

MR. DEPUTY CHAIRMAN: May I know if any of them is a Member of this House?

SHRI J. R. KAPOOR: No, we are all good people.

SHRI P. SUNDARAYYA: But they are all citizens of the Indian Republic....

MR. DEPUTY CHAIRMAN: I have to hear only on the admissibility of the motion. According to the Rules of Procedure I have to hear the hon. Minister concerned and the Member who brings the motion.

SHRI B. C. GHOSE: But on the admissibility of the motion something has been referred....

MR. DEPUTY CHAIRMAN: I shall read the Rules of Procedure:

"If the Chairman is satisfied after calling for such information fromthe Minister as he may consider necessary.... etc."

SHRI B. C. GHOSE: I am making a submission to you, if you were to hear on the admissibility rather than on the facts of the case....

MR. DEPUTY CHAIRMAN: No, no. Here the Member brings a motion....

SHRI B. C. GHOSE: The rule may be that you must hear the person bringing the motion and you are not going into the merits of the case, but it does not prevent you from hearing other Members....

MR. DEPUTY CHAIRMAN: I have read out the rules. We have got other urgent business. Order, order. After hearing the speech of the hon. Member who has brought the motion, I consider that as admittedly none of the Members who have been arrested are Members of this House this is not the proper forum where any question of privilege is to be considered; and after hearing the statement made by the Minister concerned I feel that there is no case for admission, and the motion is ruled out.

SHRI S. MAHANTY: I humbly submit.....

MR. DEPUTY CHAIRMAN: It could be raised in the other House as a motion of privilege.....

SHRI P. SUNDARAYYA: We are citizens of India.

AN HON. MEMBER: But they are Members of the other House.

MR. DEPUTY CHAIRMAN: The other House can take care of the privilege of its Members.

SHRI P. SUNDARAYYA: It is a question of civil liberties.

MR. DEPUTY CHAIRMAN: It can be considered in the Supreme Court. Yes, Mr. Lal Bahadur Shastri.

THE APPROPRIATION (RAILWAYS) No. 2 BILL, 1953

THE MINISTER FOR RAILWAYS AND TRANSPORT (SHRI LAL BAHADUR):
Sir, I move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1952-53 for the purposes of Railways, as passed by the House of the People, be taken into consideration."

MR. DEPUTY CHAIRMAN: Motion moved:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the purposes of Railways, as passed by the House of the People, be taken into consideration."

Shri Narasimham.

SHRI K. L. NARASIMHAM (Madras): Mr Deputy Chairman, before giving my consent to this Appropriation Bill placed before us, I want to make a few general remarks on the policies followed by the Railway

[Shri K L Narasimham]

Ministry Today Shri Lal Bahadur Shastri while replying to the debate just a few minutes ago referred to certain criticisms levelled against the Administration and said the points raised by Shri Guruswami were being considered or that he could meet him and discuss these things. It is surprising to note that he is silent on the question which is of primary importance that is, the question of dismissal of railway employees under security rules. While answering the debate on the general discussion of the Railway Budget he said that he personally reviewed the cases and found that there was no necessity for any revision. Today he is silent over this thing and personally I feel that this is a question wherein certain other aspects of the case have also to be considered. Here the employees were dismissed arbitrarily on the information of the police informants or on the reports of the Heads of Departments or by persons connected with rival trade unions functioning on different railways. So it is all the more necessary that a tribunal should be set up to go into the question and give the employees the right to defend themselves and also place before them (the Tribunal) their case. There is another class of railway employees who were dismissed from the Railways because they have been convicted by the courts though acquitted by the High Court, they say that they need not abide by the decision of the High Court on the ground that a person is not acquitted honourably. They have got the discretion and they are silent on that. In one case, Sir 24 Members of Parliament have signed a memorandum and submitted it to the Railway Ministry on 10 December. I would like to ask why no acknowledgment even was sent and it is surprising that Shri Lal Bahadur Shastri did not even care to see us. I personally agreed to see him but somehow it was not possible. I hope he will consider this question and pass orders after at least giving an opportunity to some of us to explain the case in detail.

