

**Memorandum by the Railway Board on the  
elimination of racial discrimination  
in railway services.**

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# **Memorandum by the Railway Board on the elimination of racial discrimination in railway services.**

## **INTRODUCTION.**

In his speech introducing the Railway Budget for 1930-31 the Hon'ble Sir George Rainy made the following statement:—

“I must also refer to the elimination of racial discrimination, but I can only do so briefly. The whole question has been systematically considered and we have now reached a stage when the material has been digested and consultation with the Central Advisory Council is likely to be both helpful and fruitful.”

In view of this understanding and as racial discrimination has figured as an annual subject of debate in the Legislative Assembly, this memorandum has been prepared for the information of members of the Assembly. It will be placed before the Central Advisory Council for Railways at its next meeting.

In view of this undertaking and as racial discrimination has figured extent racial discrimination was or was not justified in the past. Racial discrimination admittedly did exist in the past, especially on the Company-worked Railways, including the East Indian and Great Indian Peninsula Railways which have since come under State-management, but it is now the definite policy of the Government of India to eliminate such discrimination. It is proposed in the memorandum to detail the steps that have been or will be taken in furtherance of this policy.

3. Complaints have often been made in the Assembly of the existence of racial discrimination both in the recruitment of staff and in the treatment meted out after recruitment, also in the facilities and amenities afforded both to the staff and to the general public. This subject may, therefore, be dealt with under the following heads:—

(1) Recruitment, training and promotion of staff—

(a) Superior Services—

State-managed Railways.

Company-managed Railways.

(b) Subordinate Services.

(2) Pay and allowances.

(3) Leave.

(4) Quarters.

(5) Education.

(6) Medical relief.

(7) Other amenities and facilities to the staff.

(8) Amenities and facilities to the public.

## II.—INDIANISATION AND ELIMINATION OF RACIAL DISCRIMINATION.

### Indianisation of superior services—

4. *State-managed Railways.*—Although the Railway Board have for many years past followed the policy of progressive Indianisation of the Railway Services, it may be said that this policy was pursued systematically only from the year 1925. In that year as a result of the recommendations of the Lee Commission, Government set before itself the goal to recruit Indians to the extent of 75 per cent. of the total number of vacancies in the Railway Department as a whole provided suitable candidates with the requisite qualifications were forthcoming.

5. The recruitment made each year is shown in the Annual Reports issued by the Railway Board. The following table compares the number and ratio of European and Indian (permanent) recruitment made on State-managed Railways in the various departments during the last 3 years:—

| Department.  | 1927-28.        |                    | 1928-29.        |                    | 1929-30.        |                    |
|--|-----------------|--------------------|-----------------|--------------------|-----------------|--------------------|
|  | Europeans.      | Statutory Indians. | Europeans.      | Statutory Indians. | Europeans.      | Statutory Indians. |
| Agency—  | No recruitment. |                    | No recruitment. |                    | No recruitment. |                    |
| No. . . . .  |                 |                    |                 |                    |                 |                    |
| Percentage . . . . .                               |                 |                    |                 |                    |                 |                    |
| Engineering—                                       |                 |                    |                 |                    |                 |                    |
| No. . . . .  | 6               | 21                 | 5               | 16                 | 4               | 10                 |
| Percentage . . . . .                               | 22.2            | 77.8               | 24              | 76                 | 28.6            | 71.4               |
| Transportation (Traffic) and Commercial—           |                 |                    |                 |                    |                 |                    |
| No. . . . .  | 4               | 16                 | 2               | 10                 | 2               | 8                  |
| Percentage . . . . .                               | 20              | 80                 | 16.7            | 83.3               | 20              | 80                 |
| Transportation (Power) and Mechanical Engineering— |                 |                    |                 |                    |                 |                    |
| No. . . . .  | 7               | 4                  | 9               | 2                  | 4               | 7                  |
| Percentage . . . . .                               | 63.6            | 36.4               | 81.8            | 18.2               | 36.4            | 63.6               |
| Stores—  |                 |                    |                 |                    |                 |                    |
| No. . . . .  | No recruitment. |                    | 2               | ..                 | No recruitment. |                    |
| Percentage . . . . .                               |                 |                    | 100             | ..                 |                 |                    |
| Other Departments—                                 |                 |                    |                 |                    |                 |                    |
| No. . . . .  | 6               | 8                  | 1               | 16                 | 2               | 4                  |
| Percentage . . . . .                               | 42.9            | 57.1               | 5.9             | 94.1               | 33.3            | 66.7               |
| Total  |                 |                    |                 |                    |                 |                    |
| { No. . . . .                                      | 23              | 49                 | 19              | 44                 | 12              | 29                 |
| { Percentage                                       | 32.0            | 68.0               | 30.0            | 70.0               | 29.3            | 70.7               |

6. It will be noticed that the percentage of officers of Indian domicile recruited for State-managed Railways during 1929-30 was 70·7 but taking into account promotions from the Local Engineering and Traffic Services to the Indian Railway Service of Engineers and the Transportation (Traffic) and Commercial Departments, the percentage rises to 75·5 per cent.

7. Experience has shown that except for the Transportation (Power) and Mechanical Engineering Departments there is at present no difficulty in obtaining Indian recruits with the requisite qualifications.

