals that is prevalent in the railway department, and in that connection I would refer to the speeches delivered by my Honourable friends, Sir Henry Gidney and Sardar Sant Singh, in 1934, which have now become classic. (Interruption). I have quoted them *in extenso* in my book. In those speeches they have drawn a picture of the manner in which these appeals are heard in the Railway Department. There are only two solutions to this question and I hope that in his leisure moments the Honourable the Communications Member will think over them. The first suggestion of mine is that a department of appeals should be created and it should be under a person who has got a judicial mind. His rank should be that of Deputy Agent (Appeals). He may be drawn from the Railway Department or the Indian Civil Service or any other service, but he should be a person who is accustomed to listen to appeals with a judicial mind. We have plenty of examples, and I think, Sir Muhammad Zafrullah Khan himself when he was the Member in charge had a case before him in which it was completely proved that officers never read the appeals which were submitted to them and their replies were given in a haphazard manner. I have also an alternative suggestion, follow the example of South Africa and Australia. That is, have a panel of ten persons, five of whom are representatives of the employees and five, representatives of the railways, with a police magistrate as the chairman, and the appeals are always submitted to a panel drawn from these eleven persons. One of these two methods will have to be adopted in order to avoid the existing difficulties and to satisfy the staff.

[Dr. Sir Ziauddin Ahmad.]

The next point I want to draw the attention of the House to is this. I have got before me a large number of these printed pamphlets about the grievances of Muslim employees. I do not want to dilate upon them but the difficulty is there and I should like to place that difficulty before the Honourable Member for him to find a solution. Here are the grievances, rightly or wrongly. Individual members cannot present them before the officers because they are afraid of punishment or demotion. Unions are not recognised, so they cannot represent their grievances to the authorities, and if any Member of the Legislative Assembly draws attention to the grievance, then the employee concerned gets a rebuff. Therefore, please suggest some method by which these employees may present their grievances. The Communications Member will soon find out—as His Excellency has now found out in general politics—that your All-India Federation does not represent the majority of the railway employees. It represents only a very small portion. There are a large number of other people, Muhammadans, Anglo-Indians, Christians, and also Hindus—large numbers of people—who do not belong to the Federation at all.

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadans Urban): Let them join the Federation.

**Dr. Sir Ziauddin Ahmad:** In the same manner as Muslims ought to have been in the Congress but, unfortunately, they are not. This is a fact. It is rather unfair to shut out a large number of people and say that they should have no method of representation at all. You cannot shut your eyes to political facts. You must take the country as it is and not as it ought to be. There is no use of shutting your eyes against grievances which other people have. Very often Muslim subordinates have got grievances against their Hindu officers and the Federation cannot do anything in that case.

**An Honourable Member:** And *vice versa*.

**Dr. Sir Ziauddin Ahmad:** Yes, and *vice versa*, but you have got the Federation and we have not. I do not want to say what should be done, but some method ought to be found by which the grievances of the employees can be heard by people who are absolutely disinterested and can bring to bear upon the question a fresh mind.

The next point I wanted to refer to is the condition of the ticket checking staff about which I have already made a representation and I would take this matter with the Honourable Member later on. With these words, I resume my seat.

**Mr. M. S. Aney** (Berar: Non-Muhammadan): The point which my Honourable friend, Dr. Sir Ziauddin Ahmad, has touched is an important one and there should be some arrangement for giving a hearing to the grievances of the employees, and the present system of disposing of appeals is very unsatisfactory. On that point there is no difference between him and any other Member of this House. In fact, it is notorious that the usual tendency of the department in regard to appeals is practically to leave matters where they stand on account of the decisions arrived at by the original officers in charge of affairs, and there is little chance of their grievances being properly considered by an appellate court, unless there is

some change on the lines suggested by Dr. Sir Ziauddin in the personnel of those who are entrusted with the duty of hearing these appeals or the machinery of the appellate authority. As regards the other point which my friend mentioned, namely, having some machinery for the sake of hearing the grievances of the employees, I really fail to understand where the difficulty comes in if all the employees join in one common Federation. The Federation is not a communal body. The Federation is a combination of workers for the sake of fighting out their common grievances and making representation about that to the authorities concerned. If there is any place where communalism has least chance or scope, it is that place and I believe that if we have to make some effort to rid this country of this evil of communalism, at least in the matter of the work relating to these labourers, we must see that they make proper combinations based on common trade or business and forget their communal colours and come together and work for the common cause which they have all in mind. It is true that today there are certain communities and kinds of employees who are not in the Federation. An attempt should be made to see that they join the Federation and they should not be encouraged to keep themselves aloof from this combination. By this separatist tendency we leave the Federation itself powerless. We do not allow it to become strong and, at the same time, the groups that remain outside cannot become strong. Therefore, our attempt should be in the direction of persuading these men or groups who remain outside the Federation to come into the Federation and collectively ventilate their grievances, irrespective of any considerations of party, sect or colour. If they do that, we shall have no need to appeal to the Honourable Member in this House to find out some machinery. The machinery which exists will become so powerful as to compel the Government to grant justice to them. That is the proper way to do the work. That is how I feel. These are the few remarks which I wanted to make.

**Sir Abdul Halim Ghuznavi** (Dacca cum Mymensingh: Muhammadan Rural): Mr. President, my Honourable friend, Sir Ziauddin Ahmad, has already stated that we, Muslim Members in this House, receive almost daily pamphlets after pamphlets from the Muslims who are in the service of the Railways stating their various grievances and, as he pointed out correctly, it is very difficult to find any solution for this state of affairs. Firstly, if an Honourable Member of this House takes up those things and goes to the Member in charge in the Railway Board who can redress these grievances, the very first thing that will happen is this. If information is received from a person or a particular body, he or they will be immediately taken to task. They will be told: "Why have you brought this to the notice of a Member of the Assembly". Secondly, the Railway Board will say: "This is an interference with our domestic work. This is not the business of a Member of the Legislative Assembly. You are there to lay down broad principles. We are here to work them out. Who are you to bring to our notice these things, for which we are solely responsible". That is the answer that is usually given when the Member who is in charge of the Department is approached. But now, I know we will not get that kind of answer. We will get a very sympathetic hearing. Because Sir Andrew Clow is at the helm of the administration of the railways and we Muslims believe that if we can bring to his notice the legitimate grievances of the Muslims, after testing them, he will redress them. One of the most important things which I want to discuss on the floor of the House today is

[Sir Abdul Halim Ghuznavi.]

the recruitment of Muslims in the service of the Railways. In 1929, the first time that I mooted this matter, I said that Muslims were not represented in the railways in the proportion that they should be.

**The Honourable Sir Andrew Olow** (Member for Railways and Communications): I am loath to interrupt my Honourable friend, but I believe there is a cut motion coming up later on on this very subject and, if so, it would save the time of the House if the Honourable Member desisted from discussing it at the moment.

**Sir Abdul Halim Ghuznavi:** I thought I may not get the time. I will not take up the time of this House now but I will leave this for that cut motion when it comes up.

**The Honourable Sir Andrew Olow:** Sir, it is a little difficult for me to reply to all the points that have been raised within the time at my disposal, because this has not been a cut motion on any single subject. An immense range of questions has been covered, relating to railways all over India. I shall do my best to deal with the more important points so far as I am informed on them. I want to begin with a point of Mr. Joshi's, which he put 7th or 8th on his own list, presumably putting them in order of importance, but to which I accord a higher place because its implications are so far-reaching. I am referring to the question of increased wages.

Mr. Joshi made no attempt to refute the suggestion that I made in my opening speech that prices had not yet risen to the levels they had when the bulk of the present rates were fixed and even in regard to the new rates of pay to which he alluded, I think I am right in saying that so far as the lower paid men are concerned, the reductions made were generally small and in many cases no reduction was made at all. Indeed, I think Mr. Joshi admitted by implication the truth of what I said, because his plea really was not that workmen are now worse off than they were but that the standard formerly prevailing was not sufficiently high. In other words he was pleading not for any war allowance to meet the present emergency but for a general increase in wages, all round, which is to be of a permanent character. Now, I dealt in a previous speech with the argument that we should define what you mean by standard of comfort and that we should then assure to every railwayman sufficient wages to secure that standard. Quite frankly, put in that way, it is quite impossible. It means that, whatever the aggregate amount of services and of commodities available, and whatever the population that has to share in that quantum, railwaymen or perhaps Government servants generally must have their share first, and it must be a fixed share, irrespective of what is left for anybody else. That is not a position which we can accept. Actually as I tried to show earlier, quite apart from the restoration of the ten per cent. cut, railwaymen in the non-gazetted grades generally have on the average got a ten per cent. increase in the last ten years. As I said, we are at all times ready to consider any reasoned statement of the position and if there are any special cases of hardship we shall look into those cases carefully. But what I am not prepared to accept as a reasoned statement of the case is the plea that merely because in the last few months the prices of commodities have risen, the case for an allowance is, therefore, proved. I would warn the House that there is another thing that cannot be ignored and that is the position of the community generally. Any appreciable increase in wages which is of a general character must almost inevitably involve a further increase in wages which are paid elsewhere, and if

we ever attempted to forget that, I am sure the House would very quickly remind us of its importance.

To come to another point, Mr. Joshi put to me some questions about the provident fund and I think that was raised also by Sir Henry Gidney. Sir Henry Gidney said that I had laid stress on the fact that it was a permanent concession. Quite true; what I was trying to emphasize was that while Mr. Joshi had said that next year you expect a sufficient surplus to give everybody the provident fund, the point I was making was that I could not look at the position of only one year when temporary profits, due to war, might accrue. I had to be assured that the Railways would be able to meet those concessions not for one year but for thirty,—and that I think, my Honourable friend, Sir Henry Gidney, will recognize is a very important consideration.

**Lieut.-Colonel Sir Henry Gidney:** Why not give it during the duration of the war only?

**The Honourable Sir Andrew Glow:** You cannot give the provident fund concession for a year or two and then withdraw it. That is quite impracticable. If I have got to give certain men a certain amount of provident fund concession, I may be able to withdraw it from their successors, I may be able to say "on account of a difficult position we shall withdraw it from you" but we can hardly withdraw it from men who have once enjoyed it.

**Lieut.-Colonel Sir Henry Gidney:** I am sorry, Sir, I thought you were talking of the ten per cent. war allowance.

**The Honourable Sir Andrew Glow:** Then Mr. Joshi asked, "are you going to give it to men by categories, and how much are you going to give?" We should be doing a very poor compliment to the Federation, Sir, if we made up our minds beforehand and only consulted them afterwards. We hope to have the advantage of their advice. I made it clear in my opening speech that the amount must depend on other claims. If we find that there are no other claims to which priority should be given, then we have a sum of approximately twelve lakhs set aside. I would remind the House that the grant of the provident fund means on the whole an increase in a man's pay of about eight per cent. So far, at any rate, as we are concerned, that is the equivalent that we have to give, at present rates.

Then, still dealing with general questions, a few questions were put about passes. Mr. Joshi suggested, "why not equalize them all round? Why have a distinction between officers who have very few children and subordinates who have an immense number?" I should have thought there is a case for giving more passes to those with very few children rather than to those with many children,—because it costs us less. The trouble—and I think Sir Henry Gidney also referred to the lack of uniformity in other rules—is that we find, in practice, that the demand is almost always to equalize upwards when we want to equalize downwards. It is an extremely difficult matter. We are, I may say, trying, as far as we can in the matter of these rules to which Sir Henry Gidney referred, to introduce uniformity gradually; but the point is that labour as a rule fixes its gaze on the very best series of rules and tends to say, "now bring everybody up to that standard". If we could equalize downwards or cut down at the top and raise at the bottom, it would obviously be desirable, in some cases, but, normally, people at the bottom appreciate a rise much less than the people at the top feel the hardship.



[Sir Andrew Clow.]

Then, various criticisms were made on matters of promotion. I take it rather as a tribute to the Railways that so much stress should be laid on this point. I cannot help feeling that if in private employment men made it a grievance that they had been for a number of years on the same pay, they would not get a terrible amount of sympathy; they would be told that they were doing the same work which is worth so much to the employer. The very fact that an enormous number of men on the Railways have come to expect periodical increments or periodical promotion is surely a tribute to the type of career that we offer; but, obviously, we cannot guarantee to everybody continuous or even intermittent promotion. There have been undoubtedly some cases of hardship. Mr. Joshi referred to block in the locomotive staff on the North Western Railway, and Sardar Sant Singh referred to a block in guards and in the commercial staff. Now, these do not all stand on the same footing, though Sardar Sant Singh was perhaps under the impression that they do. The block, so far as I understand it, in the case of the locomotive running staff and the block in the case of guards are due to alterations made in the cadre in recent years, and in some cases these undoubtedly have had the effect of retarding promotion. We looked recently, I think, into the case of the locomotive running staff and a number of supernumerary posts, I think thirty to forty, were created very recently with a view to easing the situation. I am prepared to examine the case of the guards, for I feel that in their case, undoubtedly, the prospects have been definitely deteriorating in the last few years. That is partly due to retrenchment which is not a matter which I would regard as giving rise to a legitimate grievance, but it is also partly due to a certain amount of degrading and I can promise Sardar Sant Singh that that matter will be examined.

The position of the clerks stands in quite a different category, for here I do not think there has been any degrading at all. What, as far as I can see, happened was that in the Accounts Branch two grades were amalgamated and the cry arose, "let us amalgamate the two grades here also". In fact, I have seen some demands from these clerks which are estimated to cost thirteen lakhs a year, more than one new provident fund provision throughout India. The grades in the Accounts Branch were overlapping, and the grades, I believe, as regards the other clerks are not, and therefore, there can be no question of amalgamation. We cannot, without any change of duties, give all clerks the right to rise from one grade and go automatically into another, and so I do not feel that this stands in the same category. But the question is still being examined. I have not come to any final conclusions but I should be raising false hopes if I suggested that any large concession was likely to be given in this direction. It might be possible to do a little to ease the position of those who are at the top and who for a long time have received no promotion and have no prospects of any, but that I think would only benefit a few people at the top.

Then Mr. Joshi referred to the short time at Kharagpur—a rather familiar subject. If I heard him rightly and I was rather shocked, he said he had tried to get a strike up on the subject there suggesting that the men should ask for more pay and not for more work and that the men, all credit to them, refused to take that method. Actually, short time was introduced as a means of avoiding what both the men and the Administration felt would be a greater hardship and that was a reduction of staff. As regards Saturday working for a half day which my friend is pleading for, I believe



it has already been restored as regards every alternative Saturday, and there is a possibility—I won't go further than that—of going a little further.

Then Sardar Sant Singh raised rather a difficult and quite important question when he referred to his own experience as presiding over an unrecognised Union. He applied for an interview with the General Manager to discuss its conclusions and grievances and the General Manager declined to see him. Then, I gathered, he put on a different suit and said: "I am no longer Sardar Sant Singh, President of this Union, but I am now Sardar Sant Singh, M.L.A. and I want to discuss the question with you. So, please let me be in by the other door." The General Manager again refused to see him. I believe they had some conversation later.

**Sardar Sant Singh** (West Punjab : Sikh) : I have had no conversation with the General Manager so far.

**The Honourable Sir Andrew Clow**: It may sound a little difficult to say so, but I cannot help feeling that the General Manager was right. The point really is this. We have certain rules for the recognition of Unions. We ask certain Unions to apply with certain conditions and we say that those who apply with those conditions will be able to put forward the cases on behalf of the men. Now, if an unrecognised Union can appeal to a sympathetic M.L.A. and says: 'You come and be our President and then go to the General Manager', that is circumventing the whole object and purpose of the rules. It is giving to an M.L.A. rather than to ourselves a right to say when we should recognise the Union. If the General Manager is to receive Sardar Sant Singh and listen to the grievances of an unrecognised Union, he is doing precisely—and a little more—what he would have done in the case of a recognised Union, which has to come through the ordinary channel. I am quite sure if the Sardar Sahib had had a personal complaint, if he had something affecting himself and was not seeking an interview as a representative of an unrecognised Union, the General Manager would have been very glad to see him or to pass him on to an officer who was more competent to deal with his complaint.

**Mr. M. S. Aney**: May I just ask the Honourable Member one question? Suppose an M.L.A. had to say something about the very fact of non-recognition of this Union and wanted to represent the matter to the General Manager, would it be proper for the General Manager to refuse to see him?

**The Honourable Sir Andrew Clow**: I think the proper course for the Union is to apply for its recognition in the ordinary way.

