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ASSURANCES FULFILLED IN LETTER AND SPIRIT

**An Account of Implementation of
Assurances to Loco Running Staff**



MINISTRY OF RAILWAYS, GOVERNMENT OF INDIA
NEW DELHI-110001.

THE All India Loco Running Staff Association launched three major strikes during 1973—the first one in May, the second in August and the third in December.

After the August strike was called off, the Railway Minister, Shri Lalit Narayan Mishra, had made a statement in Parliament on August 13, 1973, giving a number of assurances to the loco running staff. While launching its agitation in December, the Association alleged that these assurances had not been implemented.

This allegation was totally baseless. The Railway Minister had repeatedly stated in Parliament that the assurances had been fulfilled—not only in letter but in spirit.

In the following paragraphs the facts about the fulfilment of these assurances are explained in detail. These facts are of great relevance because the Association's President and other office bearers have already made several statements about their intention to launch yet another agitation, once more using the alleged non-fulfilment of assurances as an excuse.

The statement by the Railway Minister in Parliament on August 13, 1973, contained nine assurances on behalf of the Government and two on behalf of the Loco Running Staff Association.

Minister's Assurance No. 1:

- (a) All those who have been arrested in connection with the agitations (May—August, 1973) will be released as soon as the present agitation is called off, except those charged under law for acts of sabotage, damage to railway property and violence.
- (b) Charge-sheets filed against the persons under the provisions of DIR for acts which do not involve sabotage,

damage to railway property or violence, will be reviewed by the (Qureshi) Committee and appropriate action will be initiated for getting such charge-sheets withdrawn. With respect to acts of sabotage, damage to railway property and violence, State Governments will be asked to take appropriate action in each case on merits.

Implementation of Assurance No. 1:

Nearly 1,300 persons arrested during the May and August 1973 agitations have been released, including those who may have been charged with acts of sabotage, violence or damage to railway property. This information was given to the locomotive's representatives on the Qureshi Committee at its meeting held on September 22, 1973.

In regard to charge-sheets under Defence of India Rules, action was promptly initiated for their withdrawal if they were not related to sabotage, violence or damage to railway property. Full particulars of the cases were supplied to the State Governments concerned and they were requested not to proceed with the cases which did not involve sabotage or violence.

Thus, the assurance that action will be initiated to have the cases withdrawn was implemented. In fact, the matter was pursued at a personal level with the State authorities. The States have been requested to withdraw them.

Minister's Assurance No. 2:

All those released from arrest will be taken back on duty.

Implementation of Assurance No. 2:

Every single person released was taken back on duty long ago. This information was also conveyed to the Association's representatives at the Qureshi Committee's meeting on September 22, 1973.

representatives. In fact, all the meetings of the Committee have been fixed with their concurrence, and, more often than not, at their suggestion.

The Committee had to devote its first few meetings almost exclusively to individual cases brought up by the locomen. When the question of ten hour schedule was discussed, the staff side first insisted on full implementation within 30 days. Subsequently, they extended the period to 90 days.

The Administration's representatives were, however, of the view that considering the extensive additional facilities required by way of running rooms, crew vans, loop lines, staff quarters and recruitment of about 20,000 locomen, it would not be feasible to implement the ten hour schedule in less than five years' time.

They pointed out that this will involve a capital expenditure of about Rs. 38 crores in addition to recurring expenditure running into several crores of rupees per year.

The Railway Minister, however, reduced the time for implementation from 5 years to 3 years to accommodate the point of view of the loco staff as far as possible. In a statement in Parliament on November 29, 1973, the Minister announced that implementation would begin from December 1, 1973, and completed in a phased manner.

The implementation of the Minister's decision has begun from December 1, 1973. The ten hour schedule will be fully implemented on Mail and Express trains by March 31, 1974. Passenger trains will be taken up next and covered fully by the end of this year.

So far, out of 130 cases in which the duty hours at a stretch exceeded 10 hours in Mail and Express trains, the figure has already been brought down to 70.

A special organisation has been set up on each Railway for implementing the ten hour schedule and considerable progress has been made. Plans are being drawn up for progressive implementation of ten hour working on goods trains.

A start is expected to be made in another three months on goods trains also.

Minister's Assurance No. 8:

All the assurances given by the Government from the period July 1967 to date that have remained unimplemented, shall be implemented as expeditiously as possible.

Implementation of Assurance No. 8:

All statements made by the previous Railway Ministers on the demands of the loco running staff were carefully examined to find what assurances had not been implemented. **On verification it was found that all assurances had in fact been fulfilled.** The Loco Running Staff Association was, however, requested to give particulars of any unimplemented assurance but they have not been able to provide any such information.

Minister's Assurance No. 9:

To discuss the other points of grievances, a Committee under the chairmanship of Shri Mohd. Shafi Qureshi, Deputy Minister for Railways, with five senior officials of the Ministry of Railways and five representatives of the loco running staff will be constituted and commence functioning within five days of the resumption of the work by the loco running staff. A representative of the Ministry of Labour will also attend the meeting.

Implementation of Assurance No. 9:

The Qureshi Committee started functioning on August 23, 1973, and had had several meetings when the Association launched the December strike. Apart from ten hour work and the other issues explained above, the Committee has also discussed the following subjects:

- (i) Pay protection for medically decategorised staff;
- (ii) Same pay for same work; and
- (iii) Rationalisation of the basis for payment of mileage allowance.

Discussion of the three subjects was still in progress when the December strike was launched. The Third Pay Commission had, however, gone into the same subjects and its recommendations have been accepted by the Government.

The loco running staff also gave the Railway Minister two assurances when they called off their August strike.

Assurance No. 1:

Absentee staff will resume their duties immediately.

