

plementary grants either proved unnecessary or proved excessive. The Committee urge, as they have done often earlier, that Budget Estimates should be prepared on a more precise and careful basis and that the actual expenditure should approximate as closely as possible to the funds authorised by Parliament or the relevant legislature."

इन शब्दों के साथ मेरा वित्त मंत्री जी से निवेदन है कि इस बजट के खर्च में भी और सप्लीमेंटरी ग्रांट्स की मांगें पेश करते समय भी और आगामी बजट में भी अगर पब्लिक एकाउंट्स कमिटी की सलाह पर सम्मति से ध्यान दिया गया तथा आंकड़े बनाते समय ठीक प्रकार से अनुमान लगाया गया तो हमारे देश के फाइनेन्स के सदुपयोग के क्षेत्र में बहुत बड़ी सफलता मिल सकती है। इसी निवेदन के साथ मैं पांडिचेरी की मांगों पर बजट का समर्थन करता हूँ।

[THE VICE-CHAIRMAN (SHRI V. B. RAJU) in the Chair].

THE VICE-CHAIRMAN (SHRI V. B. RAJU): Now, the Minister of Finance.

SHRI H. M. PATEL: Sir, I see that the problems that face Pondi-cherry are many and I can assure the House that they will be attended to, to the extent possible. About one legal point that was mentioned but not pressed, I do not think I need say much about it excepting that there need be no apprehension as to the procedure. The President's rule has been correctly extended beyond the period of three years. There was an order issued by the President in February last extending the life of the President's rule by another year.

I do not think I need offer any further observations beyond once again repeating the assurance already given by me. So far as the elections are concerned, as I have already said, elections will take place as early as possible.

THE APPROPRIATION (RAILWAYS) VOTE ON ACCOUNT BILL, 1977

THE VICE-CHAIRMAN (SHRI V. B. RAJU): We shall take up the Appropriation (Railways) Vote on Account Bill, 1977. The Minister.

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): Sir, I beg to move :

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purposes of Railways, as passed by the Lok Sabha, be taken into consideration."

The question was proposed.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): Mr. Kumbhare, do you want to speak?

SHRI N. H. KUMBHARE (Maharashtra): Yes, I have been waiting all along. I do not know why this question is put to me. I have been waiting in fact.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): All right; you can speak.

SHRI N. H. KUMBHARE: Sir, we heard the hon. Railway Minister yesterday and I was really happy to note that he made it categorically clear that he will not allow bureaucracy to have the upper hand. He

[Shri N. H. Kumbhare] also mentioned about the pending problem with regard to labour relations. As we know, Sir, there was a general strike in the year 1974 and I need not repeat what developments took place then. But, we know it as a fact that the workers had to resort to strike. Now, the hon. Minister has come with an assurance that the charter of demands which was then submitted by the All-India Railway Workers Union will be reconsidered. Sir, at that time, to meet the entire demands which probably related to wage revision and grant of certain fringe benefits and other concessions, the total amount was estimated at about Rs. 450 cro-res. The then Government has said that it would not be possible to provide for such a huge amount. In other words, it was the view of the Railway that the position was not strong enough to meet these demands. Now, in view of the assurance given by the hon. Minister, the entire demands would be considered, naturally, the question would arise as to the ways and means of raising this huge amount. One of the honourable members has said that with a view to meeting these demands, you should not take recourse to increase in freight rates or passenger fares. He submitted that it would not be desirable to increase the freight rates or passenger fares. In this connection, my submission is that, with a view to meeting these just and reasonable demands of the workers, even if it is necessary to enhance the freight rates and passenger fares. I think, there is nothing wrong in doing so. It is the principle of social justice. With a view to give a fair deal to the workers, if the society as a whole is called upon to share that burden, there is nothing wrong in it. I think the society itself should come forward to make such a sacrifice so that the workers could be given a fair deal.