**Mr. M. S. Aney**: That is another matter. Would it be proper for the General Manager to refuse to see the M.L.A. if he wanted to represent these facts personally to him and to show that his previous conduct in the matter was not satisfactory? If I want to make a representation to this effect to the General Manager and say that I want to see him, not as the President of a particular Union but as an M.L.A. representing a particular constituency, would it be proper for the General Manager to refuse to see me?

**The Honourable Sir Andrew Olow:** I think the Honourable Member is putting a question to me which if it were put at question time the Honourable Mr. President would say was hypothetical.

**Sardar Sant Singh:** May I just add a word? My complaint was about the delay in recognising the registered Association especially when it had complied with the rules of the Department.

**The Honourable Sir Andrew Olow:** I am personally willing to call the General Manager's attention to that point and I will make an inquiry if there has been delay and no reply was sent.

Trying to select from a number of other points the more important ones, there was a reference made by Sir Henry Gidney to the recruitment of European foremen. It is not a new matter. It really arose last year and it was discussed by the Central Advisory Council for Railways at its September meeting. I can only assure him that in this case I looked personally into the matter why there were difficulties in getting these new foremen. I am afraid there is very little probability of anything like that being repeated in the next few years because we are not likely to get the men. Even if we find difficulty in getting Indians, we are not likely to get men from England either. Then he referred to the Anglo-Indians and suggested that they were not getting their proper quantum of posts. As he knows, there is an officer on special duty, with whom, I gather, he is in touch; and I am sure that if the terms of the Resolution are not being carried out, Mr. DeSouza will bring that fact to light.

Then, the discussion went on to certain other communal issues and Dr. Sir Ziauddin appealed to me to devise some machinery by which the Muslims could put forward their grievances. I was not able to gather quite how the Muslims were suffering in this particular respect.

**Mr. Muhammad Nauman:** In the case of the Muslim Unions, the plea is always put forward that it is a communal affair and that one door has also been shut against them. We do not know what other door we should knock.

**The Honourable Sir Andrew Olow:** If the Union is purely communal, then the action was probably in accordance with the policy of the Government.

**Mr. Muhammad Nauman:** But we have been denouncing that policy.

**The Honourable Sir Andrew Olow:** In this debate I cannot obviously enter into discussion on a policy which concerns not merely the Railways but the Government as a whole. But, surely, it is open to the employees to form Unions from which they need not exclude those who are serving in the same capacity. I cannot recognise that within a particular grade those who adhere to a particular faith or religion have interests which are essentially or diametrically opposed to others, and that those in the same grade and position have grievances of an essentially different character. I think Mr. Aney put that point. It may be perfectly true that the Federation is not representative of all grades. The Federation is, after all, only a Federation: it is not an original Union containing men. But there are Unions . . . . .

**Dr. Sir Ziauddin Ahmad:** May I just interrupt the Honourable Member? The Federation refuses to take up the grievances of the Muslim employees if they are directed against the Hindu officers.

**The Honourable Sir Andrew Clow:** It is not the Federation's business to take up individual complaints and if the Federation tried to bring before the Railway Board the cases of individuals, the Railway Board will refuse to deal with them whether they related to Hindu, Muslim or Christian officers. That is not the business of the Federation at all.

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

Mr. Joshi is not here and he has written to say that he has been called on an urgent business to Bombay and has asked his absence must not be taken as a mark of discourtesy. The Chair will have to put the question now to the House.

The question is :

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

The motion was negatived.

**Mr. President** (The Honourable Sir Abdur Rahim): Now, it is the turn of the Muslim League to move their cut motion

#### *Muslim Grievances.*

**Sir Syed Raza Ali** (Cities of the United Provinces: Muhammadan Urban): Sir, I beg to move :

"That the demand under the head 'Railway Board' be reduced by Rs. 100"—To discuss the grievances of Muslims in railway services including their number by direct appointment or promotion and the adequacy of steps taken by Government since 1926 to ensure the securing of the proportion fixed for the Muslim community.

Sir, let me, first of all, explain that the last explanatory portion of the note to the motion that I have just moved is even more important than the first part. I make absolutely no apology for bringing this very important matter to the notice of the House. It is generally stated, I would say without further prefacing my remarks, that my motion rests on solid moral consideration. It is in this view that I would invite the Treasury Benches to look upon this motion and I would also invite my Honourable colleagues of this House to vote on this motion if the occasion for a Division arose. It is impossible for any country and for the large sections comprising the population of that country to be happy unless every section of the population feels that due justice has been done to it. In India the further trouble is that, owing to our hopelessly difficult and unsatisfactory economic position, these Government posts play a very important part in determining the economic position of a community as well.

I must now offer the thanks not only of my Party, but of the whole Muslim community, to the Government of India who, after sleeping for many a long year, woke up in 1926 and addressed themselves to the question of doing away with the grievances of the Muslim community in the matter of appointment of Muslims to public services. The result improved the position a little, but it was not attended by very satisfactory consequences. This led the Government of India to re-examine the position again in 1934 and then they ear-marked 25 per cent of the posts

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for the Muslim community. For that, again, let me tender the thanks of our Party and of the Muslim community to the Government: Now, what I want the Government to do is to see whether the orders issued in 1934 in the Home Department Resolution dated 4th July, 1934, have been carried out both in the letter and, what is more, in the spirit. That is what we have to consider today. The time at my disposal will not allow me to put all the facts before this House which otherwise I would have liked to do. I would, however, invite the attention of the Honourable the Railway Member to a few very important facts. I need hardly remind this House that having had the advantage of experience of how appointments or promotions to Government services are made, any observations that I may make in the course of my speech this morning would perhaps draw the attention of Treasury Benches.

Sir, the railways are divided into two categories. There are the State railways and there are the Company-managed railways. Sometime ago, it dawned upon somebody that it would be a nice thing if a new grade known as the "lower gazetted service" was created on State railways, and the constitution of the personnel of this "lower gazetted service" was obtained by promoting men from the subordinate services of this grade. Let me at once point out to the Honourable the Railway Member that this immediately led to very serious injury being inflicted on the Muslim community. I should like to invite the attention of the Honourable the Railway Member to one fact, namely, that we find that on the State-managed railways in 1939, 48 promotions were made to the "lower gazetted service" from the subordinate services. Out of these 48 posts, two posts went to Muslims. I may very casually mention, as it is a matter of interest to this House, that whereas two posts out of 48 went to Muslims, three out of these 48 posts went to Indian Christians and one to the Sikh community, the number of Europeans who were appointed to these posts in that year was 15 and the number of Hindus was 13. If the Honourable the Member for Railways will turn to page 105 of the Railway Board's Report, he will find that on the Company-managed railways, where there is no lower gazetted service constituted by the promotion of subordinate service men, out of 36 posts, nine went to Muslims. That clearly proves that Muslims do better in the matter of recruitment in Company-managed railways.

**The Honourable Sir Andrew Clow:** Out of 36 posts of what?

**Sir Syed Raza Ali:** These are appointments of class 'C' service, Company-managed railways. I believe that is very much what corresponds to the lower gazetted service.

Now, first of all, I would urge on the Honourable the Railway Member to do away with the manner in which the recruitment is made to the lower gazetted services. As I pointed out, the recruitment, except in the lowest grade, is made by means of promoting subordinate service men. There is absolutely no reason why it should continue. This matter was mooted by me in this House last year and the Honourable Sir Thomas Stewart, who was then the Railway Member, made a reply. I find that the proposal that I made then was that whereas now recruitment is made to the subordinate services in the lowest rung of the ladder starting on Rs. 30 and whereas we know that there are no less than eight grades in the

subordinate services, recruitment of Muslims should be made to the seven remaining grades by what is known as direct intermediate appointment. Instead of promotion, the Muslims should be recruited by direct intermediate appointment. The position today is this. Everybody in the subordinate service has to begin on Rs. 80 a month. There is only one grade immediately above that, to which Government have also allowed recruitment to be made by direct intermediate means, but they have decided that no more than one-fourth of the posts should be promoted. What I mean is that if, in a particular grade, if in the grade immediately above the lowest grade, there are a hundred vacancies, twenty of them will be made by direct appointment. But this does not apply to the remaining six grades. That is a great hardship and should be done away with at once. The objections of Government are two. The first is that if you do away with promotion and replace it by a system of direct intermediate recruitment, it inflicts a great injury to those who are in the lower grade, whether it be the lowest or the one above that. The objection is good so far as it goes, but I am afraid it intentionally misunderstands the Muslim contention. Nobody asked Government not to have recourse to promotion. What we mean is this. To every grade Muslims like others should be promoted, but in case it is found that an adequate number of Muslims is not available for promotion, then the balance should be made good by having recourse to intermediate direct recruitment. I hope the Honourable Member understands my point. The point is this. In a particular grade, there are four posts which are to go to the Muslims and only one Muslim has been promoted. Let the recruitment to the remaining three posts be made by direct intermediate recruitment. Secondly, this should apply to all the rungs of the ladder, namely, from the second grade to the eighth grade. As I have stated before, there are no less than eight grades to seven of which recruitment is at present made by promotion. Let that system extend to all the grades. There is no reason why any grade should be excluded from the operation of this rule. The second objection of Government is that qualified men may not be forthcoming; if recruitment is made for the second highest grade and qualified men are not forthcoming, what is to be done? In this connection Government are fond of trotting out the engine drivers and asking whether the Muslim community would be prepared to be driven by an engine driver who has got absolutely no experience of engine driving and is recruited in the grade of Rs. 250 a month. Sir, we do not ask them to do that. Let me remind the Honourable Member that up to 1925, and in some cases up to 1929, direct intermediate recruitment was made on all railways. This system has been in force only for about 15 years, namely, the system which sets too heavy a premium on promotion has been in force for not longer than 15 years. Introduce the old system and confine it to those branches of the service only to which it was applicable in 1922, 1923 and 1924. I want the whole system to be revised. These are the two objections of Government and these are my replies.

Now I will very hurriedly put some important points of substance before the Honourable Member who, we all know, is a great gentleman. Not only is he a great gentleman, he is a good Christian too. Let him exhibit in the performance of his duties, as long as he holds this portfolio, some of those Christian qualities and virtues, one of them being not to be a party to any injustice but to try to remove injustice and to help those who have been subjected to improper treatment in the past. There are

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three points that I want to raise, apart from the question of intermediate promotion, and I will now formulate them. The first is that there should be an agency created, if justice is to be done to the Muslim community, to see that the orders contained in the Government of India Resolution of 1934 are enforced. I will develop that point in a minute. The second point is that either the method of the constitution of the lower gazetted service should be done away with or recourse should be had both to promotion and to direct intermediate recruitment. The third point is that there should be Muslim officers serving either as establishment officers or as head clerks or as superintendents in every establishment office, without which it would be impossible for Muslims and other minorities to get proper justice. And here let me say that when I speak of Muslims, I have the case of other minorities also in mind who come within the purview of the Resolution of 1934 and about whom I have got figures, but time will not allow me to place them before you. Let Muslim officers deal with the establishment in these offices where appointments are to be made.

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

**Sir Syed Raza Ali:** These are the important points and it is very important that these grievances should be done away with, and unless you have Muslims in charge of every establishment office, their claims will not be properly attended to. I would invite the attention of the Honourable Member to a question that was put in the other House on the 23rd September, 1924, and I will not dwell on it any further.

Finally, the position is this. In the Finance Department, in order to see that they carry out the orders of the Government of India, you have got the audit office. You have got the Labour Conventions passed at Geneva and Washington; you have got inspectors to see that the regulations framed by the Government of India are carried out. You have passed the Resolution of 1934, but you must have an agency to see that the orders contained in that Resolution are enforced. In the name of the Muslim League and the Muslim community, I recommend the appointment of an I.C.S. officer, does not matter whether he is a Muslim or a European, to see that these orders are enforced.

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

**Sir Syed Raza Ali:** There should be three or four inspectors under him. Sir, I move.

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

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

**Lieut.-Colonel Sir Henry Gidney:** Sir, if I interfere in this debate, I would ask my Muslim friends to feel that I do not do so with any feelings of hostility or opposition to the principle underlying this out motion, but with a desire clearly to place before this House the other side of the picture to that placed by the Mover, Sir Raza Ali. Perhaps this House is

unaware of the fact that before the year—I think—1926-27 Muslim Members in this Honourable House were very silent as to the paucity of their representation in the Railway and other services,—they were just not interested in it—and it was I who had the honour to bring it to their notice for the first time on the floor of this House, when I was castigated rather severely by my Hindu friend, Sir Purshotamdas Thakurdas. I always feel very glad of what I did then because, ever since, Muslims have been seizing every opportunity and more to see that their countrymen are taken in increasing numbers and get their just dues.

Sir, I now come to the substance of the motion. What does my friend, Sir Raza Ali, want the Communications Member to do? If I understood him aright he says, on behalf of his community—he has every right (and I have every sympathy with him and I suppose I should do the same if I were a Muslim)—to have a certain percentage of Muslims in every section of every department of the railway, except some which existed before 1922 . . . . .

**The Honourable Sir Andrew Olow:** I think it was the other way about. I did not quite follow what he said but I understood him to say it was in those departments that he wanted this representation.

**Lieut.-Colonel Sir Henry Gidney:** Sir, I also am not clear as what he actually wants but it really boils down to this: since Muslims have not got their proportion in each of these particular departments, make up this deficiency by direct recruitment. I am a strong opponent of direct recruitment, not because it concerns my friends the Muslims or any other community—even my own community. I protest against it because I believe that "efficiency" and "safety first" should be the main slogans of a business concern as are our Railways and they cannot be efficiently run without it,—I repeat,—"efficiency" and "safety first". How can you efficiently operate a big administration like the railways if you are to satisfy such a communal demand, engage inexperienced men simply because they happen to be B.A.'s (to which add a "D" and they become bad) or M.A.'s (with a "D" added and they become mad) and place them in responsible posts without experience?

**Sir Syed Raza Ali:** I do not recommend that they should be brought in as engine drivers. That was not my recommendation.

**Lieut.-Colonel Sir Henry Gidney:** It goes without saying that if such a degreed man were to drive an engine while reading "Paradise Lost" the engine would certainly be lost very soon. But there are other appointments also which require experience; moreover, Sir, it would be unfair to members of all communities who are awaiting their promotion and their just reward for good service if, simply to satisfy particular community which claims and demands to have a certain percentage in each department, their just claims are to be overlooked in this communal scramble. I say Muslims should have their due percentage, but that is rapidly coming. Muslims as a community have only recently entered enmasse into Railways as these youngsters who have entered go up, they will in time be included in all sections and be appointed to senior posts: that time for



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Muslims is very near but you have to exercise patience, but I do not at all accept the policy that we should have direct recruitment simply because a community has not got its percentage on all sections of Departments: it is unpracticable, it is wrong and it is exposing the public to grave danger. It is not right for any government to accept such a policy . . . .

**Dr. Sir Ziauddin Ahmad:** May I interrupt, Sir . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I do not think the Honourable Member need interrupt.

**Dr. Sir Ziauddin Ahmad:** Do I understand the Honourable Member to mean that he is now advocating that direct recruitment in the intermediate or subordinate grades should be stopped and he is not in favour of direct recruitment to those grades?

**Lieut.-Colonel Sir Henry Gidney:** On my reading of the present position of communities on Railways I certainly mean what my Honourable friend asks me. We see demands are made for direct recruitment in the cadre of guards, firemen, and others. If "efficiency" and "safety first" are to be our watch words on Railways you cannot allow such things. Public safety depends on efficiency of our employees and nothing of this sort should be done. May I repeat to my Muslim friends—you are running too fast. I do not want you to be slow movies, but you are running too fast. Your figures are yearly going up as you can see from the official blue books: in the course of a few years you will be occupying a large percentage of all these jobs so why be so rapacious now and say that there should be direct recruitment to these intermediate appointments to satisfy our demands even at the expense of public safety and experience.

**Sir Syed Raza Ali:** What about the application of this principle to the accounts branch and the traffic branch? What objection can you have to intermediate direct recruitment there?

**Lieut.-Colonel Sir Henry Gidney:** I think even a traffic man wants good experience, especially in case of accidents or anything like that. But apart from that the Accounts branch need not worry either you or me; for, it is a monopoly for the south of India who have the mathematical brains. But the demands you are making are not desirable. A suggestion was made by the Honourable the Mover to abolish the Lower Gazetted Service. But what are you going to put in its place? Some class C was mentioned on the South Indian Railway. What is that class C I do not know. To what class of employees it refers? Is it the same as the Lower Gazetted Service? I was a member of the committee which introduced this Lower Gazetted Service, Gazetted Service replacing as it did the Local Traffic Service and what was called the provincial branch of engineers. In my opinion the Lower Gazetted Service apart from it being a convenient service for higher officials to go on leave, it is a very essential service, in which will be found the brains of the railwaymen. They are doing good work and if you abolish it you will be abolishing the future ambition of railwaymen. I hope I shall live to see that day when no officials will be imported from any



country and when every official will be a promoted subordinate. When that day comes, my friends the Muslims will find that they have got their full share and they will have a big say in the Department. But this policy of direct recruitment I deprecate it and do not accept it for adjusting any communal inequality. I am very sorry to strike this discordant note on a subject—Muslim interests on Railways—of which I may be justly called the father, because as I said before, I was the first to bring the Muslims in this House to a sense of their responsibility to their community. Sir, I oppose the motion.