To meet the shortage in the Transportation (Power) and Mechanical Departments a scheme for the training of "Special Apprentices" has been in force since 1926. The period of training is 6 years, 4 of which are spent in India and 2 in England. This scheme will not, therefore, provide fully qualified officers until the beginning of 1933. Meanwhile in order to accelerate progress in Indianisation in these departments it was decided in June 1929 to invite applications both in India and in the United Kingdom to fill 8 vacancies in the Transportation (Power) and Mechanical Engineering Departments in the hope that Indian candidates might be forthcoming in the open market who would be likely to develop into efficient officers. The qualifying standard was lowered and the age limit relaxed. In this way 7 recruits were obtained of whom 4, who were not fully qualified, were engaged on probation for one year in the hope that they would with further experience and training come up to the required standard at the end of the year. Similarly the High Commissioner for India and the Public Service Commission were addressed with a view to the recruitment of 2 Indians from the United Kingdom and 3 in India for the year 1930-31, and in accordance with this request the High Commissioner has selected two Indians while the recommendations of the Public Service Commission are awaited. It is proposed to continue similar arrangements until 1933 when qualified officers will become available under the scheme for the training of Special Apprentices.

Moreover it is the aim of the Government of India that 75 per cent. of the total vacancies on State-managed Railways each year should be filled by persons of Indian domicile irrespective of any unavoidable shortage in one or more services: this means that when there is an unavoidable shortage in Indian recruitment for any particular branch, efforts would be made to make a corresponding increase in such recruitment for other branches.

8. *Company-managed Railways.*—The progress made in this direction by Company-managed Railways falls short of that on State-managed Railways. When the Lee concessions were sanctioned, the Companies agreed to fall in line with the policy of Government but they have not yet been able to advance Indian recruitment up to 75 per cent. of the total vacancies. The South Indian Railway alone has so far been able to reach this percentage. The following statement compares the number and ratio of

European and Indian (total) recruitment for all departments made on each of the Company-managed Railways during the last two years:—

| Railway.                                   | 1928-29.   |                       | 1929-30.               |                       |      |
|--|--|-----------------------|------------------------|-----------------------|------|
|  | Europeans.                                       | Statutory<br>Indians. | Europeans.             | Statutory<br>Indians. |      |
| <b>Assam Bengal—</b>                       |  |                       |                        |                       |      |
| No. . . . .                                | 2  | 3                     | 1                      | 3                     |      |
| Percentage . . . . .                       | 40   | 50                    | 25                     | 75                    |      |
| <b>Bengal and North Western—</b>           |  |                       |                        |                       |      |
| No. . . . .                                | 3  | 1                     | 3                      | 4                     |      |
| Percentage . . . . .                       | 75   | 5                     | 42.9                   | 57.1                  |      |
| <b>Bengal Nagpur—</b>                      |  |                       |                        |                       |      |
| No. . . . .                                | 10   | 9                     | 11                     | 6                     |      |
| Percentage . . . . .                       | 52   | 47.4                  | 44.7                   | 35.3                  |      |
| <b>Bombay, Baroda &amp; Central India—</b> |  |                       |                        |                       |      |
| No. . . . .                                | 7  | 5                     | 7                      | 7                     |      |
| Percentage . . . . .                       | 59.4   | 41.6                  | 50                     | 50                    |      |
| <b>Madras and Southern Mahratta—</b>       |  |                       |                        |                       |      |
| No. . . . .                                | 5  | 2                     | 1                      | 8                     |      |
| Percentage . . . . .                       | 71.4   | 28.6                  | 11.1                   | 88.9                  |      |
| <b>Rohilbund and Kumaon—</b>               |  |                       |                        |                       |      |
| No. . . . .                                | (Only 2 vacancies occurred but were not filled). |                       | (No vacancy occurred). |                       |      |
| Percentage . . . . .                       |  |                       |                        |                       |      |
| <b>South Indian—</b>                       |  |                       |                        |                       |      |
| No. . . . .                                | 4  | 12                    | 1                      | 9                     |      |
| Percentage . . . . .                       | 5  | 75                    | 10                     | 90                    |      |
| Total                                      | No. . . . .                                      | 31                    | 32                     | 24                    | 57   |
|  | Percentage . . . . .                             | 49.2                  | 50.8                   | 39.3                  | 60.7 |

9. The whole question was exhaustively reviewed recently and the Company-managed Railways were reminded of their obligation to fill as quickly as possible 25 per cent. of all vacancies in all the departments taken together by persons of Indian domicile. They were also advised:—

- (i) that judging by the experience of the last 5 years it appeared that the only department in which there was some difficulty in obtaining suitable recruits in India was the Mechanical Department and that the Railway Board would be prepared to assist them in obtaining suitable candidates for other departments in case they experienced any difficulty;

- (ii) that with regard to the Mechanical Department the Railway Board would be prepared to place at their disposal the overflow of the apprentices on State-managed Railways who completed their training in 1933 and of the candidates who were declared by the Public Service Commission to be qualified for appointment to this department, after the requirements of the State-managed Railways had been met; and
- (iii) that in any case, if, owing to any reasons, *e.g.*, insufficiency of suitable candidates for the Mechanical Department or the absorption of deserving temporary Engineers in the permanent Engineering establishment, the recruitment in any department fell short of the 75 per cent. ratio, it was essential that the deficit should be made good by recruiting a larger number of Indians in the other departments to the utmost extent possible in order to give effect to the policy of recruiting 75 per cent. of the total number of vacancies in the Railway Department as far as possible.
- (iv) that while it was recognised that it might be difficult for a small railway to work up to the limit of 75 per cent. in any particular year, it was essential that the average over a series of 3 or 4 years should conform to the 75 per cent. ratio.

#### (b) Subordinate Services.

10. (i) *Workshop Apprentices*.—It has been suggested both in questions asked by members of the Legislative Assembly and in debates in the Assembly that racial discrimination in practice, if not in theory, exists in the recruitment and training of apprentices in our workshops.