Coming to other aspects of the question, I feel that while giving consent to the Supplementary Grants, for instance, under item Working expenses—Administration I have to mention one aspect of the question, that is that the railwaymen should be treated as industrial workers and all the labour legislation should apply to them. The Railway Ministry have excluded the operation of the Factory Act to the Loco-sheds. They may think that the labour legislation may not apply to them in regard to conciliation or other industrial disputes. So I join with Shri Guruswami in demanding the establishment of a tribunal. Shri Lal Bahadur Shastri has agreed to a tribunal but the tribunal which he has stated here is an *ad hoc* one which was agreed to between him and Shri Harihar Nath Shastri, the President of the Indian National Trade Union Congress. Sir he has not consulted the Railwaymen's Federation and the various organisations and therefore it is necessary that this tribunal should be constituted in consultation with the All-India Railwaymen's Federation and also the Southern Railway Labour Union functioning in the Southern Railway. Then the subjects to be referred to the Tribunal also he says have been agreed between him (Shri Lal Bahadur) and Shri Harihar Nath Shastri. We, Members of Parliament suggested certain items. I think it is necessary that the Railway Ministry should take note of these things and refer them to the particular tribunal for consideration.

Coming to the other question about the giving of contract to foreign firms, we find that the foreign firms are trying all methods of getting monopolies of the contracts. My Deputy Leader, Shri Bupesh Gupta, the other day while we were discussing the Railway Budget mentioned certain facts and there is so far no answer from the Railway Minister. I request him to answer that point regarding contracts given to the European firms at Calcutta and the way they manage

things to get a monopoly of all these things.

Lastly, Sir, we find that the policy that is being followed by the Railway Administration regarding the recommendation of trade unions is not satisfactory. Discrimination is made between one union and another union. On the other hand, we find also the Deputy Minister visiting centres and encouraging branches of the union where there are no branches. I read in Andhra Patrika where it is mentioned that the Deputy Minister for Railways, Mr. Alagesan, is visiting Rajahmundry to open a branch of a union there which does not exist or which is not functioning as a union there.

This shows that the Ministry is interested in encouraging certain unions and in showing discrimination to other unions. Shri Shastri, while replying to the Debate, said that as far as the Railway Board is aware, there is no report about the weekly off being denied. I have personal knowledge of the thing. I come from the same place and am connected with the local Trade Union there. I know that the Branch of the M.S.M. Railway Employees' Union discussed the subject with the District Officer of that place. They discussed the question of rest for the traffic staff in Vijayawada proper. This happened very recently and I do not know how the Railway Board is unaware of all these things. If the Railway Minister does not get a report, that does not mean that he need not consider the points raised by the Members of this House. I request Shri Lal Bahadur Shastri at least to enquire into the question of giving weekly off to the railway staff at Vijayawada proper. Even today this is being denied to the Class IV staff and the Train Clerks. There was a demand for increased staff at Vijayawada. Therefore, this question has to be enquired into and should not be brushed aside saying that the Railway Board has not received any complaint.

Lastly, I come to the local problem, Sir, and that is about the Grand Trunk

Express that links Madras and Delhi. All Members coming from the South have some remarks to make against that. Personally, I had an experience only three days back. I had to go to Vijayawada and come here. On the 3rd of this month, I could not get accommodation in the Grand Trunk Express in any class. The train is so crowded that no accommodation is available at the intermediate stations. Even if you ask for reservations, it is hardly possible to get that and you cannot enter the train which is overcrowded. So, the request for a daily Janata Express is justifiable. If the Railway Ministry thinks on its own enquiry that it is not a paying proposition, that there are not sufficient passengers, if they only work the Janata Express, they will find that they will have regular traffic of passengers coming from Vijayawada and the South. So, I request the Railway Minister to consider the question of running a Janata Express from Vijayawada. They are already running a Janata Express from Madras to Calcutta and, linking up the Grand Trunk Express, they could continue that Janata from Madras to Delhi direct. And immediately, they should at least attach a bogie to the Grand Trunk Express from Vijayawada to Delhi so that passengers coming from the Andhra Districts can get accommodation. I request the Railway Minister to go into all these things and take immediate action.

Sir, in the grants we find "Repairs and Maintenance" which is item No. 5. Dr. Raj Bahadur Gour has pointed out how money is being wasted and has also referred to certain items on which certain remarks have been passed by the Public Accounts Committee. I would request the Railway Minister to go into all the matters and take suitable action against persons responsible for misuse of public funds and see that these wastages are eliminated and in that way keep the railway finances in a proper form so that he will not come again for grants this year.