**Sir Abdul Halim Ghusnavi:** Mr. President, only this morning my Honourable friend, Dr. Sir Ziauddin Ahmad, had mentioned before this House that the Government did not recognise communal unions, and, therefore, how are the Muslim employees on the railways going to ventilate their grievances? The answer came from the Honourable the Communications Member that, on principle, the Government will not recognise these communal unions, but it is open to the Muslims on the railways to join recognised unions and bring forward their grievances before the Government or the Railway Board through those unions. I also do not like communal unions to be recognised on principle, but the difficulty of the Mussalmans is this. In any railway union recognised by the Government the proportion of Muslims is very small; and when the Muslims have a grievance against a non-Muslim in a particular union, that grievance is not allowed to be ventilated or brought to the notice of the Government or the railway by the majority of the other members who dominate the unions. How then is the Muslim going to get his grievances redressed? The established unions are pre-eminently non-Muslims. Take for instance the promotion of a Muslim as against a Hindu or a non-Muslim. He should have been legitimately promoted but he has been superseded by a non-Muslim: he goes before the union and the union rejects it because the predominantly non-Muslim members would not like this grievance to be ventilated to the Railway Board through the union. That is what Sir Ziauddin wanted to find out, how the Muslim's grievances are to be brought to the notice of the railways or the Government? Because these recognised Unions are composed predominantly of non-Muslims, and the voice of the Muslim members is not heard . . .

**Mr. M. S. Aney:** May I ask one question? Have Muslims been members of any recognised Unions, and they have seceded from them because their views were not heard in such Unions or they are merely imagining that their views will not be heard and hence have not joined those at all.

**Sir Abdul Halim Ghusnavi:** I will give my friend a direct reply. There are Unions in which there are Muslim members, but they feel that they cannot get their grievances redressed. I will give any Honourable friend an instance. There is a postal Union, a big Union, an All-India Union, in Bengal. They invited me to address one of their meetings in Calcutta. It was a huge meeting. Immediately when it was advertised in the papers, the Muslim members of the Post Offices came to me and said: 'For goodness sake don't go and preside at that meeting.' I asked them

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why? They said that that Union was working against the Muslim interests, that those Unions would not listen to Muslim grievances and that the Muslims were forming their own Union. I asked them if they could not make up their differences? They said it was quite hopeless, that they tried their very best, but those in charge of the Union would not listen to Muslim grievances, and in support of their contention they brought to my notice instances that in respect of promotion as against a Hindu, the Muslim was completely ignored. That is the difficulty.

Now, Sir, I will take the point raised by my friend, Sir Raza Ali. Sir, since 1929 I have been trying to impress upon the Government the fact that we want nothing more than our legitimate share in the services, and Mr. Hayman, who then spoke on behalf of the Railways, gave us an assurance on the floor of the House that in the course of three or four years the Muslims would not have the grievances they were ventilating that day. But he gave an instance why there was dearth of Muslim officers and said that he had a Muslim Chief Medical Officer in the Eastern Bengal Railway, and that Officer found it very difficult to get Muslim Medical officers for that particular Railway. To that I answered that I could offer not hundreds but thousands of well-qualified Muslim Medical officers if only Mr. Hayman would appoint them in place of the predominantly non-Muslim Medical officers on the Eastern Bengal Railway. What was the result? I believe in 1932, four medical officers were required by the East Indian Railway, two Hindus and two Muslims. No less than 1,400 applications were received for those appointments, and of those 800 applications were from Muslims. Now, Sir, what is the Muslim position in the higher grades of services? Only 6.6 per cent. goes to Muslims out of the total number employed by the Railways. 937 is the total number, of which 589 are Europeans, 336 are Hindus and only 62 are Muslims. This statement, Mr. President, I have compiled from the Government of India classified list of State Railways Establishments . . . . .

**Mr. M. S. Aney:** What year?

**Sir Abdul Halim Ghuznavi:** It is the latest, 1939. I will place this list on the floor of the House so that it may be on the record of the Legislative Assembly proceedings because it will show the position of Muslims employed in the Indian Railways . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair does not think the Honourable Member will be in order in placing the statement on the table of the House, and he must make the best use he can of the figures in his own speech.

**Sir Abdul Halim Ghuznavi:** Very well, Sir. Now, Sir, no Muslim is employed in the following posts? Superintendent of Printing, Assistant Superintendent of Printing, Chemists, Assistant Chemists . . . . .

**Mr. M. S. Aney:** Are these Railway services?

**Sir Abdul Halim Ghuznavi:** Yes, these are all railway services. Then comes the Telegraph Superintendents, Assistant Superintendents, Publicity Officers, State Railway Coal Department. The total number of Muslims employed, as I have said already, is 62 as against 937. That is the position of Muslims employed in the Railways.

Then, Sir, as I am not allowed to place this list on the table of the House. I will give only the figures so that they may be put on record.

Total number in the East Indian Railway. Europeans 160, Hindus 109; Muslims 15. Total 284.

Eastern Bengal Railway: Europeans 73, Hindus 61, Muslims 6; total 140.

Honourable Members should remember that the Eastern Bengal Railway travels over districts which are inhabited predominantly by Muslims who are 80 per cent there.

Great Indian Peninsula Railway: Europeans 148; Hindus 56, Muslims 9; total 213.

North Western Railway, which also travels through districts which are inhabited predominantly by Muslims: Europeans 158, Hindus 110, Muslims 32, total 300.

That, Sir, is the position of Muslims employed on the Railways. Now, Sir, I ask the Honourable Member for Communications to take these facts into account and do something to remove the grievances of Muslims in regard to their employment on the Railways.

My Honourable friend, Sir Syed Raza Ali, has made four points. One of his points was to appoint a Muslim officer.

**Sir Syed Raza Ali:** To see that the whole thing was enforced—proportions.

**Sir Abdul Halim Ghuznavi:** Then he went on to say, appoint an I. C. S. a non-Muslim, European,—of course not a Hindu he said.

**Sir Syed Raza Ali:** I said a Muslim or a European.

**Mr. M. S. Aney:** Or a Parsi would do.

**Sir Abdul Halim Ghuznavi:** A Parsi would not do; he said, a Muslim or a European. I am not going to give you a story like my Honourable friend, Dr. Sir Ziauddin Ahmad, but I am going to state a fact. When Sir Fazl-i-Hussain was the Honourable Member in charge of the Department of Education, Health and Lands, a Muslim deputation consisting of some Members of this House including myself waited on him and asked him to appoint a Muslim as the Secretary of his Department. He said to me "Very well, I have listened to all that you, Gentlemen, have said". Then he asked me to go to him that night and said that he would discuss this matter. I did go. He asked, "Why do you want me to appoint a Muslim as Secretary?" I said, "To safeguard the interests of Muslims." He replied, "That is exactly what I am not going to do", and added that his experience had been that the Muslims did not do what

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they should do for the Muslims, and that he was not going to appoint a Muslim because he was certain that our desire would not be met by changing the appointment he was making, and it was a Hindu. My own experience has been that wherever there is the head as Muslim he does not do his duty towards his fellow Muslims.

**Sir Syed Raza Ali:** I am afraid that is too general a statement. That is a reflection on responsible Muslim officers. I hope my Honourable friend realises his responsibility.

**Sir Abdul Halim Ghuznavi:** I am very sorry. I say "most of them". Am I not correct?

**Sir Syed Raza Ali:** Say, some of them.

**Sir Abdul Halim Ghuznavi:** I will boil it down to "some of them". A non-Muslim will do much better . . . .

**Sir Syed Raza Ali:** That depends on the Muslim you choose.

**Mr. Muhammad Nauman:** What is the solution? You do not want a Muslim, you do not want a European. Who should be the officer?

**Sir Abdul Halim Ghuznavi:** I never said, don't appoint a Muslim; I said, a non-Muslim would be preferable. I am asking for a non-Muslim. Sir Raza Ali's point was to appoint a Muslim, and I said, appoint a non-Muslim.

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

**Mr. Muhammad Nauman:** Non-Muslims are already there. There is no question of appointment arising.

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

(Sir Abdul Halim Ghuznavi resumed his seat.)

**Mr. Lalchand Navalrai:** I should not be misunderstood that I have risen to speak in any spirit of communalism. I do not want to irritate my Honourable friend, Sir Syed Raza Ali, just as he got irritated when the truth came out from my Honourable friend, Sir Abdul Halim Ghuznavi. But I rise to speak in order to place facts before the House which will contradict the complaints that are coming from this side.

In the first place, a very wrong demand is being made that instead of promotions recruitment be made in intermediate grades. On that point I am absolutely opposed. The policy of the Government has been to apply a fixed ratio to recruitment in initial grades only, in order to do justice to the claims of the different communities, and it is the policy of the Government that promotions should go by seniority and by merit, and no pulling of Muslims by a false pulley. Don't pull them up by a false pulley so that they may fall down in no time. That applies to direct

recruitment in intermediate grades. I submit, therefore, that my Honourable friend is wrong. My Honourable friend has come to this House recently and perhaps what was said by this House when the ratio was fixed and a notification issued with regard to no communal representation in promotions is not known to him.

**Sir Syed Raza Ali:** May I interrupt my Honourable and learned friend by saying that that Resolution of 1926 was issued on my Resolution which I moved in the Council of State?

**Mr. Lalchand Navalrai:** I am very glad that the Honourable Member has got irritated a bit. Since 1934, by the answers which the Government have given to several questions on the matter, the Government have not desisted from the policy of giving promotions by merit and seniority. The orders passed in 1934 have been adhered to till now. If there is going to be any change in those orders with regard to promotions, what I submit is that in the railway offices and the general departments there are Muhammadans as well as Hindus, and if you are going to bring in other people directly over their heads, there will be a lot of discontent both among the Hindus and the Muslims. I would have enlarged on this point but for the fact that the time at my disposal is very short. So, I will request the Railway Department and other Departments to stick to their original policy. Coming to the question of qualified and unqualified, my Honourable friend says, if a qualified Muslim is not available, then an unqualified man should be taken.

**Sir Syed Raza Ali:** I never said anything of the sort.

**Mr. Lalchand Navalrai:** Any way that is the rendering which I would put on the Honourable Member's remarks.

**Sir Syed Raza Ali:** Let the Honourable Member please himself.

**Mr. Lalchand Navalrai:** I will displease him but I do not want to do that. I will say this that with regard to that also any change in the policy will be wrong. I will contradict the whole thing by facts and figures. It is said that there ought to be officers or rather one officer who should be a Muhammadan to watch the interests of Muhammadans.

**An Honourable Member:** Minorities.

**Mr. Lalchand Navalrai:** This motion is by a Muslim and so it deals with the case of Muslims.

**Sir Syed Raza Ali:** Because the Muslims have the largest majority among the minorities.

**Mr. Lalchand Navalrai:** Yes, my Honourable friend has the largest minority to put down the majority, that is what he wants to do. Now, let us face facts. Let us take the Railway Board first, and you will find that the interests of Muslims are very much safeguarded there. I do not say that the Muslim officers would be partial to their community men. I

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know that they have got a sense of justice, but I certainly refute the statement of my Honourable friend that there are no Muslim officers there to watch the interests of Muslims; I say that there are in the Railway Board more than what is needed. Take the Members of the Railway Board. There are three Europeans and one Muhammadan. The Muhammadan's name is Khan Bahadur Muzaffar Hussain.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member had better leave out names.

**Mr. Lalchand Navalrai:** Let me then say, one, they have got at the head one Muslim. I assert that they have their interests safeguarded there. He cannot be said to be incompetent. He is there.

**Mr. Muhammad Nauman:** How long will he be there?

**Mr. Lalchand Navalrai:** How long or no long, your complaint is about the present.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member had better not discuss any individual officer.

**Mr. Lalchand Navalrai:** Then I will give the figures. Coming to Directors, there are four Europeans and one Muslim. If the name of the gentleman is asked, I will give it; otherwise I won't. Then coming to the Deputy Directors, we have got three Europeans, one Hindu and one Muslim. Among Assistant Directors, we have got one Muslim, there being no Hindu. We are content with that, and Mussalmans too. Why then these complaints should be made. Sir, you have given them much and they want more; every year they come forward and they say: 'We want more and more'. Don't give them what is not just. Coming to the officers on the State-managed Railways, I found on 1st April, 1925, there were 36 officers. On the 31st March, 1939, there were 70 officers. Now, I am reading from Volume I of the Railway Board's report, page 107. Looking at that, can it be said that the Muslims have no officers? (Interruption.) I do not give way. Now, coming to the recruitment, they have been complaining every now and then that there is a paucity of recruitment of Muslims. I would say that it would be much better if they had not brought this cut at this time or raised this communal question at this moment, because the Government have already deputed an officer. He is assisted by a D. C. O. He is a Muhammadan and Mr. De Souza is a Christian. They are investigating the question. Why not wait till they have come to a conclusion? I think their object may be—I do not want to impute motives—to influence these gentlemen when they come to conclusions one way or other.

**Mr. Sir Eusuddin Ahmad:** I object to that phraseology: that we want to influence these officers.

**Mr. Lalchand Navalrai:** You have not understood what I said. If you turn to page 110 of the same report of 1939-40, Volume I, you will find this. In 1934-35, you will find the ratio of the recruitment was 17-45,

in 1935-36 it was 28.50, in 1936-37 it was 31.2. It is rising. Then again in 1937-38, it is 29.8 and 1938-39 it is 29.9. Now, that is certainly more than 25 per cent.—four or five per cent. more. The complaint with regard to that is also not correct. Now, Sir, my humble submission would be that Muhammadans and Hindus should join hands in a matter which would be reasonable and just. They should join hands in getting the subordinate staff promoted and not to be blocked at Rs. 60 and Rs. 68. There are Hindus as well as Muslims amongst them and I hold in my hands many Resolutions passed both by Hindus and Muslims asking for the removal of this block at 60 and 68 for the Commercial staff and the Loco. Staff. Then there is also the question of the guards. These are the questions on which Hindus and Muslims should join hands. Otherwise, you will be doing harm to both Hindus and Muhammadans.

On the question of Unions, the Member's complaint is that these unions do not represent the cases of the Muslim employees. I submit that that is not correct. The Unions are mostly comprised of Muhammadans. Their officers are Muhammadans. Go to these Unions at Lahore and other places. (Interruption.) In spite of your obstruction, my voice will be heard. I have helped some of the Unions myself and I find that all the office-bearers are Muhammadans with a few Hindus. They should join hands and send in their representations. In the face of this, how can it be said that these Unions represent only Hindus? I do not think there is any force in that complaint. Then my Honourable friend said that he would prefer a Christian to a Hindu or a Muhammadan to a Hindu.

**Sir Syed Raza Ali:** I did not use the word 'Christian'.

**Mr. Lalchand Navalrai:** Say soberly. What did you say? Don't be irritated. What I say is that the allegation is wrong. Now, I want to show that the interests of all are being safeguarded by these Unions. I have received from the Guards Association a Resolution where they say . . .

**Mr. Muhammad Nauman:** Who is the President?

**Mr. Lalchand Navalrai:** The President is Lala Sita Ram, M.L.A., of the Punjab. In the Union there is Mr. Khan, Mr. Miller and one other European and several of my Muhammadan friends. (Interruption.)

**Mr. President (The Honourable Sir Abdur Rahim):** The Honourable Member had better go on with his speech, without taking notice of the interruptions.

**Mr. Lalchand Navalrai:** Now, the Resolution is with regard to Hindus and Muslims both. They say:

'Great resentment prevails, strongly protest new recruitment, adds insult to injury (This refers to outside recruitment) Awaiting promotion past 15 years. Pray intervene. Stop direct recruitment of higher grade guards. Have amalgamation of old grades II and III.'

With regard to the amalgamation of these grades I have heard my Honourable friend, the Communications Member. There is a difficulty really. I do not deny that it is a difficulty with regard to these commercial staff and the subordinate staff and the guards. On the North Western Railway you will find 9,000 such persons . . . . .