As a result of questions made in this connection by Mr. S. C. Mitra, this matter was examined on the spot by Mr. Hayman, Member, Staff Duties, Railway Board in 1929. It was found that there was discrimination in the way apprentices were dealt with, both as regards their recruitment and as regards their appointment after they qualified themselves. The whole position was thoroughly sifted by the Railway Board and new rules for the recruitment and training of apprentices were drawn up for all mechanical workshops on State-managed Railways. The rules were discussed with the Central Advisory Council in July 1930 and were issued for adoption on State-managed Railways with effect from the recruitment to be made in 1931, a copy being simultaneously forwarded to Company-managed Railways to enable them to carry out such revision in their practice and procedure as may be necessary. The new rules ensure not only the adoption of systematic methods of recruitment and training compatible with the local conditions and requirements on each Railway, but also the complete elimination of racial discrimination. It is proposed to extend these reforms to the other branches such as Electrical, Signal and Permanent Way and the question of framing similar rules for the recruitment and training of apprentices in such branches is now under consideration.

11. On the Bengal-Nagpur Railway also it was noticed that racial discrimination existed with regard to the conditions of service of apprentices. A reference to the Agent showed that a joint representation had been made

by the Indian apprentices in April 1928, in which they referred to certain grievances concerning:—

- (1) Theoretical classes.
- (2) Hostel arrangements.
- (3) Leave.
- (4) Stipends.
- (5) Class of fares.
- (6) Procedure under which the Head Time Keeper had to witness payment of stipends and sign for Indian (grade A) apprentices.

As regards (1), theoretical classes have since been started for all Indian Apprentices.

As regards (2), provision has been made for the erection of an Indian hostel, in the revised scheme of training of apprentices which is under consideration.

As regards (3), this has already been settled, and Indian 'A' Grade Apprentices enjoy the same privileges as European and Anglo-Indian Apprentices.

As regards (4), in the draft revised scheme, which is under consideration, the category 'Indian A Grade Apprentices', as such, is being done away with, and Europeans, Anglo-Indians and Indian alike will be eligible for admission as "Grade I Apprentices" and will be recruited on precisely the same terms.

As regards (5), this has been settled by the grant of Inter Class passes to Indian 'A' Grade Apprentices.

As regards (6), Indian 'A' Grade Apprentices are now allowed to sign personally for their pay on the pay sheets.

The rules pertaining to the new scheme of training of apprentices have, however, yet to be issued by the Bengal-Nagpur Railway.

12(ii). *Other subordinate staff.*—The Railway Board have drawn up rules for the recruitment of the subordinate staff for the various branches of service on State-managed Railways. The general idea is to eliminate any haphazard method of recruitment which may at present exist, and to prescribe basic principles to be observed in recruitment in future in order not only to obtain recruits of the type required but to ensure that the methods and procedure in force in selecting recruits are fair to all candidates irrespective of race or community. The draft rules will be discussed with the Central Advisory Council before they are introduced.

13(iii). *Complaints of alleged discrimination and action taken.*—It is now proposed to refer to certain specific complaints of alleged racial discrimination in the recruitment of the subordinate staff which have been brought to the notice of the Railway Board and to state the correct position in respect of the subject matter of each complaint as well as the action taken by the Board.

**(a) Recruitment of covenanted subordinates from the United Kingdom.**

14. Complaints have been received that unnecessary recruitment of European Upper Subordinates from England still continues.



Recruitment in England for State-managed Railways is confined to certain specialist posts such as Jig and Tool Draftsmen, Construction Signal Inspectors, etc., and then only when it is known either after inviting applications in India or from past experience that a suitable candidate in India cannot be found.

15. The number of Upper Subordinates recruited from England for State-managed Railways during the years 1929 and 1930 is given below:—

| Number. | Designation.                         | Where posted.     |
|---------|--------------------------------------|-------------------|
| 1929.   |                                      |                   |
| 1       | Jig and Tool Draftsman . . . .       | G. I. P. Railway. |
| 1       | Assistant Foreman, Tool Room . . . . | G. I. P. Railway. |
| 1       | Painter Chargeman . . . . .          | N. W. Railway.    |
| 1930.   |                                      |                   |
| 1       | Assistant Chief Draftsman . . . . .  | N. W. Railway.    |
| 1       | Assistant Foreman . . . . .          | N. W. Railway.    |
| 1       | Jig and Tool Draftsman . . . . .     | Burma Railways.   |

16. On some of the Company-managed Railways, however, a larger number of Upper Subordinates so recruited in recent years, as the following statement will show:—

| Railway.                                   | 1929.     |                                    | 1930.    |                     |
|--|-----------|------------------------------------|----------|---------------------|
|  | Number.   | Designation.                       | Number.  | Designation.        |
| Bengal and North-Western . . . . .         | 1         | Workshop Foreman.                  | ..       | ..                  |
| Rohilkund and Kumaon . . . . .             | ..        | ..                                 | ..       | ..                  |
| South Indian . . . . .                     | 1         | Bridge Inspector                   | ..       | ..                  |
|  | 1         | Boiler Inspector.                  |          |                     |
| Assam Bengal . . . . .                     | ..        | ..                                 | 1        | Boiler Inspector.   |
| Bombay, Baroda and Central India . . . . . | 1         | Tin and Copper-smith Foreman.      | ..       | ..                  |
| Madras and Southern Mahratta . . . . .     | 12        | Loco. Drivers.                     | 6        | Locomotive Drivers. |
|  | 1         | Signal Inspector.                  |          |                     |
|  | 2         | Assistant Shop Foremen.            | 1        | Signal Inspector.   |
| Bengal Nagpur . . . . .                    | 1         | Foreman, Paint and Trimming shops. | →        | →                   |
|  | 1         | Foreman, Tool Room.                |          |                     |
|  | 1         | Assistant Foreman, Machine shop.   |          |                     |
| <b>Total</b> . . . . .                     | <b>22</b> |                                    | <b>8</b> |                     |

The attention of Companies is being drawn to the desirability of recruiting all Upper Subordinates in India as far as possible, more particularly such classes as Loco. Drivers, and of confining recruitment from England only to those cases in which men of suitable qualifications, such as specialist in modern workshop practice, are not forthcoming in India.