Implementation:

All absentee staff resumed their duties shortly after the strike was called off.

Assurance No. 2:

With respect to matters discussed and agreed to, no direct action will be resorted to within a period of three years from such agreement.

Implementation:

This assurance was given on the 12th August, 1973. **While the Government implemented all its assurances, in letter and spirit, and while the Qureshi Committee was still continuing its work, the Loco Running Staff Association launched yet another illegal strike on December 15, 1973.**

Although this agitation was withdrawn on December 24, 1973, some locomen of the Northeast Frontier Railway, owing allegiance to the Association, are already enforcing the ten-hour work schedule by refusing to work beyond ten hours, causing dislocation of traffic on that Railway and great suffering to the travelling public.

They are abandoning Passenger trains at points short of destination and a large number of passengers are being put to great inconvenience.

Assurances regarding December Strike:

When the Association withdrew its December agitation, the Railway Minister had assured it that he would personally look into cases of arrested persons and see that **status quo ante** was restored immediately.

All the 257 locomen, who had been arrested during the agitation in December, have been released. Most of the releases were effected within a few days of the agitation being called off, on the personal intervention of the Minister who sent messages to the Chief Ministers of the States concerned and the Lt. Governor of Delhi.

The Minister also assured the locomen that he would personally attend the meeting of the Qureshi Committee on December 28, 1973. This was done and the Minister set up a Sub-Committee consisting of a Railway official, the Chief Labour Commissioner and a representative of the Loco Running Staff Association to go into individual cases arising from the May-August agitations which, according to the Association, have not been dealt with.

The locomen, however, raised a number of objections and held up the work of the Sub-Committee. They also wanted the Sub-Committee not to meet before January 10, 1974. It was then decided that the Sub-Committee should meet for three days from January 14 to 16.

In the meantime, the President of the Association and other office bearers have threatened to launch yet another strike.

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**INSTRUCTIONS ISSUED BY THE RAILWAY BOARD
TO THE ZONAL RAILWAYS ON
IMPLEMENTATION OF ASSURANCES**

**INSTRUCTIONS ISSUED VIDE D.O.No.E(LU)73LG3-87
DATED 14TH AUGUST, 1973.**

"Enclosed please find a copy of the statement by the Minister of Railways in Parliament on August 13, 1973, on the loco staff strike. Board desire that necessary action as indicated therein should be taken immediately in respect of matters which are within the powers of Railways."

**INSTRUCTIONS ISSUED VIDE D.O.No.E(LU)73LG3-87
DATED 18TH AUGUST, 1973.**

"Board desire that the assurances given by the Minister for Railways on the floor of the House, a copy of which has already been sent to you vide D.O. letter of even number dated 14.8.1973, should be implemented both in letter and spirit without any further delay."

**INSTRUCTIONS ISSUED VIDE D.O.No.E(LU)73STI-60 PART B
DATED 16TH OCTOBER, 1973.**

"Please refer to my D.O. letters No.E(LU)73LG3-87, dated 14.8.1973 and 18.8.1973 with which I had forwarded a copy of the statement made by the Minister for Railways in the Parliament stating that the assurances given in the statement should be implemented in letter and spirit.

I shall be grateful if urgent action is taken on the following matters —

(a) Charge-sheets filed by Police under DIR in connection with the May-August, 1973 agitations of Loco Running Staff for acts not involving sabotage, violence, damage to Railway property, etc.

(i) Court Proceedings not yet started

In respect of these cases the Railways may immediately approach the State Governments concerned to withdraw the charge-sheets and copies of letters addressed to State Govts. may be furnished to me.

(ii) Court Proceedings already launched

In respect of these cases, the State Govts. should be approached by the Railways to postpone further proceedings till further advice. Copies of these letters together with full particulars of the cases concerned should be endorsed to me in triplicate.

- (b) Charge-sheets filed by Police under DIII in connection with the above agitations for acts involving sabotage, violence, damage to Railway property, etc.

The State Governments should be requested to examine all cases on merit and take appropriate action in each case. Copies of the letters issued to State Governments (which should indicate particulars of each case) should be endorsed to me in triplicate.

Action as directed above should be completed as urgently as possible and in any case, within a fortnight."

**INSTRUCTIONS ISSUED VIDE D.O.No.E(LU)73ST1-81
DATED 16TH OCTOBER, 1973.**

"Please refer to my D.O. letter No.E(LU)73LG3-87, dated 14.8.1973 forwarding a copy of the statement made by the Minister for Railways in the Parliament on 13.8.1973 regarding the strike of Loco Running Staff on the Indian Railways. In para 7 of the statement, it has been stated that charge-sheets of administrative character directly connected with trade union activities or activities arising out of the May-August, 1973 agitations of the Loco Running Staff shall be withdrawn. The Board presume that your Administration has complied with this assurance and would like to have a compliance report within a fortnight. They also desire that if any penalties have already been imposed in connection with such charge-sheets, the penalties should be reviewed in the spirit of the assurance made by the Minister in regard to pending charge-sheets. It goes without saying that no fresh charge-sheets should be issued in connection with legitimate trade union activities or peaceful activities connected with the agitations of May-August, 1973."

“सरकार जो आश्वासन देती है, उन्हें पूरा करती है।”
“The Government fulfils whatever assurances it gives.”

—Railway Minister, Shri Lalit Narayan Mishra,
in a Radio Broadcast on December 19, 1973

"I fail to understand the reasons for such a step on their part and can only say that the public must rise against such anti-national actions, which are almost holding the country to ransom."

—Shri Lalit Narayan Mishra,
Railway Minister, commenting
on the Locomen's threat to go
on strike again.