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

**Mr. Lalchand Navalrai**: So, Sir, I say that we should join hands and not raise this question of Hindus and Muslims.

**Mr. Nabi Baksh Illahi Baksh Bhutto** (Sind: Muhammadan Rural): Sir, the question of Muslim representation, in the Railway services, has become an annual fixture, on the occasion of the general discussion of the Railway Budget, as, for example, the grievances of the third class passengers. Every year, about this time, Government very benignly, gives us an opportunity to unburden ourselves of our feelings, with regard to certain matters; and we call upon the Government to recognize its duty and to do justice, where justice is due. Government, as usual, express much sympathy, make a few promises and there the matter ends.

Sir, it is needless for me to stress the importance to any community of the adequate representation of Muslims in the Services. We do not say, that the Railway will suffer, if they do not employ a certain percentage of Muslims. We do not for a moment consider that the work of Railway administration cannot be carried on efficiently, without the presence of a percentage of Muslims. But I do submit, Sir, that we have a right to have a share in the administration of one of the biggest public concerns in India, a right which no fair-minded Government can ignore, and we have brought this cut motion because we are convinced that as far as the matter of giving Muslims their proper share in the administration of Railways is concerned, Government are not doing fairly by us.

We shall, of course, be given a reply that Government issued certain orders in 1926, and a Resolution in 1934. We shall also be told that numerous explanatory orders have been issued to ensure the proper working of the Resolution, but, what is the result? Government's orders have failed to bring about a substantial improvement in the representation of Muslims, mainly because Government merely issued the orders, and did not take sufficient steps to see that these orders were followed as they were meant to be followed. In the first place there were many loopholes, only one example of which is, the so-called "un-reserved" vacancies which have been treated as reserved, for non-Muslims, and filled by members of the majority community, even where better qualified Muslims were available. The truth of the matter is; that Government never took these orders seriously enough, with the natural result that they were taken much less seriously by those persons to whose care it was left to carry them out. In proof, I would mention the delay that takes place in the printing up of the annual returns, laid down by the Government, to show the communal composition of the staff, and the recruitment made in the year. This delay, we understand, is due largely to the fact that the Railway administration takes long to prepare and forward these returns to the Railway Board. And, when these are received by the Board, they are often found to contain so many discrepancies and inaccuracies, that a considerable time is spent in attempting to reconcile the discrepancies, and to remove the inaccuracies. I say "attempting", because even after a good deal of time has been spent, many points still remain doubtful, and the returns have often to be



accepted as they are. If the Honourable the Railway Member considers that I am exaggerating, will he kindly let us know the dates on which the returns for the years 1935-36 and onward were received from the Railways and the dates on which they were finally printed up.

**The Honourable Sir Andrew Clow:** The Honourable Member will have to table a question on that, if he wishes.

**Mr. Nabi Baksh Ilahi Baksh Bhutto:** I am sure, it will not be denied that the returns do contain inaccuracies, and if so, I would ask why this is so. To me the only correct answer is that those who are responsible for the preparation of these returns do not either take sufficient care, or deliberately furnish wrong figures. Whichever of these reasons be true, the Railway administration and their officers and employees concerned would deserve censure. Blame for this must also rest on the Government of India, because, ultimately, it is their responsibility to see that their orders are given due respect and honoured and honestly followed. I am sure that Government, if it cared to find out, would come to no other conclusion than that the orders have not been carried out properly.

There will be ample evidence of a failure to treat these orders on the same level as the orders of the Government on any other point. Government, for example, lays down the rates to be charged for the haulage of the goods. Can any Railway employee dare to charge a rate lower than that laid down by the Government? The answer certainly is, no. Well, Government have laid down certain percentages for the recruitment of the Muslims. Why do officers not only dare to put in practice, but boldly disregard these orders, and do not recruit due percentage of Muslims? The reason is that while, in the former case, the officer knows the penalty for charging a lower rate, in the latter there is no penalty at all; officers who fail in their duty of recruiting Muslims in the prescribed proportions have no fear at all that they will be asked to explain their conduct or be punished for disregard of the orders. Will the Honourable the Railway Member please correct me, if I am wrong, and let the House know, how many appointing officers have been asked to explain their failure to recruit Muslims in adequate numbers? How many have been censured?

Again, to continue with the example, if it is found that freight charged on a consignment has been lower than the prescribed rates, the owner or the consignee is not let off but is liable to pay the difference. In other words, the charging of a lower rate is treated as wrong. But, what happens in case a vacancy, which should be filled by a Muslim, is given to a non-Muslim? The Department should lay down that an appointment made contrary to the orders in regard to communal representation should be cancelled and declared as null and void, as soon as it comes to notice through the returns. This order under a close examination would be found to be hopelessly lacking in earnestness. In the first place, it does not say, which officer is to have the authority to cancel an appointment when it comes to his notice. Secondly, how is one to know, from a return, which relates to a whole year, and which merely gives certain figures, whether all appointments have been correctly made? Thirdly, there is the inordinate delay in the preparation of these returns, so that, even when an irregular appointment does come to the notice, the very delay is a factor in condoning the irregularity and no action is taken so that there should be no hardship.

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Again, what machinery have Government devised for seeing that all appointments are made honestly and fairly, and that the interests of Muslims are not lost sight of? The expedient of annual returns is no expedient at all. There should be some regular inspecting staff, who should go round, and see the day to day working of the orders, and check every irregularity on the spot.

The honesty of the Government profession, in regard to the recruitment of Muslims, can be tested in a very simple way. Supposing, Government get the report that a certain officer has been responsible for an embezzlement, or that Government's orders have not been given due consideration in a certain transaction. Will the Government remain silent and say it does not matter? Government will . . . .

**The Honourable Sir Andrew Clow:** Will the Honourable Member kindly speak a little louder?

**Mr. President (The Honourable Sir Abdur Rahim):** The Honourable Member can't be heard on this side. The Honourable Member can come forward and speak.

**Mr. Nabi Baksh Illahi Baksh Bhutto:** Government will at once jump in, and make an investigation, and set matters right, and bring the offender to book. But, what do Government do, when they receive a letter from a Muslim organization, or some prominent representative of the community? They take no action at all. Hundreds of times, since the issue of the 1934 Resolution, there have been articles in the press and letters from Muslim M. L. A.'s and others and Muslim organisations about flagrant non-observance of Government's communal orders, and yet what action have Government taken? No action at all, because Government do not themselves take those orders seriously.

I am sure that the Honourable the Railway Member must by now be very impatient to interrupt and point out that the Railway Board have placed Mr. D'Souza on special duty to investigate the working of the communal rules. Let me anticipate him and what I have been saying hitherto has now been said in ignorance of Mr. D'Souza's inquiry.

This inquiry has been ordered five years after the issue of the Resolution, whereas what was needed was a machinery to ensure that not one appointment was made, or, if made, was promptly cancelled. What will this enquiry do with regard to the thousands of vacancies, filled since 1934, which should have been filled by Muslims but have not so been filled? But it would perhaps be giving too much credit to the inquiry to presume that it will discover all the irregular appointments. Actually it will not discover the irregularities, because it is not proceeding in the proper way; for that the reason is simple, that the inquiry is obtaining all information that it needs from the Railway administration, and is accepting whatever is given to it. What confidence can we have in this inquiry.

Equally reprehensible is Government's callousness in the matter of seeing justice done to Muslims in promotions. When we demand that Muslims should not be superseded, we are met with the reply that the

reservations cannot be applied to promotions which must be based on merit. We quite agree that communal considerations should not influence promotions. But this precisely is what we expect Government to ensure. At present, promotions are being made on communal considerations with the result that Muslims are always superseded on one pretext or another. What we really demand is that the promotions are made actually on merit. Since Government probably have no means of ensuring that real merit is treated as the foremost consideration, in all cases, we have no alternative to demanding the automatic and comparatively simpler method of reserving for Muslims a percentage of the promotion vacancies, also as Muslims are in many grades now available in sufficient numbers to give the community its due percentage of such vacancies. We would demand that where this is the position the share of the Muslims should be increased in direct recruitment.

Another grievance of the Muslims is the non-recognition of the associations formed by Muslim railway employees. The interests of the Muslim employees are so different from those of others, and the former have to combat so much antagonism from their colleagues and officers of the sister community that we are convinced that there must be an association of Muslim employees to represent to Government on matters affecting the Muslims.

**Mr. Muhammad Nauman:** Sir, I rise to support this motion with my usual zeal. Unfortunately, I feel that things have not improved in spite of our bringing this motion before the House from year to year. I only feel that I should quote Ghalib, one of the Urdu poets. He says:

*"Ham bhi tasteem ki khu dalenge*

*He niyazi teri adat hi sahi."*

"I have decided to make you feel that you should submit although you have been consistently habituated of neglecting us (from time immemorial)". That is the gist of the translation of the couplet I have quoted out just now. However, I do not want to indulge in the figures which my Honourable friends have already quoted. The Honourable the Mover of this cut motion from my Party, Sir Syed Raza Ali, has proved it to the House that things have not improved at all. You will notice, Sir, from the report itself that although the number of the Muslim appointments was 71 last year, this year it has gone down by one: the figure is only 70.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member can resume his speech after Lunch.

**The Honourable Sir Muhammad Zafrullah Khan** (Leader of the House): Sir, Thursday, the 29th, is at present fixed as an ordinary official day and the Honourable the Finance Member is due to make his statement on the Budget and to present the Budget at 5 o'clock. It looks as if there will not be enough ordinary official work for a whole day sitting on the 29th, and I am, therefore, to request that the ordinary sitting on the 29th may be cancelled and the House should meet at 5 o'clock to hear the Finance Member.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair takes it that that will suit the Honourable Members. On Thursday, the 29th, the House will meet at 5 o'clock.

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

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

**Mr. Muhammad Nauman:** Sir, I do not want to indulge very much in the citation of figures which my Honourable colleagues have done. I need not go very much into detail. I will give only one or two figures. I wish my Honourable friend, Mr. Lalchand Navalrai, had been present now in the House so that he might be convinced of the justice of our cause. We have been reiterating this very demand of a square deal to my community year in and year out. Why has it been necessary for us every year to impress on the Government and this House that we are not progressing as rapidly as is necessary? What do we see in the Administration report of the Railway Board? On page 107, Sir, we find that the percentage of Muslims is 7.2 per cent. whereas the percentage of Hindus is 30.45, and the percentage for Anglo-Indians—whose cause my Honourable friend, Sir Henry Gidney, has been advocating and who, also, unfortunately, is not in his seat at present—the percentage for Anglo-Indians is 9.16. In the case of posts above Rs. 250, the percentage for Muslims is 7.43. For Anglo-Indians and Domiciled Europeans it is 41.82 per cent. These figures are found on page 109. My Honourable friend, Mr. Lalchand Navalrai, said that probably the Muslims were about 30 per cent. That is not true, Sir. On page 108 we find that the total number of Muslims on scales of pay rising from Rs. 250 and above for Class I Railways excluding the Nizams Railway is 458 out of 7,597 and you can find out what the percentage is. It is less than six per cent. We find that in spite of the best intentions and, probably, the best efforts of the Government of India, we have not been able to see these hopes realised which the Home Department Resolution of 1934 promised us.

I want to reply to my Honourable friend, Sir Henry Gidney, but, unfortunately, he is not present in his seat now. My Honourable friend is practically blowing hot and cold at one and the same time. He professed to be sympathetic to the Muslims and he wanted our co-operation and he wanted to make common cause with the minorities. Then, when he found that the vested interests of his particular community might be touched by a particular Regulation, he feels he ought to oppose it. He just stressed in his speech that he could not approve of the policy of recruitment in the intermediate grades if promotions were not possible according to seniority. We have made it abundantly clear that we want this method of intermediate recruitment to be enforced till such time as the Muslims get their proper one-third share. Out of 750 crores invested in the railways, the Muslims do not get their proper share in the administration, which to all sense of equity and justice should have been given to them even much earlier than what we are demanding now.

Now, Sir, with regard to the question of intermediate recruitment, I want to quote Sir Henry Gidney's own words. Although he does not

approve of this policy today, what did he say in 1937 on the floor of this House:

"The House will remember the speeches I delivered last year on this subject,..... In those speeches I referred in great detail to the terrible reaction the new scales of pay were having on Anglo-Indian railway employees, and despite what the Honourable Member said that officials had suffered more than subordinates under these scales of pay, I proved beyond doubt that it was the Anglo-Indian community alone, of all communities employed on railways who had suffered so much by these new scales and which amounted to an all round reduction of from 50 to 60 per cent. in initial salaries and 40 to 60 per cent. in the Maximum salaries. ...."

However, Sir Henry achieved his point since by creating a premium for his community in initial appointments.

Then later on he said:

"I felt that the revised scales of pay which the Railway Board introduced in the latter part of 1934 would eventually defeat the very purpose underlying and stressed in this Resolution, namely, the avoidance of the dislocation of the economic structure of the community which had become welded into these two services in particular."

In another place he says:

"The Honourable Member, however, admitted that to ask Anglo-Indians to enter the Loco. and Traffic services at the bottom of new scales of pay was a distinct hardship and would, in time, seriously affect recruitment of not only Anglo-Indians but the better class Indians, and speaking personally, he felt that it might, to some extent, meet this difficulty by direct recruitment of Anglo-Indians and Europeans to certain intermediate grades."

That was the opinion which Sir Henry Gidney held in 1937. Now, he wants to change his opinion because he thinks it does not suit him to hold that opinion now because he has gained his point by preferential pay to his community. We do realise there may be some difficulty in recruiting men to intermediate grades in some branches where technical knowledge and practical experience is required, such as for engine drivers or engineers. But as my Honourable friend, Sir Syed Baza Ali, pointed out, there can be no difficulty in recruiting Muslims to the intermediate grade in such branches as traffic, transport, etc., where only training for one or two years is required. After such training, they will make efficient subordinates. What do we find in the Indian Civil Service? A young civilian fresh from England at the age of 21 or 22 is considered fit to rule this country and take charge of a big division without having any knowledge of the conditions and habits of the people of the country. I cannot imagine why the people living in this country, having adequate University education, should not be considered fit enough to occupy posts directly in the intermediate grade even after some training. Posts in the traffic and transportation department can be filled up on this principle. If there is any technical knowledge necessary, then in such cases this principle need not always be followed. The difficulty can be overcome, if there is a genuine desire—which I believe there is on the part of the Honourable Sir Andrew Clow—to meet the just demands of the Muslims. If he makes a rule, then something can be done for the Muslims. I urge that this part of the question should be looked into seriously. Till now this question has not received that much of proper attention of the Government as it deserved. Really the Muslims all over the country as shareholders of 1rd share in Ry. Co. are very much agitated. Unless some such step is taken and unless recruitment is made in intermediate grades, our percentage will not come to the required level for another 100 years, in gazetted ranks, specially.

[Mr. Muhammad Nauman.]

Having cleared up that position, I now want to reply to my Honourable friend, Mr. Lalchand Navalrai. He suggested that the Muslims should be more Indian and more nationalistic. He asked, why should we clamour for all these things, why should we insist on this particular right for the Muslims or that particular demand for the Muslims. Probably he does not realise that Muslims are not given a chance even when they are fully qualified. In 1925 the following question was asked in the Council of State:

"Is it a fact that a non-Muslim who had not passed the Matriculation Examination was recently appointed in the office of the Director of Wireless and a Muslim graduate was rejected?"

The reply was:

"The fact is as stated. The non-Muslim had worked for 2½ years temporarily in the office of the Director of Wireless and had given every satisfaction. He was re-tenched in May 1923."

**The Honourable Sir Andrew Clow:** Is this a railway post?

**Mr. Muhammad Nauman:** No, but this is what happens everywhere, such things happen in the railways more often. Sir Abdul Halim Ghuznavi gave instances of deserving medical men whose applications were not considered. That is true of other class of men in other sections also and the selection boards manipulate things in such a way that Muslims generally get only the lowest grade on Rs. 80 or about to show over all percentages.

My Honourable friend, Mr. Lalchand Navalrai, also referred to the question of the unions. We are not very happy about establishment of separate unions but we cannot help it and things have reached such a stage that in everything we have to follow a separatist policy. We all know the history of establishment and progress of League and the treatment of Congress to Muslims.

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

**Mr. Muhammad Nauman:** Sir, I hope Government will realise our difficulty and redress our grievances.

**Dr. F. X. DeSouza (Nominated Non-Official):** Sir, in rising to speak on this motion while I desire to express every sympathy with the claims of the Muslims to a legitimate representation of their community in the railway services I wish to give expression to a fear that in this communal wrangle between the major communities, the community which I represent stands in danger of being ground down between the upper millstone and the nether millstone and being entirely crushed. It is for this reason that I wish to intervene in this debate for a very short time.