17. Below is compared the total number of appointments on scales of pay rising to Rs. 250 and over held by Europeans and Anglo-Indians and by Indians on State and Company-managed Railways in 1926, 1929 and 1930 :—

|                                       | 1926.        | 1929.        | 1930.        | Increase in 1930 as compared with 1926. |
|---------------------------------------|--------------|--------------|--------------|---|
| <i>State-managed Railways.</i>        |              |              |              |   |
| Europeans and Anglo-Indians . . . . . | 4,043        | 4,041        | 4,067        | 24                                      |
| Indians . . . . .                     | 1,443        | 2,178        | 2,339        | 896                                     |
| Total . . . . .                       | <u>5,486</u> | <u>6,219</u> | <u>6,406</u> | <u>920</u>                              |
| <i>Company-managed Railways.</i>      |              |              |              |   |
| Europeans and Anglo-Indians . . . . . | 1,892        | 1,827        | 1,827        | —65                                     |
| Indians . . . . .                     | 795          | 971          | 1,049        | 254                                     |
| Total . . . . .                       | <u>2,687</u> | <u>2,798</u> | <u>2,876</u> | <u>189</u>                              |

It will be seen that the increase under Indians in 1930 as compared with 1926 was 896 on State-managed Railways and 254 on Company-managed Railways against an increase in the total of 920 and 189 respectively.

These figures speak for themselves and show that more and more Upper Subordinate posts are gradually being filled by Indians.

**(c) Differentiation in qualifications required from Indian and Anglo-Indian candidates for employment—**

18. In the Legislative Assembly last February Pandit Hirday Nath Kunzru made the following statement—

“I understand that, while Indians are required to have passed the Matriculation Examination in the first division, the passing of the Junior Cambridge examination is considered adequate in the case of Anglo-Indians. Exceptions are not made in the case of Indians, while they are made in the case of Anglo-Indians. Indians are required to compete amongst themselves, and people bearing European names amongst themselves.”

19. The minimum qualification for certain appointments is either the Matriculation or the Junior Cambridge. The reason for the prescription of the latter alternative qualification is that in most Anglo-Indian schools the courses set for the students are designed for passing the Junior and Senior Cambridge examinations and not the Matriculation. But there is

no racial discrimination as an Indian educated in an Anglo-Indian school, and who has passed the Junior Cambridge examination, would be accepted as qualified.

20. Under the new recruitment rules, which have been drafted, the minimum qualifications for each class of appointment will be prescribed and no exceptions will ordinarily be permitted.

### III.—PAY AND ALLOWANCES.

21. (i) *Covenanted subordinates*.—It is complained that Specialists recruited in England are paid proportionately higher rates of pay than those doing similar work in India.

When a Specialist is recruited in England for a particular post, he is given the pay of the post. Some times, because of his age or qualifications, he may be given an initial salary higher than the minimum pay of the post. But this practice, which is not inequitable, is followed also when we recruit in India an expert who may be of Asiatic domicile.

22. (ii) *Ticket Collectors*.—On certain railways European and Anglo-Indian Ticket Collectors were engaged on an initial salary higher than Indians. The railways on which this practice was in force have now reported that the practice has been abolished and that all staff are now paid according to their qualifications and market value irrespective of class, community or creed.

23. (iii) *Guards*.—It has been stated that European and Anglo-Indians are given preference for appointment as guards and are appointed direct on a higher rate of pay.

This statement is partly correct and applies also to the recruitment of firemen. Such treatment is, however, due to the operation of the orders issued in the Government of India, Railway Department (Railway Board) letter No. 2395-E., dated the 23rd May 1929, a copy of which forms an annexure to this memorandum.

24. The Railway Board have impressed on Agents of State-managed Railways the desirability of gradually employing more Indians in the higher grades of Guards. The progress made by the North Western Railway in this direction is gratifying while the Eastern Bengal and East Indian Railways and latterly the Great Indian Peninsula Railway also are pursuing the same policy. The following statement shows the number of Indians and Anglo-Indians appointed to higher grades of guards on State-managed Railways during the last 3 years.—

| Railway.                 | 1928.    |                | 1929.    |                | 1930.    |                |
|--------------------------|----------|----------------|----------|----------------|----------|----------------|
|                          | Indians. | Anglo-Indians. | Indians. | Anglo-Indians. | Indians. | Anglo-Indians. |
| North Western .          | 23       | 4              | 1        | ..             | 9        | ..             |
| Eastern Bengal .         | 18       | 16*            | 17       | 13*            | ..       | ..             |
| East Indian .            | 15       | 23             | 17       | 19             | 17       | 28             |
| Great Indian Peninsula . | ..       | 35             | 1        | 15             | 12       | 15             |

\*Includes Europeans.

These figures include persons promoted from the lower grades and with the increasing recruitment of Indians in lower grades a steady improvement may be expected in their number in the higher grades as well.

25. (iv) *Drivers and Firemen*.—Prior to 1914 separate scales of pay were fixed for different races. Not only was differentiation made between Europeans and Indians but also on some railways between certain Indian communities and others. For instance on three railways the scales of pay for Parsees and Goanese were higher than those admissible to other communities.

Such distinctions have now been removed. It is true that on most railways a majority of the drivers drawing the higher scales of pay are still Europeans or Anglo-Indians. But this is due to the fact that these men were promoted to their present positions under the old rules, and also because until recent years, Indians with the necessary educational qualifications did not offer for employment in this branch of the service.

26. (v) *Nurses*.—On the East Indian Railway different rates of pay were in force for European and Anglo-Indian nurses on the one hand and Indian nurses on the other.