12 NOON

SHRI O. SOBHANI (Hyderabad): Sir, while supporting this Bill, may I be permitted to draw the attention of the hon. Railway Minister to certain grievances of the people of Hyderabad and the Railway employees of the present Central Railway and the ex-Nizam's State Railway? When the Nizam's State Railway was taken over by the Government of Hyderabad from the Nizam's State Railway Company in the early thirties, an assurance was given to the employees—officers and workers—that they would not suffer in any way whatsoever, and that assurance was carried out in spirit and in letter. A similar assurance was given by the late hon. Shri Gopalaswami Ayyangar when the Railway was taken over by the Government of India from the Government of Hyderabad. I have come to know that the assurance given to workers and officers and probationers has not been fully carried out. I am grateful to the hon. Railway Minister for granting an interview to the representatives of the workers when he visited Hyderabad in January, and I hope he will see that their complaints and grievances are redressed. I regret that similar attention has not been paid to the grievances of the probationers and the officers. I am grateful, however, that he has recently ordered that some of the probationers should be re-employed on certain terms which are slightly different to the original terms.

As regards senior officers, we have highly trained officers who have been in service for 20 or 25 years. Some of them have been placed under junior officers at Bombay, and when they represented their grievances to the Railway Board, they were told that the terms of service in the original case were more favourable and if they wanted to stick to those terms, they could not expect promotion, as they could not have the best of both contracts. I submit that this is not strictly in keeping with the assurance given to them.

Before 1948 the Hyderabad Government had certain new lines under con-

templation. Surveys were made, and it was expected that after the war was over those lines would be undertaken. These were the Ramaguntam-Nizamabad, Nizamabad-Latur Road and Latur line, connecting Latur and Barsi to Kurduwadi. I am not speaking in a spirit of provincialism. Hyderabad is an important industrial State. It is richly endowed with natural resources, and if these lines were undertaken, it would be beneficial for the whole country.

There are other minor items, such as the speeding up of the Grand Trunk Express, and the Madras Express, etc. I will not waste the time of the House by dilating upon these. I will make a suitable representation to the hon. Railway Minister and I hope he will consider those items.

(Shri C. G. K. Reddy rose.)

MR. DEPUTY CHAIRMAN: No time. I will call upon the Railway Minister to reply.

SHRI C. G. K. REDDY (Mysore): I will take just two minutes—just a matter of clarification. I should like to know once and for all why metallurgical coal continues to be used by the Railways. I have time and again tried to raise this question. In fact some time in July the Railway Board wrote me a letter saying that the use of metallurgical coal would be reduced to the minimum possible. But I want to know why at all metallurgical coal should be used on the Railways. This matter is rather serious, and I am afraid that not even the Ministers concerned, that is, the Ministers for Production and for Railways, seem to appreciate the manner in which we seem to be wasting wealth which can never be replaced for billions of years to come. As the hon. Minister may be aware, and other Members also, metallurgical coal is something which I do not think at least in the future we shall be able to produce. It has taken billions of years to produce it, and it will take another billion years to produce it again. I understand that the

entire amount of metallurgical coal that we have is so limited that perhaps it may, at the rate at which we have been using it, last for another one hundred years or so. I can understand the private employers not caring for the conservation of this irreplaceable national wealth, but I am unable to understand why the Railways are using it. Is it because of transport difficulties, or is it because of the shortage of coal? I should like to know this once and for all, because every time I raise this question there is a very evasive answer and we are not able to get at the truth. If there are real transport difficulties or any other difficulties, I am personally convinced those difficulties must be resolved at any cost to see that this commodity which cannot be replaced or produced again is not wasted.

SHRI H. P. SAKSENA (Uttar Pradesh): I want only one minute, Sir, if you do not mind.

SHRI K. B. LALL (Bihar): I have been standing up.....

MR. DEPUTY CHAIRMAN: I am sorry there is no time

SHRI K. B. LALL: I would have spoken, but I was not given time even during the Railway Budget.

MR. DEPUTY CHAIRMAN: Only one minute. Mr. Saksena.

SHRI H. P. SAKSENA: Sir, while supporting the Railway Appropriation Bill No. II, I want to confine myself to one particular subject only, and that is the relationship existing between the Railway employees and the Railway Department. If you look at the background of the trade union movement, you will at once understand that it was during the time of our serfdom, when we were trying to harass and embarrass a foreign Government from all quarters, that we started these trade unions. We are ourselves responsible for it. But now the times have changed. We do not want any intermediary like my hon. friend Mr. Guruswami

and others. We have abolished the zamindars who were intermediaries, and in this field also we do not want any intermediaries. We want that there should be direct relations between the Railway Department and the Railway employees.

SHRI B. RATH (Orissa): On a point of order, Sir.....

SHRI H. P. SAKSENA: We do not want intermediaries. Have you ever heard of an employer not being free.....

SHRI B. RATH: Sir, I have risen to a point of order.

MR. DEPUTY CHAIRMAN: The hon. Member should resume his seat. A point of order has been raised.