What is the position in regard to the representation of my community in the railway services? I do not propose to give elaborate figures but I wish to say that the over-all percentage of the Indian Christians in 1939, as appears from the report of the Railway Board, is as follows: In the subordinate services the over-all percentage of the Indian Christians was only 8.4 while that of the Hindus was 56, Muslims 20.9, Anglo-Indians 7.6 and Sikhs 2.2. Our over-all percentage in the Superior Services is as

follows: Hindus, 80.45, Muslims, 7.02, Anglo-Indians, 9.16 and Indian Christians 2.02. Has any attempt been made in the recruitment for the year 1938-39 to redress this inequality of representation of the Indian Christians? Not the slightest effort has been made to bring up our representation to our numerical strength. So far as recruitment in the year 1938-39 is concerned, in the subordinate services while the percentage of Hindus recruited was 53.2, that of the Muslims 27.1, that of the Sikhs 2.2, that of Indian Christians was three per cent. And in the superior services of the Company-managed Railways, in the year 1938-39 out of 29 officers recruited there were 16 Hindus, nine Muslims, three Anglo-Indians, one Parsi and no Indian Christian. Is this a legitimate representation in the railway services of the community which I represent? In the State Railways it is no better. In the combined percentage of recruitment on State and Company-managed Railways, Hindus number 53.5, Muslims 27.0, Anglo-Indians 11.6, Parsis 4.7 and Indian Christians 2.3. These are the figures of recruitment in 1938-39. Sir, is this representation proportionate to the numerical strength of the Indian Christian community? The numerical strength of the Indian Christian community in India is seven millions and we are the second largest minority community in India. I wish to impress this fact particularly on the attention of this Honourable House. Our numerical strength is however not our only qualification. In the standard of literacy, especially in the English language, my community stands higher than that of any other community, Hindu or Muslim.

Then, what about the loyalty which my community has displayed? Our loyalty is well-known to everybody. In fact our loyalty has worked to our detriment. The Congress Governments and the other Provincial Governments are looking askance at us because they say: "You are always leaning on the foreign Government and, therefore, you have no *locus standi* in our administration." Our loyalty is standing in our way with the Congress Government. But should it also stand in our way with the British Government? Apart from these considerations, our community has entirely depended for years and years on service to the British Government; our economic foundations have been laid upon service in the railways, in mercantile firms and under Government. We have no big zemindaris amongst us; we have no wealthy merchants among us. The foundation of our economic life is service; and now that the British Government is striking at the foundation of our economic life, where do we stand?

What then is the remedy which I suggest? I maintain that the orders of Government regulating the recruitment of the members of my community to the services are unfair to us and in the interests of justice and fair play should be revised immediately. I refer to the iniquitous resolution of the 4th July, 1934, about which I had a good deal to say in 1934 when moving another Resolution in this connection before this House. What does that Resolution do? It lays down that in the case of the superior services recruited on an all-India basis the Muslims are to have 25 per cent. and the other minorities are to have 8½ per cent.; and in the case of services recruited locally the Muslims are to have 25 per cent., the Anglo-Indians eight per cent. and the other communities six per cent. Now, where do we come in? We are the second largest minority community in India. We are dumped down among "other communities" and what representation do we get in the "other communities"? I have shown that on the railways we do not get even two per cent. It is absolutely necessary that this basis should be revised and another percentage prescribed for the recruitment of Indian Christians in the service.



**Lieut.-Colonel Sir Henry Oldney:** What percentage do you want?

**Dr. F. X. DeSouza:** My Honourable friend, Sir Henry Oldney, is quite satisfied with the predominant position he has obtained for his own community and now asks me what percentage I want. I say, would it be too much, having regard to our population, our literacy and our economic weakness, to ask that at least five or six per cent. should be reserved for our community?

I know that when I plead the cause of my community in this manner the majority community will dub me a communalist. My record is well-known. I certainly am not a communalist, but the charge of being a communalist is easy to level at a minority community when those who are in possession of the spoils by the previous exercise of communalism find their monopoly threatened. Affectation of nationalism is the tribute which the successful communalist pays to his uneasy conscience. I am a communalist in the economic sense, but I am a nationalist in politics.

Why do I urge our claims so insistently today? The Honourable the Railway Member is new to his task. By his first budget he has achieved a tremendous reputation. He has vigour and he has imagination. The other day one Honourable Member in this House characterised him as a good man and I think everybody who knows him characterises him as a good Christian. May I ask him to intervene on behalf of our community and give us a proper representation in the services, not because we are Christians—I do not want any partiality—but because our numbers and our literacy and our economic position and every other qualification entitles us to a better position in the services.

**Mr. Chairman (Mr. M. S. Aney):** The Honourable Member has two minutes more.

**Dr. F. X. DeSouza:** I will tell you the exact position today. I know it from my own experience. It looks as if every Government office has the inscription "No Indian Christian need apply" on its doors. Why do I say so? Two or three men whom I know, men of very high qualifications applied to a certain officer for a job—I will not mention the name of the officer—and they were blandly told . . . .

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

**Dr. F. X. DeSouza:** I will give the reply, Sir, and finish. The officer told them "If I give you the job, neither the Hindus nor the Muslims will be pleased; so I prefer to give it either to a Hindu or a Muslim". To this the candidate retorted, "If you give the job to me neither the Hindus nor the Muslims will be dissatisfied". But the officer ignored the superior claims of the Christian candidate. Is that the attitude which the Government of India is going to adopt to my community?

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

**Dr. F. X. DeSouza:** Very well, Sir. I will take up the subject again, on the Finance Bill debate. It is too important to be dropped.



**Bhai Parma Nand** (West Punjab: Non-Muhammadan): Sir, I intervene in this debate because this resolution is brought up during every budget debate and as it has been my duty to oppose it every time, I oppose this motion firstly on the ground of principle, because I feel that we are all one people and appointments to all public services in the country should be made among all classes of people of this country solely on the ground of their efficiency or merits, and not on the ground of religion or any other extraneous consideration. That will be a wrong principle to follow. But as the Government has laid down this vicious principle of distributing the loaves and fishes of Railway services on a communal basis, in spite of our opposition to that principle, my main point of opposing it now is, that the Railways are a commercial concern, and just as any business man would select people who are really serviceable and fit for his work, the Railways also should recruit people who will be really efficient for its service. No doubt the Railways now belong to the State, yet since they are run on commercial principles, they should keep in mind sheer merit and efficiency in making appointments and see which community will be more useful in the performance of their duties.

**Dr. Sir Ziauddin Ahmad:** Anglo-Indians.

**Bhai Parma Nand:** I don't grudge them their due. Now, Sir, one argument that was advanced this morning was that as some of the Railways run through parts of the country which are predominantly inhabited by a particular community, therefore, the majority of the jobs in the Railways should be distributed among members of that community. In reply to this argument I may point out that a very large part of the Railway income comes from goods traffic and the total income derived by Railways from this source comes to about 55 crores, which is much more than the income derived from passenger traffic and all the trade which contributes to the goods traffic is carried on by Hindus. Therefore, if the business income is to be distributed according to the contribution made by the different communities, I think the Hindus would require much larger representation in the railway services than that of any other community.

Then, Sir, Sir Raza Ali in the course of his observations said that the orders of the Government of India in regard to Muslim representation in the railway services have not been carried out to the fullest extent and, therefore, he suggested that the Government should appoint a European or a Muslim to see that the orders are duly carried into effect, and another further remedy he suggested was that of intermediate recruitment. That has been strongly opposed by my friend, Sir Henry Gidney, who took the credit to himself saying that he was the first who taught the Muslim Members of this House to demand their separate rights for their community.

**Lieut.-Colonel Sir Henry Gidney:** I am very sorry now.

**Bhai Parma Nand:** Even he who was so much in favour of Muslim rights now thought that this principle of intermediate recruitment was most unfair, because that would block the way of those who had already served the department for a number of years, and that it would create a new kind of evil in the services. Therefore, Sir, I feel that this intermediate recruitment is not at all desirable and should not be ever thought of.

[Bhai Parma Nand.]

Then, Sir, my friend, Sir Abdul Halim Ghuznavi, took up the question of proportion of Muslims in the superior services. I think it is not the proper time to take up the proportion of Muslims in the higher services, as the proportion in higher services has to be made up by fresh recruitment, and recruitment has to be made generally at the bottom. My friend wants that in the superior services also the Muslim proportion should be 25 per cent. That is not possible, because as I said the recruitment is not to begin at the top, but it is to begin at the bottom and gradually those who start at the bottom will rise to the top in due course of time.

Now, Sir, if we look into the Muslim representation in separate branches, my friends cannot have much grievance. In some branches of service Muslim ratio is much greater than it is fixed by the Government formula. For instance, taking the Railway Administration Report of the Railway Board, I mean the latest issue, you will find in the subordinate services that the proportion of the Muslim community in 1934-35 was 17.45, in 1935-36, it was 28.50, in 1936-37, 31.2, in 1937-38, 29.9, and in 1938-39 it was 29.9 per cent. It will be seen that this ratio is much more than 25 per cent. which was fixed by the Government formula. Then again, even if we go upon Mr. Hasan's Report, which was laid before this House some time in 1933, we find that although in the clerical staff on different Railways the Hindus predominated, yet in the Transportation and Power works like workshops and engine sheds, the Muslims were much more than 25 per cent., this was so even in the year when Mr. Hasan was deputed to make inquiries into the proportion of Muslims in the Railway services. According to Mr. Hasan's Report we find that in the Transportation Power Department, in the Eastern Bengal Railway the Muslims were 44.28 per cent., in the North Western Railway 42.65, in the East Indian Railway, 44.74. Not only this, Sir, but I know it as a matter of fact that in the North Western Railway workshops at Lahore most of the employees are Muslims, and there may be only ten or twelve per cent. non-Muslims . . . . .

**An Honourable Member:** They are all labourers.

**Bhai Parma Nand:** But sometimes they get Rs. 5 and Rs. 7 per day.

**An Honourable Member:** They are on daily wages.

**Bhai Parma Nand:** Yes, but in these hard days it is bread that counts, and bread is a big problem. There are people, educated people, who are willing to accept the lowest position anywhere. I had an occasion to write to the Honourable Member in charge, some time ago, complaining to him on behalf of Hindus who were not taken as even porters, because they said that somebody who was a Muslim had the monopoly to enlist porters and the Superintendent of the Railway Station being in his favour, Hindus were not taken as porters. The same complaint is to be found even in Lahore and other big stations on the North Western Railway. So, when we talk of the total proportion of one community as against another, we should not lose sight of the fact that all those people who are trying to get their bread by different kinds of services, however low they may be, are in service of the railways.

I do not want to take the time of the House but I want to refer to one more point. My Honourable friend, Mr. Piracha, said in his speech the other day, that in 1933 when the Muslims in the Assembly began to clamour for their so-called rights in the Railway Department their proportion was about 22 per cent. and now, after seven years of hard struggle, their proportion was just the same or even it has gone down lower than 22 per cent. That was a great riddle to be solved. Wherever we go we are told that the Hindus are not recruited anywhere. In Lahore itself most of the Hindus apply for jobs, but it is rare that a Hindu is taken in service, whether as clerks or in any other position.

**Mr. Muhammad Nauman:** What about the Eastern Bengal Railway and the East Indian Railway?

**Bhai Parma Nand:** As a result it is impossible to understand the statement of Mr. Piracha that the Muslim proportion has become lower than what it was in 1931.

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

**Bhai Parma Nand:** It is a great puzzle to me and, I expect the Honourable Member to solve it. One thing more. This has become a recurring practice now with the Muslim Members as it is not only this time that they are pressing on it, but even during Sir Muhammad Zafrullah's time also the same attitude was adopted.

**Mr. H. M. Abdullah (West Central Punjab: Muhammadan):** Sir, the grievances of the Muslim railway employees are multiplying every day, but the unfortunate part of the affair is that the Muslim associations which are sponsoring their cause have no voice, because they are unrecognised; and whatever complaints are put forward by them are not investigated by the Government or the departments concerned.

We had great hopes that something would be done to ameliorate the status of this unfortunate community, but our hopes have been frustrated on account of limited terms of reference of the DeSouza Committee which has recently been set up by the Government. The Committee is not authorised to investigate cases of Muslim victimisation in various forms at the hands of the majority community who are in preponderance in every branch of railway service. Therefore, we do not think that any useful purpose will be served by this Committee.

Muslim associations have published various memoranda detailing there-in series of cases of the victimisation of those who are already employed and a differential treatment accorded to them at every step. There are no Muslim officers who can check this high-handedness, and establishment sections are stuffed with Hindu majority. Various tactics are adopted to bar the Muslims from promotions and recruitment. If the Government realise that Muslim percentage in initial appointments is essential according to the fixed quota, it is their moral obligation to protect those who are already in service. This can only be done if the establishment section is immediately provided with adequate Muslim representation according to the provisions of the Government Resolution of 1934.

[Mr. H. M. Abdullah]

So far as the initial appointments given to the Muslims are concerned, it is not sufficient to feel contented to notice that a certain percentage has been recruited, but it is the duty of Government to see whether those recruits have ever been confirmed or they are merely engaged to serve as an eyewash and bluff the higher authorities regarding the observance of the Resolution of 1934. Under such circumstances, it will not be probable to find one man's name on thirteen occasions of initial appointment for short terms to prove that thirteen Muslims were appointed during the period.

In conclusion, it is hoped that the Government will not try to evade investigation and proper remedy of the Muslim grievances on the mere formalities of the Associations raising such voice being recognised or unrecognised. With these words, I resume my seat and support the cut motion.

**Rao Sahib N. Sivaraj** (Nominated Non-Official): I did not intend to take part in this debate and to speak on this particular cut motion, but having regard to the trend which my Honourable friends, Sir Henry Gidney and Mr. DeSouza, have given to this discussion . . .

**An Honourable Member:** Louder please.

**Rao Sahib N. Sivaraj:** . . . I felt that it was my duty to intervene on behalf of the community to represent which I am nominated here. For two reasons I am very particular that I should speak on this occasion. One is that, if I failed to take part in this discussion, I might be deemed both in this House and outside to be at least indifferent to the interests of my community, if not actually inefficient to advocate the cause of my community. My second reason is that I might be creating the impression that the interests of my community, on account of my silence, are secure in the hands of the Government of India as those of the interests of the other new minority, namely, the European minority. It is for those reasons that I am anxious to make a few observations on this motion.

If I try to quote statistics I feel that I am helpless. I tried to find from the pages of the Railway Administration Reports, but very few figures are available to me even to strike a percentage which the members of my community may have in the matter of services except in the one statement where I find this. The statement says, "Statement of all employees including all classes of servants in the Railways", and under the heading Hindus the depressed classes share at least a proportion of, I believe, four to one, but as the statement proceeds we find practically nil in the column relating to depressed classes. Some peculiar asterisk mark says, "Candidate was not available". So much so that, if I try to make out a case on the statistics provided to me in the Railway Administration Reports, the matter is beyond me, I find it hopeless. Consequently, I merely will have to request the House to join with me in enforcing upon the attention of this Government the necessity of finding out the causes for such a hopeless state of affairs as regards the representation of my community.

No doubt, Sir, I have seen, from my experience of many officers under the Provincial Governments and also some officers of the Central Government, that the answer is easily flung back "Oh, there are no efficient people among your candidates. You have got to come up to the right standard".

Let me say at once that the fault is not mine. The system of education that has been introduced and conducted and carried on in this country, the way the business has been organised in this country, the way the examinations have been conducted here, the way people were recruited in this country have made it impossible for me to have a straight fight and a fair fight with the rest of the communities in this country. Otherwise, I am perfectly confident from the few cases of scheduled class men whom we have been able to produce by accident—and I can assure the House and the Government of India that we are in no way inferior to any other community in this country either in the matter of talent or in the matter of industry. I may even go further and say that if the Government of India had the good sense and the generous heart to start a separate university for the scheduled classes like the one started for the Muhammadans, by this time we should have been able to produce men capable of occupying some of the highest positions in this country both in the I.C.S. and in the all-India services and, if today I am not able to do it, it is because of the deficient system of education that has been introduced, which is the root cause of all the present communal wrangles and the root cause of my present state. So far as the services are concerned, it is indeed a tragic irony that somebody feels that it pays to be a Harijan. One of the most curious statements that I came across was one in the *Hindustan Times* the other day. The caption says: 'It pays to be a Harijan' I believe it was some article by Mahatma Gandhi referring to the representation of Sikh Harijans on certain local bodies and there the caption says "It pays to be a Harijan". I wonder if it pays, but it is really not so. So far as the Hindus are concerned, I am very sorry to observe this, they are merely content to count our heads for the sake of population and for the rest they leave us in the lurch. A few other friends like the Muslims or even my friends the Christians merely count us as easy materials for conversion to their religion and I should also say that in the case of my European friends, in times of emergency, they merely count us as cannon fodder. I am against this classification of India into martial and non-martial classes but I should say that when the Europeans started their career of conquest or, shall I say, commerce or acquisition of provinces in this country, the earliest people who were recruited for the Indian Army were mostly people from the scheduled classes, particularly from South India. It is in one of these three capacities that we have been used and we do not count for other things.