The distinction has been removed as appointments are now given to any nurse who possesses the required qualifications. A certain number of low paid appointments exist for staff who do not possess sufficient qualifications to undertake the nursing of patients without supervision and these are filled by so-called 'Indian nurses', who are really only midwives. The terms 'European nurses' and 'Indian nurses' have now been abolished.

27. (vi) *Sunday allowances*.—On the East Indian Railway and the North-Western Railway Sunday allowances were admissible only to European and Anglo-Indian members of the Running staff. Orders have been issued to these railways discontinuing the grant of this allowance in the case of all future entrants.

28. (vii) *Travelling allowance*.—On the East Indian Railway there was some disparity between the rates of daily allowance admissible to Europeans and Anglo-Indians and Indians. This was a relic of the old Company's rules. Since July 1929 the travelling allowance of all subordinates is under the orders of the Railway Board governed by the State Railway Open Line Rules and no distinction exists. Existing employees on the railway, however, retain the option to remain under the rules formerly applicable to them.

#### IV.—LEAVE RULES.

29. The leave rules in force on most of the Company-managed Railways discriminate between the leave admissible to Europeans and Anglo-Indians on the one hand and Indians on the other. Their revision had accordingly been under consideration for some years and the question assumed special importance with the taking over by the State of the management of the East Indian, Great Indian Peninsula and Burma Railways. The subject being, however, of a highly technical nature, it was not until February 1930 that the revised leave rules for State-managed Railways were finally accepted and issued.

30. It is true that under these rules employees of non-Asiatic domicile are allowed leave on a somewhat more liberal scale than those of Asiatic domicile but the reason for this is that a portion of their leave is necessarily spent in the voyage home and back. These distinctions are not actuated by considerations of race or nationality and no difference whatever is made between the leave admissible to Anglo-Indians and Indians.

31. The question of adopting similar rules on Company-managed Railways is under consideration by the Secretary of State in consultation with the Home Boards of such railways.

32. It would not be out of place here to illustrate the differences in the leave admissible to European and Anglo-Indian employees and Indian employees under the rules formerly in force on East Indian, Great Indian Peninsula and Burma Railways.

33. Under the old Burma Railway leave rules, furlough on half pay, with the privilege of commuting a portion of it to furlough on full pay, and sick leave for short periods not exceeding 60 days in a calendar year without reduction of pay, were admissible to employees of non-Asiatic domicile, but not to employees of Asiatic domicile. Further special leave on private affairs was admissible to the former on completion of 2 years' service and to the latter not until they had completed 10 years' service.

34. Similarly under the old East Indian Railway leave rules, furlough, whether on half pay or to a limited extent on full pay, and sick leave for short period up to 60 days in a calendar year without deduction of pay, were admissible to all European employees as well as to Anglo-Indians but in the case of Indians these privileges were limited to superior officers.

35. The position was worse on the Great Indian Peninsula Railway where not only furlough whether on full or half pay and sick leave for short periods up to 60 days in a calendar year without deduction of pay were given to European and Anglo-Indian employees and withheld from Indian employees, but the latter were not allowed cumulative privilege leave up to the usual limit of 4 months or leave on private affairs, until they had completed 20 years' service.

36. As already stated, the new leave rules eliminate all such distinctions based purely on racial grounds, and the distinction they make is only in respect of the scale of leave and that too only on grounds of domicile for reasons already stated. No preference, whatever, is given to Anglo-Indian employees.

37. The only distinction made in the leave rules is in respect of the maximum and minimum limits of leave salary which are higher for persons of non-Asiatic domicile than for those of Asiatic domicile. A similar distinction also appears in the Fundamental Rules applicable to Government servants in other Departments.

#### V.—QUARTERS.

38. (i) *Alleged preference to Europeans and Anglo-Indians in the allotment of quarters and in types of quarters.*—It has been alleged in the Legislative Assembly that Railways quarters are provided for European and Anglo-Indian employees in preference to Indian employees and also that distinction is made in the types of quarters allotted for occupation by European and Anglo-Indian and Indian employees respectively.

39. The policy of the Railway Board is to provide residential accommodation for staff who are required to live close to work or are stationed where private enterprise does not provide adequate housing arrangements.

40. With regard to types of quarters, the Railway Board issued orders in March 1930 laying down as a definite policy to be adopted for the future on State-managed Railways, the principle that all existing and future quarters should be classified only by classes or types and should be available for occupation by the holders of the posts for whom they are built regardless of race or community. A copy of these orders was also forwarded to Company-managed railways with the suggestion to consider the desirability of adopting the same policy.

41. Incidentally it may be mentioned that the Railway Board have, on receipt of a reference from the All-India Railwaymen's Federation, since instituted an enquiry in regard to rest and running rooms in order to ascertain whether or not any distinction is made in the facilities given to European and Anglo-Indian and India employees.

42. (ii) *Supply of lights and fans.*—The policy now is to equip all quarters for senior subordinates with electricity at stations where it is available, provided the occupants are prepared to pay the charges.

Incidentally, with the abolition of racial classification of quarters the distinction in regard to electric equipment of quarters automatically disappears.

43. (iii) *Rent and horse rent allowances.*—On the North Western Railway house rent allowance was granted at Karachi on a scale which provided for a discriminatory rate in favour of Europeans drawing less than Rs. 250. The scale has now been revised so as to abolish this distinction.

The rules in force on the Burma Railways have been recently amended so as to remove all racial discrimination in respect of house rent allowances as well as the assessment of house rent.

## VI.—EDUCATION.

44. Attention was drawn in the debate in the Assembly in February 1930 to the inequality in the matter of educational facilities for the children of European and Anglo-Indian employees as against those provided for children of Indian employees.