Sir, the hon. Minister has not specifically dealt with the problem of casual workers. I think this is also

one of the demands, the absorption of these casual workers as regular workers. We are being told that the total strength of the casual workers is about 2.5 lakhs. During the last four years, they have been able to absorb as many as 1.2 lakhs. This means, more than one lakh workers are still employed as casual workers. In the first place, the nomenclature 'casual workers' is totally wrong because these workers are not casual workers. They are actually employed to do the work which essentially forms part of the railway work. This is the first point. Secondly, they are employed not for a short period of 15 days or one month. I know of cases where these so-called casual workers have been in employment for a period of 5-10 years, but still they have been treated as casual workers. The Railway administration has said that if these casual workers put in six months of service at least in respect of wage rates, they would be paid on par with the other Class IV workers and that there would be no discrimination in the matter of wage rates. My information is, even when a casual worker is in employment for more than six months, he is not paid at this rate. I would request the hon. Minister to take note of this. The railway officials take recourse to some sort of manipulation. What do they do? Even when a person is employed to do a work which lasts, say, for a period of one year or two years or three years, the person who is employed as a casual worker is not allowed to continue in that employment for a period exceeding six months. He is allowed to work only for a period of three months. Then there is break in service. They will say 'You are a muster roll worker, we have not received the amount for payment'. So, the poor workers are required to sit idle for a period of one month and then they are employed again. This is the device which has been taken recourse to by the Railway administration against the poorly-paid workers.

SHRI G. LAKSHMANAN (Tamil Nadu): This is the make-up of Miabhoy recommendations.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): No discussion across the benches.

SHRI N. H. KUMBHARE: This is what I am saying. It may be in pursuance of the recommendations of some Commission but for all practical purposes, I know of cases whereas worker has been in employment for a period of five years or six years or seven years and he is not paid at that prescribed rate, he is paid at the local rate. So, my submission is that this class of workers—they are not a few thousands, they are in lakhs—is being exploited. This is nothing short of exploitation, according to me, by a public sector undertaking. Would this be continued? If this is continued, then all talk of socialism has no meaning. Therefore, my submission is that the first and foremost task before the Railway Minister is to do away with this type of exploitation.

Secondly, there is another class of workers. These workers are employed by contractors. I do not know why a public sector undertaking should give work to the contractors. Contractors are there not to serve the workers but their motive and purpose is to earn as much as possible, and they do it only by paying less to the workers. Therefore, my submission is that the second important task before the hon. Railway Minister would be to do away with all contract works and see that those who are working through contractors are taken on regular employment and are paid on par with other railway workers.

The third point that I want to raise is about the *ad hoc* appointments. *Ad hoc* appointments give rise to favouritism, nepotism and corruption because in the matter of such appointments it rests with the sweet-will and discretion of the officer concerned to pick up a man and appoint him. This is a sort of under-hand dealing. No regular appointment is

being made. Of course, I could see that in a case of exigency you cannot help. Suppose, there is a post vacant and somebody must be there to manage the work. In order to manage the work, I could understand that in a given exigency you have to appoint a man on *ad hoc* basis but I request the hon. Railway Minister that one of the important things to be handled by him is to get a list of workers who are being appointed on *ad hoc* basis. The other question to be asked from the officers is why they were allowed to continue for years together. If the information is called for, I am sure you will get a large number of employees, even officers; in that capacity, working on *ad hoc* basis, enjoying all the facilities, all the benefits and good salary. This is another indirect method of corruption, that is what I feel. Therefore, another urgent task before the Railway Minister is to get the entire information and find out and call for the explanation of the officers as to why these persons have been allowed to be there on *ad hoc* basis for years together, why steps had not been taken to regularise their appointments.

Then I come to the important problem which is dearer to me. This is with regard to the representation of the Scheduled Caste and Scheduled Tribes in services. I could see that at one stage the Railway Minister has taken a decision that the entire backlog in all classes and categories should be wiped out by a specified date. Instructions were issued to all General Managers that they must take recourse to special recruitment and ensure that by the specified date all the backlog is fully wiped out. I have my own doubts whether the General Managers have really taken steps to ensure that the shortfall in the representation has been dealt with and appointments have been made in terms of a directive which has been received by them. Therefore, I would request the hon. Railway Minister to find out as to how the position stands.

[Sl.ri N. H. Kumbhare]

whetoer they are adequately represented in all the categories and posts because, according to me, I leel that a lot of prejudice operates against the members of the Scheduled Castes and Scheduled Tribes. It i_s very difficult to find a man, howsoever dedicated and cultured he may be, to be free from this prejudice and more so because of the employment pattern of our country, where appointing authority would like to have his relative or his own caste man. Th_e man would like to have a person living in hi_s neighbourhood. Therefore, th_e Scheduled Caste 'man does not find a place despite the directive. I think this directive has not been faithfully implemented and, therefore, I would request the hon'ble Minister to examine as to how that directive has been implemented.