Unfortunately, I have been appointed here as a Member owing to the generosity of the Government, so that I may get a chance of my representing the views of my community. It is practically a mockery to ask just a single individual like me to bear the responsibility of advocating the welfare and the interests of a great section of the population who, if I am not actually contradicting my friend, Dr. DeSouza, form the third greatest section of the Indian population and I thought that even now the Government of India had a chance, instead of showing lip sympathy, of showing their very sincere sympathy towards us when the chance occurred to them of nominating non-officials to this Assembly. Sir, the Government of India did not think of securing greater representation for the members of my community when the chance came. As a matter of fact they actually nominated people who were otherwise in great numbers in this House. Anyhow, in supporting the general principle underlying the motion that was moved by my friend, Sir Raza Ali, I desire to draw the attention of the Government of India to the deplorable and tragic fact of complete

[Rao Sahib N. Sivara:]

absence of representation, so far as the scheduled classes are concerned, in the railway services and sooner than later it is better both for the Government and, generally, for the welfare and the interests of the communities concerned that they should take up an exhaustive inquiry as to the reason why it is not possible to secure candidates from the depressed classes and as to how and by what time it is possible to secure their representation. With these words, I support the motion.

**Maulvi Muhammad Abdul Ghani** (Tirhut Division: Muhammadan):

Last year I clearly pointed out to the House that the Resolution of 1934 was a faulty one. Apparently the Resolution was that 25 per cent. of the services have been reserved for Muslims but if you look into the Resolution you will find that after deducting the share of Europeans and non-Indians, whatever remains, one-fourth of that is to be given to Muslims. That is not 25 per cent. You know that at present in the higher services, Europeans are 47.7 per cent. and their remnants, the Anglo-Indians and the domiciled Europeans are 9.16 per cent. So practically it means that about 58 per cent. of seats in the higher services have been taken away. Then only 42 per cent. remains and 25 per cent. of 42 per cent. is only 10.5 per cent. but the Muslims are only 7.02 per cent. and why there is so much clamour in the House that the Muslims are going to get 25 per cent. As regards the figure of 29.9 per cent. upon which much emphasis was laid both by my friends, Sir Henry Gidney and Mr. Lalchand Navalrai and others, I want to submit to you that there is some fallacy about it. I doubt whether the figure has been correctly worked out. If you refer to page 57 of the Administration Report for the year 1932-33 you will find that the number of Europeans serving in gazetted services in 1925 was 822. In the Railway Administration Report of the year 1938-39, if you compare, you will find that the number of Europeans in 1925 was 732. Which of the two figures am I to take as correct? Am I to take the figure 822, as shown in the report of 1932-33, to be correct or that the number of Europeans, say 732 on the 1st April, 1925, as shown in the report of 1938-39, to be correct? If such is the way of working, if such is the way of taking a percentage, we cannot rely upon the figures. This is about the gazetted service. I will now take the non-gazetted services. You will find that the total of Europeans serving in the non-gazetted services in State-managed Railways was 1,717. If you will compare that with the report of 1938-39, this very figure comes down to 1,689. I fail to understand where the 28 officers in the latter case and 90 officers in the former case had gone. However, this is the way of dealing with things. If you will compare the figure of 1932-33, the percentage of Muslims in the higher services in the year 1925 is shown to be 2.81. The same figure, if you will compare the report of 1938-39 you will see, has come up to 2.44: in one place it is 2.81, in another place it is 2.44; which of the two figures should I take as correct? There are three categories of Railway services,—the gazetted services, the non-gazetted services rising up to Rs. 250 and the menial services. If you take the gazetted services, it has already been pointed out that the percentage of Muslims is 7.02, in 1939 and in non-gazetted services the percentage of Muslims is 6.08. This is already in the report. The percentage of my friend, Sir Henry Gidney's chosen lot, chosen people

is 42.54 in the non-gazetted services and 9.16, i.e., more than Muslims in the gazetted services. Even then, there has been necessity for the Government of India to change that Resolution of 1934. They passed a Resolution and sent out a circular that 40 per cent. of the posts should be reserved for the remnants of the Anglo-Indians. Is this desirable, Sir?

**The Honourable Sir Andrew Olow:** Will the Honourable Member kindly specify the grades in which 40 per cent. is to be reserved for non-Indians? I never heard of it.

**Maulvi Muhammad Abdul Ghani:** Last year a 40 per cent. reservation was made for Anglo-Indians and Domiciled Europeans in the Railways and in the Posts and Telegraphs. I say subject to correction if I am wrong.

**The Honourable Sir Andrew Olow:** I think the Honourable Member is referring only to telegraphists, as far as I can make out.

**Maulvi Muhammad Abdul Ghani:** There are three categories—about the gazetted services, the subordinate services and the menial services. Now, taking the number of menial services, say pointsmen, peons, chaprassis, etc., the figure of Muslims has been shown to be 29.9 per cent.; and it is said here on the floor of this House that everything must depend upon promotions. May I submit to you, Sir, can a chaprassi, can a peon, can a pointsman become the Agent? Can he become an engineer? If promotion is allowed, and recruitment is not made in the intermediate stages—as my Honourable friend, Sir Henry Gidney, has just opposed in reply to Sir Raza Ali and said that there is no necessity of making any direct recruitment in the intermediate stages, what becomes then of the position of the Muslim services? It is said that posts are reserved for Muslims but people are not available . . . .

**Lieut.-Colonel Sir Henry Gidney:** Sir, on a point of personal explanation, with all respect to my friend, I deny having said that I opposed direct recruitment, to various intermediate stages, of Muslims. I said "for everybody".

**Sir Abdul Halim Ghuznavi:** Excepting Anglo-Indians.

**Lieut.-Colonel Sir Henry Gidney:** And Ghuznavis too.

**Maulvi Muhammad Abdul Ghani:** I may cite to you one case as an instance. In the Lahore Division in 1938 two seats were reserved for Muslims for the post of tracers. Two Muslims were also appointed, but do you know what happened subsequently? In 1939, one non-Muslim was indented from the Quetta Division. That gentleman was confirmed and one of the Muslims was dislodged. Is that a fair way of dealing with this question? He was not confirmed. Two Muslims were appointed on probation, and before the probationary period was over, another man was dropped from somewhere. Sir, these are the ways of dealing with things. I have got innumerable instances, file after file in my possession. I have got very little time, Sir, and I resume my seat.



**An Honourable Member:** The question may now be put.

**Sardar Sant Singh:** Sir, it is a happy state of affairs that our Muslim friends, whenever they participate in the Railway Budget debate, they come under the label of a minor community in India casting off the label of being a second nation. (Interruption.) If they claim to be a separate nation, according to my humble judgment the question of representation in services does not arise: as a separate nation, they are out of court.

**Sir Syed Raza Ali:** All of them are to come to you!

**Sardar Sant Singh:** They say, "we refuse to be Indians" and so I say to them "you have no right to be specially treated in the Indian Railway services". However, this is only to remind them of the inconsistencies of their political views. The second point which shocked me, coming as it did from the mouth of my Honourable friend, Sir Syed Raza Ali, is that he claims to base his demand on the solid, moral considerations. Sir, surely, the conception of morality involved in this demand is different from what we mortals have of what morality is. If he had come on the ground of strong, solid, political considerations, I would have understood him, particularly in the time of war when they claim that their rights should be considered over and above the rights of other communities living in this country. However, I was waiting to hear Dr. Sir Ziauddin to give us some enlightenment on the reading of the figures in the report, but somehow or other he kept quiet this time. I will, therefore, read out to the House what their position has been in the last year according to the report furnished to us. In Chapter VIII, on page 101, under the heading 'Staff' where the total number is given, I find that on the 31st March, 1938, the number of Europeans was 2,700. On the same date in 1939 it was reduced to 2,505. The number of Hindus in 1938 was 8,94,443 and it was increased to 8,97,025 in 1939. The number of depressed classes in 1938 was 99,807 and their representation was increased to 1,04,218 in 1939. The Muslim representation in 1938 was 1,53,586 and it increased to 1,54,837 in 1939. There is an increase of 1,250. The number of Anglo-Indians increased from 12,860 to 13,440, while we, the poor Sikhs, showed a decrease from 8,067 to 7,745. I hope the Honourable Member for Communications will note it. The number of Indian Christians increased from 17,218 to 17,703; the number of Parsees increased from 1,507 to 1,518; and the number of 'other communities' decreased from 1,808 to 1,680. According to these figures the sufferers from the policy of the Railway Board in the matter of recruitment are only two communities, the Sikhs and other communities. Of course, there has been a decrease in the number of Europeans too. But may I ask how, with these figures before us, can the Muslims move a cut motion which has become the annual treat on this occasion?

**Sir Syed Raza Ali:** Unfortunately, yes.

**Sardar Sant Singh:** Because the unfortunate part is that it is not that you are not being recruited but your grievance is that you are not sufficiently being pampered. You want more pampering.

**Sir Syed Raza Ali:** It is quite true that there are pampered communities in India.



**Sardar Sant Singh:** Referring to page 104 of the same report, I find that in the superior services of the State-managed Railways, there is not a single Sikh. The percentages given there show that there are 50 per cent. Hindus, 21·5 Muslims, 14·8 Anglo-Indians and Domiciled Europeans. At this stage, I may point out that the population of Anglo-Indians in India is exactly the same as that of Sikhs. The percentage of Indian Christians is 7·1 and that of Parsees 7·1. Let it be remembered that the population of Parsees is much less than that of the Sikhs. Similarly, in the matter of promotion, there is no Sikh. The column of Sikhs is shown as blank. In the matter of the lower gazetted service, only one Sikh was taken in the Engineering service this year, while in the case of direct recruitment to the superior establishment, not a single Sikh has been taken.

**Dr. Sir Ziauddin Ahmad:** On a point of order, Sir. The particular cut that is now before us relates to the representation of Muslims. Can an Honourable Member introduce the grievances of other communities also?

**Mr. Chairman (Mr. M. S. Aney):** The Honourable the Mover of the cut himself in explaining his position said that this refers to other minorities also. He included other minorities also, so the Honourable Member is perfectly in order in referring to the grievances of other minorities.

**Sardar Sant Singh:** If, on account of the position to which I have referred, my friend, Dr. Sir Ziauddin, wants to interrupt me and bars me from saying about the Sikhs, I think he will like it better if I said something about the Muslims. So, I will turn now to that side of the question.

The grievance is made that the Muslims have not been appointed in higher services. I can only throw him a hint as I do not want to go into that question. But does he know how a Muslim Member of the Railway Board was appointed? At whose expense was he appointed and how the orders were changed in favour of this gentleman? Was it due to efficiency or seniority? Well, Sir, I do not want to enter into that question, but I must say this that the policy of the Government has been such as to excite a sort of pity—I do not wish to use a stronger word—on the administration which has fallen into two errors. The first error was of giving a Communal award and the second was of giving a communal service award. Once the service award was given, it was known that it will lead to a good deal of heart-burning and bickerings of this kind. Their point of view of looking at the problem is entirely wrong even from the Government consideration which my Honourable friend, Dr. Sir Ziauddin, will appreciate. He knows a good deal of mathematics and I have great respect for him. Now, in considering the percentage of recruitment of Muslims in the services, does he take the Europeans into consideration? Let him also include Anglo-Indians and others in the other communities of India, such as, the Hindus, Muslims, Sikhs and Parsees. In that case, will he not find that there have been cent per cent. appointments of Muslims at the expense of other communities? In the Railway Board, there is one Muslim and no Hindu, no Anglo-Indian, no Christian and no Sikh. Similarly, the Secretary is a Muslim and there is cent per cent representation of Muslims.

**An Honourable Member:** The Secretary of the Railway Board is not a Muslim.

**Sardar Sant Singh:** Then, what is Mr. Zahid Hussain? I beg your pardon, he is a Deputy Director. Similarly, in the establishment branch, what is the percentage of Muslims amongst the Indians? That is the way of looking at it. If the percentage is to be taken, they must take it amongst the Indians only. If you take Indians as a whole, you will see that there are places where the Muslims are occupying cent. per cent. positions. If you have to look from a communal angle with only communal spectacles you must look at it from this point of view. Therefore, I would say that during this year at any rate, there is very little complaint to make against the Railway Board.

Then again further they had the advantage of the appointment of Muslim officers to see to the new recruitment and to see that the Circular of 4th July, 1934, was being acted upon. Now, Sir, they have got another advantage of an Officer being appointed to look into the working of that circular and this Officer is probably touring round and with him a Muslim subordinate is attached to look into it. What is the result? The other communities are being ignored.

**Mr. Muhammad Nauman:** There is a Sikh stenographer attached to this Officer.

**Sardar Sant Singh:** Well, if my Honourable friend wants a reply to his remark, I can only say this. Look at the number of labourers employed in the workshop at Moghulpura. My submission is that I have received complaints only a few days ago from my community with regard to this enquiry. It appears the North Western Railway administration was asked to furnish the numbers of members of the staff of the various communities. They furnished a particular number about Sikhs and in that list they included all the Rajputs, Garwalis and so on whose names ended with the suffix 'Singh'. This increased on paper the representation of the Sikh community. What is the meaning of all this? Why do you give false figures?

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

My submission to the Honourable the Railway Member is this: that when he calls for statistics, he should see that particular communities are not wrongly put down as having more representation than what they really have. Why should there be any manipulation in figures. If the Honourable Member wants to know the real position about communal representation and about how the communal circular is working and whether this circular should continue any longer, he should take proper steps to get the right figures.

**Mr. F. E. James (Madras: European):** You must associate members of each community with the officer who enquires into the working of the circular?

**Sardar Sant Singh:** I welcome this idea, coming as it does from my Honourable friend, Mr. James. Why not appoint members of other communities to safeguard the interest of those particular communities?

Why should there be this speciality about the Muslim community alone? Why should a Muslim be appointed to enquire into one particular community, namely, the Muslims? Why should not the Government watch the interests of other communities also?

In conclusion, I have to make only one suggestion. My Honourable friend, Bhai Parma Nand, made a very good point. After all, the Railway Department is a commercial department in which representation should be according to the amount of contribution paid by each community. If the thing is to be settled on this basis, we will see that according to trade and according to commerce, according to the quantity of goods offered for carriage, according to the number of passengers conveyed, we should fix the proportion for each community. If this principle is followed, it will convince all the communities that they are getting their due share in proportion to the contribution which they make to this great firm of railway department. With these words, I oppose the motion.

**The Honourable Sir Andrew Olow:** Sir, this is, I understand, an annual debate and I recognise that there are many people who feel keenly on the subject. I know that particularly among the Muslim community there are many who think that they are not getting justice. With a great organisation like the Railways in India which employs about seven lakhs of people, there are bound to be cases of injustice here and there. But that there is any widespread injustice that is directed against the particular community honestly, Sir, I do not believe. I know that there are frequent cases brought to my notice and I have looked into them quite a number of times. I am told that a discharge order of Mr. So and So was passed because he was a Hindu and had a Muslim officer above him, and that Mr. 'B' had his increment stopped because he was a Muslim and the officer above him was not. But when one looks into these cases in practice, in very few cases is it found that there is anything in the way of communal bias. It is a weakness which we all share to attribute our failures to our bad luck and our successes to our merits and when someone does not get what he has expected to get, the natural instinct is to look round for some reason external to oneself. And at a time when communal feelings are unfortunately keen, it is not unnatural that those who feel that they have very few officers to look after them in the ranks above should often attribute to them a communal bias where no such bias exists. In fact, I have known one or two officers of the majority community whom I could have criticised on the ground that they were not willing to take strong enough action against incompetent members of other communities because they feared that it would be attributed to wrong motives. But as I have said, that feeling of injustice, whether it is well founded or whether it is not, is one that we would all like to dispel. If a man feels he is being treated unjustly for no fault of his own, and if anything I can do to allay that feeling and yet be just to other people, I will be glad to do it.