The specific differences referred to were:

- (i) the large amount spent by Railway Administrations on their schools for the children of European and Anglo-Indian employees as compared with the amounts spent on their schools for the children of Indian employees.
- (ii) the comparatively small number of schools for the children of Indian employees as compared with the number of schools for the children of European and Anglo-Indian employees.
- (iii) the monetary assistance granted to the children of European and Anglo-Indian employees sent to hill schools which was inadmissible to the children of Indian employees.

45. A revised policy was framed the Government of India, in consultation with the Central Advisory Council in September 1929, which was designed to secure the total elimination of racial discrimination in the assistance to be afforded to employees towards the education of their children. On a reference made to the Local Government and on reconsideration it was discovered that before the new policy could be introduced, some of its aspects demanded reconsideration and the Government of India have accordingly placed an officer of the Education Department on special duty to assist them in the formulation of a revised scheme which shall be both practicable and equitable. In the meantime definite orders have been issued to all State-managed Railways that all their employees who enter the service on or after the 1st February 1929, will, when the new policy is put into operation, be eligible to such assistance as may be admissible thereunder, irrespective of race or community and provisional rules have also been issued with the concurrence of the Central Advisory Council, eliminating all racial discrimination. These rules shall apply alike to all future entrants but Indian employees already in the service will be permitted to come under them. European and Anglo-Indian employees who joined the service before the 1st February 1929 will continue to be eligible for assistance under the old rules but this distinction will automatically disappear with the passage of time as the staff in question retire from service.

#### VII.—MEDICAL RELIEF.

46. In the Legislative Assembly last February Pandit Hirday Nath Kunzru made the following statement—

“There are no nurses for in-door Indian patients. There are Anglo-Indian nurses, but they attend only on Anglo-Indian in-door patients.”

On examination it was found that this was the position on the East Indian Railway. Accordingly in July 1928, the Railway Board addressed all Class I Railway Agents as follows:—

“Another point brought forward was that distinctions persist in the matter of medical relief. Practical considerations require that the staff should be classified in some manner for this purpose; but I am to request that your regulations may be examined, and your arrangements adjusted, if necessary so that the same standard of attendance and accommodation may be available to all subordinate staff, irrespective of race, but coming, however, within the same class according to pay.”

47. As regards maternity cases, no distinction is made between Europeans, Anglo-Indians and Indians in regard to the acceptance of such cases into Railway hospitals. Maternity cases for all classes are taken in, provided accommodation is available, by arrangement with the hospital authorities, and the only reason for refusal would be lack of accommodation.

#### VIII.—OTHER AMENITIES AND FACILITIES TO STAFF.

48. (i) *Alleged inequitable distribution of expenditure from the Fine Funa.*—In February 1930 Pandit Hirday Nath Kunzru remarked in the Assembly that although ‘Indian employees contributed largely to the Fine

Fund, the proceeds were spent mainly on European and Anglo-Indian employees' and he wanted to know what steps Government proposed to take to eliminate this discrimination.

No facts and figures were quoted and as the returns submitted by railways do not show separately the fines realised from Anglo-Indians and Indians it is not possible to offer any comments on this statement.

49. The practice of fining the staff, however, is being discouraged and from 1st April 1931 it is proposed to start a new fund on the State-managed Railways called the Staff Benefit Fund, which will replace the Fine Fund. Government will, subject to certain conditions, contribute annually to this fund, from the revenues of State-managed Railways and it will be permissible to expend money on the following objects:—

- (1) Schools and education of the staff;
- (2) Institutes and other forms of recreation and amusement for the staff;
- (3) Schemes for sickness or maternity benefits, etc., for the families of the staff.

50. A striking feature of this new fund is that a certain number of employees *elected* by the staff will be associated in the management of the Fund. This arrangement will, it is hoped, ensure a fair distribution of the money in the fund and remove all causes for complaint of racial discrimination.

The Railway Board expect that Company-managed Railways will also fall in line with the policy of the Board in this matter and start similar Staff Benefit Funds. The annual revenue expenditure on account of contribution to the new funds is estimated at Rs. 4 lakhs.

51. (ii) *Passes*.—On the Bombay, Baroda and Central India Railway the limit of pay for the grant of 2nd class residential and school passes on the local suburban section was Rs. 65 per mensem for European and Anglo-Indian employees as against Rs. 125 for Indian employees. This distinction has since been abolished in respect of all staff appointed on and after the 1st January 1929.

52. Another complaint made is that during the Christmas holidays privilege passes are confined to Christians. The distinction is not racial as the privilege is available to Indian Christians.

The restriction is imposed on account of the rush of paying traffic at this season and the desirability of limiting the free pass traffic in the interests of the travelling public.

53. It is complained that cheque passes are granted to ministers of the Christian religion and that the same concession is not extended to Hindu and Muslim priests. An explanation has already been given in the Assembly for this differentiation and is repeated below:—

“The reason for the grant of these passes is that if these concessions were not granted numerous small Christian communities of railway staff, owing to the long distances by which they are separated from the nearest minister of their religion, would be bereft of spiritual administration altogether. This does not hold true of other religions in this country and there is not therefore the same necessity for granting the concession to their ministers.”



## IX. AMENITIES AND FACILITIES TO THE GENERAL PUBLIC.

54. (i) *Reservation of compartments for Europeans and Anglo-Indians.*—A few years ago a bill for the abolition of reserving compartments for Europeans and Anglo-Indians was carried in the Assembly but was subsequently rejected in the Council of State. The view then advanced by Government was that the practice was dying out of itself and that in course of time it would disappear.