SHRI B. RATH: May I know to which item in the Railway Appropriation Bill the remarks of the hon. Member relate?

MR. DEPUTY CHAIRMAN: Order, order. The Railway Minister.

SHRI K. B. LALL: I will take only one or two minutes, Sir.

MR. DEPUTY CHAIRMAN: No. There is no time.

SHRI K. B. LALL: You yourself promised that during the Appropriation Bill I could have even 15 minutes. I do not want 15 minutes; I want only two or three minutes.

MR. DEPUTY CHAIRMAN: I am sorry. I have called upon the Railway Minister to reply.

SHRI K. B. LALL: But I remind you about your promise.

MR. DEPUTY CHAIRMAN: Order, order.

SHRI K. B. LALL: I have only one or two points about which a question was raised.....

MR. DEPUTY CHAIRMAN: Order, order. The House cannot go on at this

[Mr. Deputy Chairman.]
rate. The hon. Railway Minister to reply.

SHRI K. B. LALL: I stand upon my right. You, Sir, promised during the Budget discussion that I could speak on the Appropriation Bill.

MR. DEPUTY CHAIRMAN: Order. order.

SHRI LAL BAHADUR: Mr. Deputy Chairman, I will take only five or six minutes and dispose of the few points raised just now.

Shri Bhupesh Gupta the other day put a question, and Shri Narasimham reminded me about it. Therefore, I thought it would be advisable to say something on that point. He referred to certain British firms in Calcutta. So far as we are aware, the British firms in Calcutta are the four old-established wagon builders. But though their names are still British, we understand that the shareholders are predominantly Indian and, of course the vast majority of the staff employed is Indian. For all practical purposes, as far as we know, these firms are treated as Indian manufacturers. As the capacity for the manufacture of rolling stock is less than the demand from Railways, all these firms have during the last few years been given all the work that they can manage. The workshops of each are inspected and the firm is also consulted regarding the types of rolling stock that it can manufacture in the largest quantity at the most economical cost. And usually the actual orders placed take these factors into consideration. After allotting certain numbers and types of wagons to particular firms, quotations are invited and these are very carefully examined in the Board's office. As far as we are aware, each firm submits its own quotations related to the cost of manufacture in its own establishment and we have so far no evidence of any connivance between the firms. Each quotation is examined in detail and every effort is made to reduce it to as low a figure as possible.

Sir, Shri Narasimham mentioned about some cases—perhaps of nine persons—and particularly he referred to the case of Bitragunta. Well, I shall not go into that particular case, but as I have said before, these cases were looked into very carefully again and I have decided to re-employ a certain number. I do not think I can do anything else in this matter. A deputation of the Members of the Opposition party met me and I promised to look into those cases again and I have done that and I do not think it is possible for me to go beyond what I have already decided and said.

Then, Sir, I would like to correct a mistake which Mr. Narasimham made. He said that I had only consulted—or the Railway Board had only consulted—Mr. Harihar Nath Shastri in regard to the terms of reference of the *ad hoc* Tribunal. I may make it clear, Sir, that the Railwaymen's Federation had been fully consulted and in fact Mr. Shastri and Mr. Guruswami were both present during the discussion with the Railway Board and both had agreed to the terms of reference. He has then raised certain questions in regard to the employees of the Bezwada station. I am prepared to look into them and I shall see that if there is any injustice done, it is rectified, or if they are put to any special difficulties, I shall certainly try to remove those difficulties.

I won't say anything about the question of the recognition of unions because I have expressed my views very clearly in my Budget speech and I still think that it is in the interests of the unions, of the workers as well as the Government to work on those lines.

Then, Sir, something has been said about the Hyderabad staff. They met me when I was there recently and they have given me a long representation. I shall certainly look into the points that they have put forward in their representation.

Then regarding the Grand Trunk Express, we shall see what really we

can do regarding its proper working. I do realise that hon. Members are finding it inconvenient to travel in that train because of its slow speed as well as overcrowding. Well, I shall look into that matter and certainly try to do something which will satisfy hon. Members. Mr. Reddy at the end asked me something about metallurgical coal. Well, we have tried to reduce our consumption, but in fact the entire amount of non-coking coal required for the Railways is not available and it will take some time for this to be done. But a beginning has been made by restricting the output of metallurgical coal by fixing an upper limit of production of coal.

SHRI C. G. K. REDDY: Did I hear him aright when he said there was not enough non-coking coal available for Railways?

SHRI LAL BAHADUR: I meant to say that the supply to us and to the Railways—what they want—is not just at present available. A beginning, as I said, has been made to restrict the output of metallurgical coal but the overall production of coking coal—grades A and B—has been limited to 7.9 million tons and 7.4 million tons during 1952 and 1953 respectively.