As regards this question of Unions which we were discussing on a previous cut and which has also been raised on this motion, is it really in the interest of the services that officers serving alongside each other, serving in the same grade, serving the same public, serving the same administration, that they should be divided into two camps, whose duties are, too often, unfortunately, when communal unions are formed, to attack members or officers of the other side and to put forward purely sectional interests. It was suggested to me that in some Unions, the Muslims were

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not given proper opportunities because they were in a minority and they did not, therefore, get their grievances properly put forward. Well, I would remind Honourable Members that in the first place, the relations of the Unions with the administration are not normally concerned with individual cases. They are concerned with questions affecting the sections of the staff, as a whole. In the second place, while we do not recognise Unions that exist for nothing but communal interests, we have never set our face against the recognition of more than one Union. Administrations, naturally, do not like a multiplicity of Unions. They would prefer to deal with one or two men who can speak on the part of a large part of the staff. But if in any particular Union, any individuals, to whatever community they belong, feel that they are not getting a fair deal, it is surely open to them to form another Union, but not a Union from which they will exclude their fellowmen because they happen to belong to a particular community.

Now, Sir, to come to the question of recruitment, it is a question with which most of the speeches have dealt with. There was only one direct attack on the Circular of 1934 and that was by Dr. DeSouza whom we are glad to see back again. He described it as "iniquitous", partly because the Christians did not get some kind of percentage which he thought they ought to get. Well, Sir, I have in front of me the percentage of posts given to Christians in the last five years and I do not think that in any year the percentage has fallen below the percentage of their population. I am sure that my Honourable friend, Dr. DeSouza, did not mean to suggest that I should favour the faith to which I myself belong.

**Dr. F. X. DeSouza:** Certainly not.

**The Honourable Sir Andrew Clow:** I have more sympathy with the plea put forward by Mr. Sivaraj because his community—I think we will all agree—is under-represented. But I cannot accept his assurance that the men are there whenever we want them. I think all we can do is to look forward to the day when they will be there and when they will take a larger part in bearing the burden of the administration in India.

**Pandit Lakshmi Kanta Maitra** (Presidency Division: Non-Muhammadan Rural): What is the percentage fixed for these two communities?

**The Honourable Sir Andrew Clow:** There is no specific percentage. They rank as minorities in most cases.

The other point raised with regard to the Resolution was the suggestion that we were not carrying it out and we were asked to appoint inspectors or other gentlemen to see that it was being carried out. That is the precise point of the inquiry which is now going on and on which Mr. DeSouza and Mr. Khan are engaged. They are going into the matter with great care and considerable detail. I do not doubt that they will find in some cases that officers have made errors of judgment and errors of interpretation. But, I have nothing before me at the moment to suggest that there has not been an honest and *bona fide* attempt to carry out the Resolution and that in general it has not been carried out. The usual suggestion was made by Mr. Bhutto that perhaps the figures were

inaccurate. I should be very sorry if they were. There must of course be inaccuracies in all figures; I think there were some inaccuracies in Mr. Abdul Ghani's. But we are going to do what we can to check them, and I am in touch with Mr. Campbell who is the Controller of Railway Accounts. He is considering methods which he can adopt by way of a test check, which I hope will be periodical, to see that there are no serious errors in the figures supplied.

I was glad to hear from Mr. Bhutto and from other speakers that the demand was not one for communal discrimination in the matter of promotion. That I think, although I have seen it asked for in some communal papers, would be a most disastrous step. For a man to feel that when he and some fellow man, perhaps his friend, have worked alongside all their service, when the chance of promotion comes they are not going to be treated like and like, or that one man who is perhaps below him and perhaps less competent is to be promoted over his head because he belongs to a particular community, would have a disastrous effect on the sense of justice and consequently on the efficiency of service. But although I do not think he quite realised it, the plan which Sir Raza Ali put forward, so far as I was able to grasp it, would have the result of producing discrimination in promotions. So far as I have understood his proposal, and he will correct me if I am wrong, it was this. When you come to promote to a certain grade, let us say you have three vacancies and the Muslim percentage is one-third on that railway, then if among the three men best fit to be promoted one is a Muslim, nothing more need be done. But if all the three happen to belong to other communities one of these three must be denied promotion for the moment and you must look round in the outside world for somebody to select. Surely that is in another form discrimination in the matter of promotions. It means that till the Muslim comes up to the requisite seniority there is no bar to his going ahead, but when a member of another community comes with equal deserts and has earned exactly the same promotion in exactly the same service and is exactly of the same efficiency his promotion is to be withheld so that we may go outside and recruit a man with no experience at all.

**Sir Syed Raza Ali:** Sir, I do not want to interrupt but I do not think my Honourable friend is right. There is no question of promotion being withheld from any community. All the communities would be entitled, under my scheme, to promotion according to their numerical strength and the proportions laid down for those communities by a particular railway.

**The Honourable Sir Andrew Clow:** But I am just pointing out how in practice it would deprive persons of particular communities. In other words, if the first three men were all Hindus one of them would have his promotion delayed in order to allow for direct recruitment, whereas if among the next three men two are Hindus and one Muslim he would go straight ahead; so that discrimination comes in even there.

However, leaving that aside, because that is admittedly a minor effect, let us come to the real effects of this suggestion that we should recruit directly at every grade. I admit I was rather confused by Sir Raza Ali's speech because at one stage he said that there is no reason for making an exception in any category. But I gather that he would make exceptions and he was not pleading that we should put on the footplate of an engine

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a man who had never driven an engine before. I understood from him later that the categories he was thinking of were categories in which, as he said, no technical qualifications were required. That was his private remark to me and I hope he will not mind my quoting it. He was thinking of such categories as accounts and traffic. Well, I must contest the view that whereas in engineering you want technical qualifications, dealing with accounts and dealing with traffic are not also expert jobs; that a man can simply come in and after a very brief training take up a serious commercial and traffic post or take up a post in accounts. I am sure that view is profoundly mistaken. The main reason why we have incremental scales and why we have different grades is because we recognise that with experience a man grows more valuable, that his knowledge and experience account for something, and this bringing in of men at every intermediate stage is bound to make for inefficiency. My Honourable friend, Mr. Nauman, referred to the case of the Indian Civil Service. He said we bring in a young man and put him in and why cannot we do that all along the line? Well, we bring in a young man in the Indian Civil Service and for the first 18 months it would be fair to say that he is of little or no assistance to the community. They are being trained; and we do not bring them into every grade; we do not bring them as Assistant Magistrates, as Joint Magistrates, as Collectors or as Commissioners—which is what we are asked to do in the railway services.

**Mr. Muhammad Nauman:** What we mean is that in the matter of accounts a man who has got a degree from a recognised university is as qualified to take up accounts of railways as he is to take up accounts in a company or a firm.

**The Honourable Sir Andrew Clow:** I am sorry; then I am afraid he and I must differ on that point. And actually we do recruit directly at stages in which we believe it conduces to efficiency. We do not require that subordinates should have served as menials; we recruit to the officers' grades directly, and we recruit wherever we believe that there is a fundamental difference in the duties at which men of a different type of education and training are required. But to say that when you have, let us say, four grades of guards or Station Masters or Assistant Station Masters, all doing duties which fall in the same group and all gradually learning to hold more and more responsible posts, that at each of those stages you should introduce men who, however quick they are in the uptake, will require two or three years of training, through which they will be getting pay but will not be rendering any corresponding service. I submit that that would result in a very great increase in inefficiency.

The second argument against it surely is that it really is not just. I have had the case put before me, for example, in the last cut, of guards by Sardar Sant Singh on the North Western Railway, of loco. drivers by Mr. Joshi, and other cases, cases in which men have been blocked for promotion, not necessarily through any fault of their own, although I admit there are some who have been passed over for a good many years, men who are looking forward in the closing years of their life to filling a job a little higher and finding that the prospects are extraordinarily poor. Although they have qualified themselves for those posts for many years it is suggested that there should be brought in young men who have had no

previous acquaintance with the railways and that we should put them in the posts above them and ask them to serve under men of that type. I honestly believe that this demand is, even on the part of the Muslim community, a temporary demand, and that when these percentages which they now get have had their fulfilment and when the grades are full of Muslims in roughly the present proportion of recruitment, the Muslims would come forward and say that the system is intolerable and unjust and would ask us to abolish it . . . . .

**Mr. Muhammad Nauman:** We said we want it temporarily.

**The Honourable Sir Andrew Clow:** Temporary injustice?

**Mr. Muhammad Nauman:** Not injustice exactly, but so long as we do not get our percentage, special chances should be given.

**The Honourable Sir Andrew Clow:** I have pointed out that I believe it to be unfair. I cannot reverse the course of history. We cannot work in politics or in administration or anything else upon a clean slate. We have got large—perhaps unduly large some may say—percentages of other communities who were taken into the services with certain prospects before them, and are we now going to say to them: "We are going to take away your prospects"?

**Sir Syed Raza Ali:** That was not my intention.

**The Honourable Sir Andrew Clow:** I am sure Sir Raza Ali has moved his motion with the best of intentions; I am only pointing out the inevitable result, that if you recruit at every successive grade for a particular proportion of posts, you are bound to take away from the prospects of those who have expected that grade to be filled solely by promotion.

**Sir Syed Raza Ali:** No. Recruit a particular proportion of Muslims, and not any other community, unless they want it.

**The Honourable Sir Andrew Clow:** Suppose there are four or five grades and suppose one of them is filled entirely by Hindus and Anglo-Indians; they have a certain expectation of promotion to the grade above which is filled by promotion. The minute you say that so much percentage of that upper grade must be filled by Muslims taken from outside you take away correspondingly from their prospects. I do not see how you can get round that . . . . .

**Dr. Sir Ziauddin Ahmad:** I think you are putting the case rather incorrectly.

**The Honourable Sir Andrew Clow:** It is a question of mathematics. I also want to point out that we have not closed the door to recruitment at intermediate stages when the interests of the service make it desirable. We have given permission to recruit up to twenty per cent. at intermediate grades. But that is a power which has to be exercised with great care particularly when you have, as you have in some cases, serious blocks in promotion.

But, finally, I would put this point, that even if one were to accede to this demand, it would not, as so many people appear to think, hasten the representation of Muslims in the services. It would not increase their

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representation. It would merely distribute it differently; the number of vacancies arising every year would not be affected by a system of this kind. When you put direct recruits in the higher grades, you are obviously stopping up the filling of junior grades which we fill on the communal proportion. So that this idea that, by using a large number of doors into the service, we are hastening Muslim representation in the services is, I believe, fundamentally mistaken.

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

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

The Assembly divided:

AYES—18.

Abdul Ghani, Maulvi Muhammad.  
Abdullah, Mr. H. M.  
Abdur Raheed Chaudhury, Maulvi.  
Azhar Ali, Mr. Muhammad.  
Bhutto, Mr. Nabi Bakah Illahi  
Bakah.  
DeSouza, Dr. F. X.  
Essak Sait, Mr. H. A. Sathar H.  
Fazli-Haq Piracha, Khan Bahadur  
Shaikh.  
Ghiasuddin, Mr. M.

Ghulam Bhik, Nairang, Syed.  
Mahr Shah, Nawab Sahibzada Sir  
Sayad Muhammad.  
Nauman, Mr. Muhammad.  
Raza Ali, Sir Syed.  
Siddique Ali Khan, Khan Bahadur  
Nawab.  
Sivraj, Rao Sahib N.  
Umar Aly Shah, Mr.  
Yamin Khan, Sir Muhammad.  
Ziauddin Ahmad, Dr. Sir.

NOES—46.

Abdul Hamid, Khan Bahadur Sir.  
Abdul Hamid, Khan Sahib Shaikh.  
Ahmad Nawaz Khan, Major Nawab  
Sir.  
Aikman, Mr. A.  
Aney, Mr. M. S.  
Bajpai, Sir Girja Shankar.  
Boyle, Mr. J. D.  
Caroe, Mr. O. K.  
Chambers, Mr. S. P.  
Chapman-Mortimer, Mr. T.  
Chettiar, Dr. Rajah Sir S. B. M.  
Annamalai.  
Clow, The Honourable Sir Andrew.  
Daga, Seth Sunderlal.  
Dalal, Dr. R. D.  
Dalpat Singh, Sardar Bahadur Cap-  
tain.  
Dumasia, Mr. N. M.  
Gidney, Lieut. Colonel Sir Henry.  
Griffiths, Mr. P. J.  
Gwilt, Mr. E. L. C.  
James, Mr. F. E.  
Jawahar Singh, Sardar Bahadur  
Sardar Sir.  
Kamaluddin Ahmed, Shams-ul-  
Ulema.  
Khan, Mr. N. M.

Kushalpal Singh, Raja Bahadur.  
Lalchand Navalrai, Mr.  
Lillie, Mr. C. J. W.  
Mackown, Mr. J. A.  
Malaviya, Pandit Krishna Kant.  
Maxwell, The Honourable Sir Regi-  
nald.  
Miller, Mr. C. C.  
Mudaliar, The Honourable Diwan  
Bahadur Sir. A. Ramaswami.  
Ogilvie, Mr. C. M. G.  
Oulnam, Mr. S. H. Y.  
Parma Nand, Bhai.  
Pillay, Mr. T. S. S.  
Raisman, The Honourable Sir  
Jeremy.  
Raper, Mr. J. H. F.  
Sant Singh, Sardar.  
Scott, Mr. J. Ramsay.  
Sen, Rai Bahadur G. C.  
Sheehy, Mr. J. F.  
Sher Muhammad Khan, Captain  
Sardar Sir.  
Singh, Raja Devaki Nandan Prasad.  
Spence, Sir George.  
Staig, Mr. B. M.  
Zafarullah Khan, The Honourable Sir  
Muhammad.

The motion was negatived.



**Mr. President** (The Honourable Sir Abdur Rahim): The Chair does not know if the Muslim League Party wishes to move any other amendment.

### *Conditions of Service in Railways.*

**Mr. Muhammad Ashar Ali** (Lucknow and Fyzabad Divisions : Muhammadan Rural): Yes, Sir. I have in amended late list No. 2. It reads thus :

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

Sir, conditions in the railway services stand on an equal footing with the services in every other department of the Government of India. Service conditions require that there should be first of all safety and, secondly, the services should be attractive enough. Employers should also attend to the pay, prospects and promotion of the employees and they should also try to remove the grievances of the employees so that they may be contented. The Honourable Sir Andrew Clow in his speech just said that he was prepared to mete out equal justice and to also consider the cases of aggrieved persons if such cases were brought to his notice. I was really glad to hear it. But, Sir, the fact remains that the service conditions on the Railways are not quite as satisfactory as one would wish. There is a Persian saying which says :

*"Mazdoor-i-khush-dil kunad kare besh"*

It means that a labourer who is contented always does his work efficiently and works hard, but since we find that service conditions in the Railways of India are not what they should be, I think I have a right to stand here and move this cut. The Honourable Member for Communications also just now said that it was not right to recognise Unions or Federations of Unions if they were communal. Sir, it is a matter which concerns the community, and, unfortunately, in this country, there are many communities, and you cannot deny that fact. You have to look to the interests of the community, and in the year 1934 you came out with the Resolution offering to look to the interests of the communities. Therefore, Sir, it is somewhat too late in the day to say that communal Unions or Federations of Communal Unions, whether they be of Europeans or Muslims or Hindus, cannot be recognised. Who are the people who will redress their grievances if you do not do proper justice? Where are the communities to go to if you don't look after their interests? Please do not be under the impression that these Unions or Federations have been started merely to create trouble or bother the Treasury Benches here. They are started to safeguard the interests of the members of the communities. Why should they not form their own Unions? Your idea is that there should be no separate communal Unions or Federations. That is not in consonance with the modern conditions of the world which is in turmoil today. Sir, these are days of socialism, these are days of forming International Unions, and so how does it lie in your mouth to say today that it is not right to form our own Unions or Federations . . . . ?

**The Honourable Sir Andrew Clow:** I do not think, Sir, I made any such remark as the Honourable Member is attributing to me. I did not say anything of that kind.

**Mr. Muhammad Ashar Ali:** Therefore, in this age of socialism practically when every youth in India, every youth in Europe, is saturated with ideas of socialism, to come forward and tell us not to start our own Unions or Federations is somewhat too late in the day.

There are complaints that service conditions in the Railways are not what they should be. There is no doubt that the administration is in your hands and, therefore, you can dictate anything you like on the floor of the House, but the fact remains that you should look to the conditions of service, and the safety of the services as well as the attractiveness of the services to the employees. How can you expect the employees to be contented when their appeals sent up to you or to the Agents are not cared for or are thrown into the waste paper basket? It is time that the Government of India recognised the strength of these Unions. There is a Persian saying which says :

*"Shér-e galin aur hat, shér-e nayastán aur hai."*

That is, "a lion depicted on a carpet is absolutely different from a lion in the jungle".