55. In connection with Mr. Aney's bill of which notice was given by him during the discussion on the last year's Budget but which could not be moved for want of time, the Government of India again reconsidered the matter. It appeared that the practice of reserving 3rd class compartments for Europeans and Anglo-Indians had been abandoned on the Burma and South Indian Railways and that it only remained on five railways, viz., the Bengal Nagpur, North Western, Madras and Southern Mahratta, East Indian and Great Indian Peninsula Railways. In the whole of India one small 3rd class compartment was reserved on 83 trains, which was 4.4 per cent. of the total number of trains. The Government of India after considering the matter carefully came to the conclusion that the time had come when the practice should be discontinued altogether. Accordingly the Agents of the East Indian, Great Indian Peninsula and North Western Railways were instructed to take the necessary action while the Agents of the Bengal Nagpur and Madras and Southern Mahratta Railways were also requested to examine the position on their railway with a view to coming into line with the general policy of Government in the matter. Reports have now been received from all the five railways that arrangements have been made to discontinue the reservation of 3rd class compartments for Europeans and Anglo-Indians from the close of the year 1930.

56. (ii) *Service in Dining Cars.*—In February 1930 Mr. Jayakar complained in the Legislative Assembly that in Railway restaurant cars Indians travelling even 1st class were served after Europeans had been attended to. An extract from Mr. Jayakar's speech was forwarded to the Agents of the principal railways, who were asked to consider the desirability of impressing on their staff the necessity for courtesy in dealing with passengers of all classes, and to warn their catering contractors to see that there was no racial discrimination in their services.

57. (iii) *Admission to passenger platforms.*—In the Legislative Assembly last year Munshi Iswar Saran drew attention to the practice of ticket collectors admitting to passenger platforms, without platform tickets, people wearing European clothes and insisting on the purchase of platform tickets by those in Indian clothes.

58. The rule regarding admission to passenger platforms reads as follows:—

“As a rule, passengers only are admitted to station platforms but Station Masters have discretion to admit a limited number of persons who are not passengers. At certain stations, notified by the Railway Administration concerned, platform tickets are issued on payment of the prescribed charge and these may be had on application to the Booking Clerk. The issue of these tickets is, however, limited according to the capacity of

the platform accommodation. They are available only up to the time of the departure of the train for which they are issued, and must be given to the ticket collector on duty when the holder leaves the platform. Any person found on the platform without ticket after departure of a train is liable to be charged the fare from the last ticket examining station, with penalty, in accordance with section 113 of the Indian Railways Act IX of 1890."

It will be seen that the orders the Railway staff have on the subject make no distinction of the kind alleged. But if individual ticket collectors make such a distinction in practice, Railway Administrations will not hesitate to take suitable notice if specific cases are brought to their notice.

59. (iv) *Reservation of waiting rooms.*—A few instances have been brought to the notice of the Railway Board of waiting rooms being provided at certain stations separately for Europeans and Indians. These distinctions have been necessitated by the provision of Indian type of lavatory accommodation for rooms marked for Indians. In each of these cases, however, action has been, or is being taken, to alter the indication boards of the waiting rooms to read "European style" and "Indian style" respectively, so as to make it clear that Indians may use the "European style" waiting rooms if they wish.

## X.—CONCLUSION.

60. A review of the whole position indicates that active steps have been taken, more particularly during the last two years, to give effect to the policy of removal of racial distinction. It can now be claimed that with the solitary exception referred to in paragraph 23 all racial discrimination has been removed on the State-managed Railways, while considerable progress has also been made in the same direction on Company-managed Railways. The whole position is carefully watched by the Railway Board who will continue to give the matter special attention. The Board now propose to obtain from each Company-managed Railway a detailed and clear statement showing all matters in which there is still left any trace of racial discrimination with their recommendations for its complete elimination. These statements will be made available to Members of the Assembly in due course.

61. While the Government of India have thus done, and will continue to do, all in their power to remove all vestiges of racial discrimination, it must be realised that it is not practicable to withdraw concessions and privileges from individuals in service who enjoyed them before the policy of the elimination of racial discrimination began to be actively pursued. The measures that the Government of India have taken and will continue to take, do, however, secure parity of treatment to all new entrants, and racial discrimination will automatically disappear as the older personnel retire from the service with the progress of time. Further where the new rules are more favourable than the old, to any community, existing employees are allowed the benefit of the revised rules.

## ANNEXURE.

COPY OF RAILWAY BOARD LETTER No. 2395-E., DATED 23RD MAY 1929, TO THE AGENT, N. W., E. I., E. B., G. I. P., AND BURMA RAILWAYS.

I am directed to invite attention to the following communications from the Railway Board:—

- (i) Letter No. 447-E./23 of 19th April 1923.
- (ii) Letter No. 2395-E. of 4th February 1926.
- (iii) Letter No. 7298-E. of 20th October 1928.

The Government of India have reason to believe that their policy as regards the recruitment of subordinate establishments on the Indian railways is not always clearly understood by Railway Administrations with the result that Agents have sometimes issued circulars which, taken by themselves, are calculated to give an erroneous impression of that policy. They have therefore asked the Railway Board to issue fresh general instructions which will prevent unnecessary misunderstanding and embarrassment for the future.

2. The general principles to be followed are these:—

- (1) No branch of the railway services should be reserved for any one class or community, but members of all classes or communities possessing the necessary qualifications should be eligible for appointment to any branch.
- (2) In order to secure adequate representation of minority communities, the rule is that, where recruitment is conducted by means of competitive examinations, one-third of the vacancies should be reserved for the redress of marked communal inequalities. Where recruitment is carried on otherwise than by competitive examination, steps should be taken to prevent an undue preponderance of any one class or community.
- (3) Whatever method may be employed to redress communal inequalities or to prevent an undue preponderance of any one class or community, the efficiency of the services must be maintained and no candidate should be admitted who does not possess the qualifications laid down as the minimum necessary for the work to be done.