SHRI C. G. K. REDDY: I should like to interrupt him, Sir. I would like to know once and for all—this matter should be clarified—who is denying the Railways all the coal that they need apart from metallurgical coal? And I have also suggested that even if it involves a little bit of extra expense, it is, in the national interest, better to do without metallurgical coal at all. I would like to have a final answer so that I may not have to raise this question again.

SHRI LAL BAHADUR: Well, I shall only say one thing more, that we have tried to reduce our consumption of this coal. In fact this is in pursuance of the recommendations of the Indian Coal-Fields Committee regarding elimination of the use of that coal by Railways. They also decided that it

should be reduced gradually. But the Railways agreed long before—perhaps in 1947—to give up their entire requirements of metallurgical coal provided supplies of non-coking coal of equivalent value would be assured to them in lieu and the changeover was effected in stages. But anyhow, to make a beginning, it was suggested by the Coal Commissioner, on the basis of the total quantity of the selected grades of coking coal available, that a reduction to the extent of 47,000 tons per month could be immediately effected, provided, as I said, supplies of coal of like value could be ensured in lieu thereof. But this could not be implemented by the authorities concerned. In fact here the Coal Commissioner comes in and he has to implement the recommendations of that Committee. So far as the Railways are concerned, we are prepared to implement those recommendations, but as I said, they have their own difficulties also and the changeover has to be given effect to by the States.

SHRI B. K. MUKERJEE (Uttar Pradesh): Sir, I want to ask one question.

MR. DEPUTY CHAIRMAN: No. The time is up.

SHRI K. B. LALL: Sir, I would like to put one question. It is a very important question.

MR. DEPUTY CHAIRMAN: No. They have already exceeded the time limit. No further questions.

SHRI K. B. LALL: Sir, I have to put this very important point.....

MR. DEPUTY CHAIRMAN: Order, order, Mr. Lall, I am not allowing any questions.

SHRI K. B. LALL: On a point of order, Sir.

MR. DEPUTY CHAIRMAN: Order, order. You cannot raise any point of order against the ruling of the Chair. And both of us cannot be standing. Order, order.

SHRI K. B. LALL: I am not raising any point of order on the ruling of the Chair, Sir.

MR. DEPUTY CHAIRMAN: Will the hon. Member resume his seat? Order, order.

(Shri Lall still standing.)

SHRI MAHAVIR TYAGI: Order, order. It is impossible.

SOME HON. MEMBERS: Order, order.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1953-54 for the purposes of Railways, as passed by the House of the People, be taken into consideration"

The motion was adopted.

MR. DEPUTY CHAIRMAN: We will now take up clause by clause consideration of the Bill. There are no amendments of which notice has been given.

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

SHRI LAL BAHADUR: Sir, I move that the Bill be returned.

MR. DEPUTY CHAIRMAN: Motion moved:

"That the Bill be returned."

SHRI K. B. LALL: I am sorry to say that the Chair did not allow me.....

MR. DEPUTY CHAIRMAN: No reflections on the Chair.

SHRI K. B. LALL: I am not making any reflections on the Chair. I was only trying to state that I was not allowed to say anything, although I stood up twice or thrice. I only want to make a mention about the construction of new lines or the restoration of dismantled lines. The hon. Minister has stated that the Bhagalpur-Mandar

Hill line is being restored and that the work will be completed by the end of this financial year, but our information is that the work has not even begun, whereas even in the Explanatory Memorandum we find that this will be completed this year. This anomaly I have not been able to reconcile. Talking about the Ghat line, people take time in travelling these 20 miles, as much as they would take for travelling between Bhagalpur and Delhi. I wanted to raise other question but as the Chair insists on the time, I do not think I would be able to raise them. I would only submit to the hon. Minister that these two lines deserve the attention of the authorities.

SHRI LAL BAHADUR: In regard to the Bhagalpur-Mandar Hill line. I want to say that the work has already started. So, it is not correct to say that the work has not started. It will be completed during 1953-54. As regards the other line, it will certainly receive my attention.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be returned."

The motion was adopted.

THE APPROPRIATION (VOTE ON ACCOUNT) BILL, 1953

THE DEPUTY MINISTER FOR FINANCE (SHRI M. C. SHAH): Sir, I move:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the service of a part of the financial year 1953-54, as passed by the House of the People, be taken into consideration."

MR. DEPUTY CHAIRMAN: Motion moved:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the service of a part of the financial year 1953-54, as passed by the House of the People, be taken into consideration."