That lion in the jungle is the master of the railways, is the lower non-gazetted staff of the railways, there are about 70 millions of people who are serving the railways. Is that a small number?

**An Honourable Member:** Seven lakhs.

**Mr. Muhammad Ashar Ali:** I stand corrected. It is not a small number still. You have to look to the conditions of service, safety and welfare of these people. I am not going to say anything about the gazetted staff, classes I and II. My subject for discussion this afternoon is the non-gazetted staff. I am not concerned with the gazetted staff because I know they can very well look after themselves. They are well provided for in every way, they have every comfort, they have every right to approach the Railway Board or the Divisional Superintendent. But under this cut of mine it is the case of those non-gazetted staff that I want to deal with. In 1932, the Railway Board issued rules for the recruitment and training of subordinate staff which were revised in 1938 and their application to the subordinate staff in the branches and groups mentioned therein was made statutory. Initially the direct recruitment was authorised by those rules in the lowest grade, and even now the recruitment in the upper subordinate group should be opened as in previous years. The Railway Board, in 1935, issued rules regulating the discipline and right of appeal. In 1937, the Indian Railway Enquiry Committee in paragraph 81 of its report recommended that a code of rules on (a) salaries, promotion, leave, etc., (b) discipline and appeals, and (c) accounts and audit procedure, was absolutely necessary in order to secure uniformity and preserve a sense of justice in any large organisation. These rules were to be absolutely observed and no exception could be made. Sir, if these rules were followed a vast amount of correspondence and irritation could be avoided, but, unfortunately, this is not so. The Agents of both the State-managed Railways and the privately managed railways should have realised the necessity of a code of regulations, and should have appreciated the advantage of a rigid interpretation. But the word "discretion" has spoiled the whole case and all these regulations and these codes are always brushed aside.

The Railway Enquiry Committee's recommendation is not new to this House, as, from the 28th November, 1932, till now, on every day allotted for railway questions, questions regarding abuses of rules, insufficient rules and even paucity of rules were tabled by the Honourable Members of this House. It is only in 1938 ultimately that the Railway Board published a Code under the style and name of "State Railway Establishment Code", which is also not even available from the Manager of Publications' offices; they say they are out of print now. The result is this. Because of the non-availability of these rules, these regulations, the Divisional Superintendent, the Agent, they have been using their discretion as the only rule. That is the only guide, the only code for the railway servants. Thus, the staff is left ignorant of their conditions of service as before. Even the rules contained in the Code are not rigidly interpreted and off and on they are abused. Thus, it is found that there are no rules. Every Agent or Manager or his clerk can interpret or exercise his discretion as he pleases and, unfortunately, that discretion is always signed or endorsed by the Manager or the Agent and the result is that owing to the inadvertence of the clerk or his deliberate mistake or deliberate intention to cause injury the poor people have to suffer. It is very unfortunate that the Divisional Superintendents or the Managers do not really go into the cases themselves. They find the files when they come to them, to be very cumbrous and the result is they leave the applications or the appeals to their clerks, and the consequence is that poor people suffer. The instances of those abuses were brought to the notice of the Honourable Member for Railways in the lists referred to on pages 819 and 917 of the Legislative Assembly Debates, Delhi Session, 1938, and I further supplement those lists by placing on the table of the House another list today of the abuses and should be obliged if the Honourable Member for Railways can go into them and consider whether they are correct or whether they are simply rubbish. I would request the Honourable Member to be kind enough to consider those cases as I find from the speeches today and the speeches that he has been making on the floor of the House, during these few days, that he is really sympathetic to the claims and obligations of poor railway employees. Therefore, I am encouraged to place another list on the table of the House today.

In reply to a starred question No. 233 asked in this House on the 10th February, 1936, it is stated that general principles in fixing the scales of pay were adequate remuneration for the work done, but we find that assistant station masters, termed station masters on duty, who are responsible for the efficient working, are not adequately remunerated. Under them there is a staff of high scales of pay over whom they could not exercise, because of their low scales of pay, that vigilance which is their due. So also, posts in higher pay and grades usually held by or reserved for Europeans and Anglo-Indians are closed to other Indian communities by devaluation or abolition, against the very spirit of the Railway Board's letter No. 381-L., dated the 19th August, 1931, simply to stop Indianisation. Otherwise, I do not find any reason why they should not be treated in the same way as others are treated. Selections are held in non-selection posts in day to day promotions in grades or classes not declared selected grades or classes. Staff is punished without enquiry or on insufficient grounds and even where the gazetted officers fail to establish the charges or offence. For example, I should like to know from the Honourable Member for Railways on the floor of this House, when, where and who conducted the enquiry which was demanded by watchman Abdulla Khan of Delhi

[Mr. Muhammad Azhar Ali.]

Division, North Western Railway, who had commendations to his credit at the time he was discharged in February, 1938. If the Honourable Member for Railways, after perusal of the records, is convinced that he was victimised by an Inspector, he will not, I hope, hesitate to order his reinstatement with retrospective effect. If he does so, it will give a guarantee and surety to the services. In this very case the Railway Board, in its letter No. E-36-AE-6, dated the 8th July, 1936, acknowledged that the discharge was not strictly according to the rules, but so far that irregular order has not been set aside. The fact is this that these railway employees are said to appeal to the Governor General, if they do not get their grievances redressed by the Railway Board. What happens to that appeal? When the appeal goes to the Governor General, the Secretary of the Department sends the appeal either to the Railway Board or to the authority who has discharged these railway employees and the result is that the same clerk who reported against these people will report again and the result will be that no redress will be granted. I, therefore, request the Honourable Member for Railways to examine the whole question of the conditions of service of the non-gazetted staff in Railways and prescribe a code for the staff, embodying therein that no punishment to any rank in the non-gazetted staff in Railways should be imposed by an authority lower than the Divisional Superintendent and also that the Divisional Superintendent should be prohibited from delegating that power to any authority under him and that a revision against the orders in appeal should lie to the Railway Board.

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

**Mr. Muhammad Azhar Ali:** I shall finish in one minute. Establishment matters should also not be dealt with by an officer other than the Divisional Superintendent himself personally and this will relieve the branch officers to devote more time and energy towards the efficient and profitable working of the Railways. I may also refer to the three memoranda sent from Lucknow to the Honourable the Railway Member. They have been submitted by the East Indian Railway Muslim Employees' Association for the guidance and information of Mr. DeSouza and his assistant. With these words I move my motion.

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

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

(The Honourable Member cannot place any statement on the Table.)

**Mr. Lalchand Navalrai:** Sir, I will not take much time of the House. I want forthwith to congratulate the Honourable Member for Communications on his very lucid, sensible, I may say and very reasonable statement he has made with regard to promotions.

**Mr. President** (The Honourable Sir Abdur Bahim): The Honourable Member cannot review that matter.

**Mr. Lalchand Navalrai:** Conditions of service is a very comprehensive term. I did not want to take long but what I was going to say is this . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The specific matter of promotion has already been discussed and disposed of. The Honourable Member had better not refer to that.

**Mr. Lalchand Navalraj**: I thought the Honourable Member might be appraised of the position on the North Western Railway. What I was submitting was that in grade III, for guards, they are recruiting new men direct and there is a fear that persons who are blocked at Rs. 68 will be affected if any people are taken on by direct recruitment. The point I would like to put before the Honourable the Communications Member is that these are very small things and apparently this is causing great dissatisfaction and the condition of these people should be improved in such a manner that there should be satisfaction among the employees. The conditions of the loco. staff have also got to be improved. For instance, in the Loco. Department we find that there are four grades. Fourth has been abolished. Grade III is now both for Indians and Europeans. Grade II is for literates and grade I for illiterates. Separate seniority list was kept. It was 50 per cent. for each grades I and II. They are now amalgamated. Literates will have to be superseded by illiterates. The idea of literates recruitment in circular No. 177-E./15 of 28th August, 1928, was that the Government wanted to improve the Loco. Department by having literate people and these literate people were given to understand at that time that their seniority will be considered for that grade alone and not that both grades will be amalgamated. The condition of these people instead of being improved has been retarded. Then, I am submitting another point with reference to the electric power houses on the Great Indian Peninsula Railway which was referred to by Mr. Joshi. There are several employees of that railway in the electric houses. There are four or five sub-stations at different places to work the system by electricity. Now the idea is to centralise it and have one electric house alone. That will affect the condition of the employees. There are about 40 people and they may have to be turned out. Why should they be turned out at all? If there is one house, then all these men will not be required. I would ask the Honourable Member to see that these men are absorbed elsewhere. Otherwise the condition of these people would not improve at all. On the contrary, they will suffer and it will not be doing justice to these people if this scheme is going to be put into operation. I am submitting to the Honourable Member to consider whether it will be financially economical. The electric houses in different places give good work and why should they be centralised at one place. If it is going to be centralised, then the fate of these men should be taken into consideration.

Lastly, I will say a word with regard to the commercial staff. I raised this question in September last. The Honourable Member felt it was very hard on them, and in answer to my question the Honourable Member was pleased to say that their case was being considered. Now, I quite see that there would be some difficulty which the Honourable Member will have to face that there is a large number of employees, but then that could be done in some way; if it is not possible to amalgamate their grades, then they should be given certain promotions and certain number of posts should be created in grade II. If that also is not possible, a third way would be to give them some allowance when they are blocked at Rs. 60 or Rs. 80 and they have rendered service for 25 or 30 years and that they

[Mr. Lalchand Navalrai.]

should retire on that, that is very hard; therefore, if some way is found out to give satisfaction to these men, I submit it would be very welcome news to these people, and it would be good for the Railway Department also. Sir, I do not want to say anything more.

**Syed Ghulam Bhik Nairang** (East Punjab: Muhammadan): Sir, I rise to support the motion moved by my Honourable friend, Mr. Azhar Ali, and in doing so I desire to call the attention of the Honourable the Railway Member to certain features of the way in which recruitment to some of the railway service is carried on. The subject which we may discuss under this cut motion being the conditions of service in the Railway Department, naturally the method of recruitment also falls within the purview of those conditions. The points to which I wish to refer are based on my own experience of the way in which recruitment to certain services in the North Western Railway is carried on and I must make it clear at the outset that I have no knowledge of the method adopted on other State-owned Railways so that my remarks are based on what I find to be the case on the North Western Railway. Now, every now and then, we find notices published in the Railway Gazette issued by the headquarters of the North Western Railway announcing that recruitment to such and such services, for instance, the station master group, the commercial group, traffic, and so on and so forth, is going to take place on such and such date, that applications are to be submitted by such and such date, that such and such are the qualifications and that the details and particulars to be entered in the applications will be found in application forms which may be purchased on payment of one rupee from such and such offices. Then follows a long list of those offices. Now it has been very often found that when there are expected to be about a dozen vacancies of certain posts on the North Western Railway and a notice of that kind is issued in the Railway Gazette, in these days of unemployment people rush to the railway stations concerned and purchase application forms on payment of one rupee each, and perhaps it would not be an exaggerated statement if I were to say that when only a dozen posts are concerned, a few hundreds of rupees at least pour into the railway treasury in the shape of the price of those application forms. This is not, I believe, the first occasion when the sale of these application forms has been referred to on the floor of this House and I take this opportunity to invite the serious attention of the Honourable the Railway Member to this practice of the Railway Department of making capital out of the needy people's desire to enter service. There appears to be no justification, whatsoever, for charging even a pie for the application form: it is enough if we notify that these application forms are to be had at such and such a railway station. The trouble of walking or driving or travelling to that station should be the price of obtaining that form and there appears to be no justification for making money in that way. This is the most sordid part of the way in which recruitment is carried on. Then comes the second stage when the application form has been purchased. That, Sir, is another most objectionable feature. The application form requires as one of the particulars to be stated whether the applicant's father or some near relative of his is a railway servant. The effect of that is practically to make service in the Railway Department the monopoly, the hereditary monopoly, of those whose fathers or other relations are

serving or have served in the Railway Department. That is the most objectionable part of it. Either notify to the whole world that nobody except those whose fathers have served in the Railway Department in any capacity need apply so that so many rupees may not go into your treasury, or be honest and let everybody have an equal opportunity. There being no time left, with these few remarks I support the motion moved by my Honourable friend, Mr. Azhar Ali.

**The Honourable Sir Andrew Clow:** Sir, I have not the time to reply in two minutes. I would just like to say that I cordially agree with my Honourable friend, Mr. Azhar Ali, when he said that all Railway servants should be treated equally and should be contented. That, I would just like to say, we are determined to secure and I do hope that the opportunity we have given to my Muslim friends of putting a certain number of cases before Mr. DeSouza will be seized. I am a little puzzled by contradictory demands for it was only on a previous motion that my friend, Sir Syed Raza Ali, asked that we should abolish the lower gazetted services—one of the cherished privileges for which my friend, Mr. Azhar Ali, is pleading. . . .

**Sir Syed Raza Ali:** I never pleaded for its abolition.

**The Honourable Sir Andrew Clow:** Somebody on that side said that they would like to see it abolished,—and actually of course it is a misunderstanding to suppose that it was a substitute for direct recruitment. This replaced, as Sir Henry Gidney said, local services and at the time when it was created there was no reduction in the officers' posts to which we made direct recruitment. . . .

(It being Five of the Clock.)

**Some Honourable Members:** The time is up.

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

“That a reduced sum not exceeding Rs. 9,01,900 be granted to the Governor General in Council to defray the charges which will come in course of 5 P.M. payment during the year ending the 31st day of March, 1941, in respect of ‘Railway Board’.”

The motion was adopted.

#### DEMAND No. 2—AUDIT.

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

“That a sum not exceeding Rs. 14,90,000 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, 1941, in respect of ‘Audit’.”

The motion was adopted.

#### DEMAND No. 8—MISCELLANEOUS EXPENDITURE

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

“That a sum not exceeding Rs. 17,70,000 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, 1941, in respect of ‘Miscellaneous Expenditure’.”

The motion was adopted.

## DEMAND No. 5—PAYMENTS TO INDIAN STATES AND COMPANIES.

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

“That a sum not exceeding Rs. 3,12,85,000 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, 1941, in respect of ‘Payments to Indian States and Companies.’”

The motion was adopted.

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

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

“That a sum not exceeding Rs. 8,03,25,000 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, 1941, in respect of ‘Working Expenses—Maintenance of Structural Works.’”

The motion was adopted.

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

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

“That a sum not exceeding Rs. 18,64,25,000 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, 1941, in respect of ‘Working Expenses—Maintenance and Supply of Locomotive Power.’”

The motion was adopted.

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

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

“That a sum not exceeding Rs. 6,42,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1941, in respect of ‘Working Expenses—Maintenance of Carriage and Wagon Stock.’”

The motion was adopted.

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

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

“That a sum not exceeding Rs. 27,82,000 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, 1941, in respect of ‘Working Expenses—Maintenance and Working of Ferry Steamers and Harbours.’”

The motion was adopted.



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

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

“That a sum not exceeding Rs. 10,12,10,000 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, 1941, in respect of ‘Working Expenses—Expenses of Traffic Department’.”

The motion was adopted.

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

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

“That a sum not exceeding Rs. 3,89,95,000 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, 1941, in respect of ‘Working Expenses—Expenses of General Departments’.”

The motion was adopted.

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

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

“That a sum not exceeding Rs. 4,42,70,000 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, 1941, in respect of ‘Working Expenses—Miscellaneous Expenses’.”

The motion was adopted.

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

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

“That a sum not exceeding Rs. 3,91,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1941, in respect of ‘Working Expenses—Expenses of Electrical Department’.”

The motion was adopted.

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

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

“That a sum not exceeding Rs. 12,66,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1941, in respect of ‘Working Expenses—Appropriation to Depreciation Fund’.”

The motion was adopted.

**DEMAND No. 8—INTEREST CHARGES.**

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

"That a sum not exceeding Rs. 2,63,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1941, in respect of 'Interest Charges'."

The motion was adopted.

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**DEMAND No. 10—APPROPRIATION TO RESERVE.**

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

"That a sum not exceeding Rs. 2,98,49,000 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, 1941, in respect of 'Appropriation to Reserve'."

The motion was adopted.

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**DEMAND No. 11—NEW CONSTRUCTION.**

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

"That a sum not exceeding Rs. 6,85,000 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, 1941, in respect of 'New Construction'."

The motion was adopted.

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**DEMAND No. 12—OPEN LINE WORKS.**

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

"That a sum not exceeding Rs. 11,16,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1941, in respect of 'Open Line Works'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 27th February, 1940.