Another important problem is about giving recognition to the associations of the Scheduled Castes and the Scheduled Tribes. In this context, I would like to clear a misapprehension. I know there are certain trade union workers who say, "Why do you want to go in for a senarate association?". I would like to make it clear that the functioning of the trade union and the functioning of the associations belonging to the Scheduled Castes and the Scheduled Tribes are quite distinct and separate inasmuch a_s they work in different fields altogether. So far ?s the unions are concerned, they are for securing a change in the condition of labour. They can give a notice for revision of wage structure; they can giv₃ a notice for other demands. So far as the assocaiationg are concerned, (bey are there only for a very limited purpose to ensure that the Government po'icy in respect of res?rvation is implemented. Association is not a parallel to the trade union. If I belong to a Scheduled Caste o_r a Scheduled Tribe, I may belong to a particular association: at the s_ame time. I may belong to any of the unions which are recognised in the Railways. So, therefore, let there be no misunderstanding which is sought to be created

by many that the association, if it is given s_{ome} sori of encouragement, will become a parallel trade union organisation. There is no basis for that, i would like to make it clear that it is only for a specified purpose that recognition is sought for. At present if S. C. and S. T. Association is recognised, it gets a right to get circulars. If the association makes representations, in that case their representations are duly acknowledged. This is the only thing. I think this is not sufficient. My five years' experience as a Member of Parliament is this. I myself was required to deal with thousands of cases of railway workers. Why? Because for the present, there was no forum which they could approach for the redressal of their grievances and therefore they directly came to us, with th_e result that for every individual grievance, we had to write to the Minister. We find, of course, that there is special Cell in the Railway Board which looks after the interests and the proplems of the Scheduled Castes and the Scheduled Tribes. But our letters which were sent to the Cell and received by it are not replied to. It is because the number of such letters is so big that it is physically impossible for that Cell to deal with every problem which is being represented by a Member of Parliament. Therefore, my submission is that in case the association is recognised, the association will take up those problems and they will deal with them at different levels. They may deal with them at the Divisional level; they may deal with Them at General Manager's level and they will not be required to rush to the Railway Board. Therefore, my submission i_s that this is on_e of the important matters and I hope that the hon'ble Minister will give his utmost consideration. With these words. Sir. I finish.

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): Sir, during my reply yesterday, T had already anticipated some of the problems that would be raised and, therefore,, what I had said in relation 1o casual workers, contract labour and

all that I will not repeat. I will only say one thing. As far as problems which involve economic and financial burden are concerned, we have decided to examine all those problems in depth and will be able to take a comprehensive view of the problems and Will be able to do justice to the workers on the basis of the resources available and on the basis of the justness of the demand. I do not want to repeat that. There are certain demands which do not involve financial expenditure, but it is a question of outlook. For instance, I fully agree with the hon. Member,, Shri Kumbhare, that as far as the Scheduled Castes and Scheduled Tribes are concerned, in a stratified society like ours, merely giving equality of opportunity does not solve the problem. In a society in which for thousands of years the Scheduled Castes and Scheduled Tribes suffered the pangs of inequality, preferential opportunities should be offered. It is not the question whether we will offer these opportunities or not. There is a statutory provision and if there are any lacunae in the implementation, I can assure the hon. Member., Shri Kumbhare, that we will strive our best to see that all those provisions which offer special reservations for the Scheduled Castes and Scheduled Tribes in the railways will be effectively implemented, and all the constructive suggestions that have been put forward we will strive our best to implement. Thank you.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purposes of Railways, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): We shall now take up

clause by clause consideration of the Bill.

Clauses 2 and 3 and the Schedule were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

PROF. MADHU DANDAVATE: Sir, I move:

"That the Bill be returned."

The question was -put and the motion was adopted.

THE APPROPRIATION (RAILWAY) BILL, 1977

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): Sir, I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-77 for the purposes of Railways, as passed by the Lok Sabha, be taken into consideration."

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): We shall now take up clause by clause consideration of the Bill.

Clauses 2 and 3 and the Schedule were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

PROF. MADHU DANDAVATE: Sir, I move:

"That the Bill be returned."

The question was put and the motion was adopted.