3. The application of these principles to the Anglo-Indian community presents peculiar difficulties. Owing partly to reasons which are a matter of history and partly to the special aptitude displayed by members of the community for certain branches of railway work, a very high proportion of the appointments in these branches have for a number of years been filled by Anglo-Indians. It appeared to the Government of India that this was a case which called for special treatment. The principles which in their opinion must be followed are these:—

- (1) In those branches of the service in which a preponderant share of the appointments has fallen to Anglo-Indians in the past, opportunities must be given to members of other communities to show their fitness.

- (2) Whatever the qualifications considered necessary in order to justify the appointment of a candidate to a particular branch of the service may be, they must be the same for all.
- (3) No step should be taken which would produce a sudden and violent dislocation in the economic life of the Anglo-Indian community, and
- (4) In order to avert this danger, care must be taken, in the preparation of schemes for recruitment to the subordinate railway services, not to impose conditions which would in effect seriously restrict the opportunities of employment on the Indian Railways which Anglo-Indians at present enjoy.

4. It is important that undue stress should not be laid on any one aspect of the Government of India's policy in this matter. It is clear that to reserve in perpetuity a privileged position or a high proportion of appointments in any branch of the railway services for any one class or community would be contrary to all sound principle. It is inevitable that, as time goes on, a larger number of members of other communities should be admitted to those branches of the service which have hitherto been manned nearly by Anglo-Indians, and the Government of India desire that steps should be taken to give members of other communities a chance of showing their fitness. But the change should be brought about gradually and slowly.

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No. 2395-E., DATED 23RD MAY 1929.

Copy forwarded to the Agent, Bengal Nagpur, Bombay, Baroda and Central India, Bengal and North-Western, Rohilkund and Kumaon, Madras and Southern Mahratta, South Indian, and Assam Bengal Railways with the request that, with the permission of the Board of Directors the principles of the instructions contained above be applied on the..... Railway.

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No. 2395-E., DATED 23RD MAY 1929.

Copy, with copy of Railway Board's letter No. 447-E./23 of 19th April 1923 is forwarded to the Agent and Chief Engineer, H. E. H. the Nizam's Guaranteed State Railways and the Manager, Jodhpur Railway, for information.

## **Rules of the Railway Staff Benefit Fund for State-managed Railways.**

1. The Fund shall be called the Railway Staff Benefit Fund.

2. There shall be a separate Fund for each Railway.

3. Payments from the Fund shall be authorised by a Committee at the headquarters of the Railway presided over by a senior officer nominated by the Agent and consisting of five other members, all railway employees, one nominated by the Agent and 4 elected by the staff.

The constitution of sub-committees of the same composition may be authorised by the Agent, at his discretion, at convenient centres. These sub-committees will have power to allot funds for the objects specified in these rules within rules and limitations prescribed by the Headquarters Committee.

4. A member of the Committee or sub-committee shall hold office for two years unless he is removed by the Agent or resigns but shall be eligible for re-nomination or re-election.

NOTE.—At the end of the first year one Member nominated by the Agent and two Members elected by the staff will retire, but will be eligible for re-nomination or re-election as the case may be.

5. To the Fund shall be credited :—

(1) the balance at the credit of the Fine Fund of the Railway on the 31st March 1931 :

(2) with effect from the 1st April 1931—

(a) All receipts from fines.

(b) All receipts from forfeited fund bonuses, except forfeited bonuses of officers.

(c) All other classes of receipts, which under present rules are credited to the Fine Fund.

6. In addition to the credits to the Fund detailed in paragraph 5, there shall be credited to the Fund on the 1st April of each financial year, commencing from the 1st April 1931, as a contribution from the revenues of the railway a sum equal to one rupee per head of the number of the revenue staff on the books of the railway on the preceding 1st January less the amounts credited to the fund in the previous calendar year from the sources of income referred to in Rule 5.

Provided that for the first 3 years, the contribution from revenues shall be calculated exclusive of the interest credited to the fund on the balances at credit of the fund.

NOTE 1.—The number of the revenue staff for the purpose of this Rule shall be determined in thousands, any fraction of a thousand being reckoned as a thousand.

NOTE 2.—All staff other than those whose pay is charged to Capital—new construction or open line—shall be regarded as Revenue staff for the purpose of this Rule.

7. Subject to the general supervision of the Agent, all expenditure from the Staff Benefit Fund shall be authorised by the Committee or by a duly appointed sub-committee under the provisions of Rule 3.

8. The Committee shall have power to expend money from the Fund on the following objects :—

- (i) schools and education of the staff ;
- (ii) institutes and other forms of recreation and amusement for the staff ;
- (iii) schemes for sickness or maternity benefits, etc., for the families of the staff ;
- (iv) relief of distress amongst the members or ex-members of the staff or their families not provided for under the regulations in force on the railway.

9. No part of the Fund shall be used for the direct benefit of any gazetted officer of the railway.

10. If the Chairman disagrees with a majority of the Committee as regards expenditure from the Fund in respect to—

- (i) financial propriety,
- (ii) whether the grant comes within the objects mentioned in Rule 8,
- (iii) conflict with recognised policy of the Government or the Railway,

he shall refer the matter to the Agent whose decision in the matter shall be final.

11. The Agent shall make such arrangements as may be necessary for keeping the accounts of the Fund and audit shall be carried out in such manner as the Government of India may direct.

12. The Agent shall submit annually a report to the Board of Directors  
Railway Board on the working of the Fund during the previous financial year.

13. The Fine Fund will be abolished as such on the 31st March 1931.

14. Each Company-managed Railway will be permitted to establish, with effect from the 1st April 1931 or subsequent date, a Staff Benefit Fund in lieu of the existing Fine Fund subject to the credits to the Fund being regulated by Rules 5 and 6, except that the contribution from revenue may be fixed at lower scale, and to expenditure from the Fund being confined to the objects mentioned in paragraph 8.