

Indian Labour Journal

no 2.

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in the cotton prices; but they did not give any response. The struggle, therefore, has no chance of being ended soon.

The position of the workers is becoming serious every day. The pinch of hunger has begun to feel more acutely than ever; but with every such pinch their determination and not to submit to the dictates of their masters is increasing. There does not seem to be the slightest desire on the part of the operatives to resume work; they are holding out under the most adverse circumstances.

The Committee of Assistance have during this week considerably increased its relief activities. Nine centres have now been opened in different localities of the mill area and relief is given to the needy persons after making enquiries. As the starvation has now increased corn is being distributed on a large scale. The Committee is also helping the workers to go out of Bombay.

The Committee greatly acknowledge the most valuable help it has so far received from the British and the International Trade Union Movements; and it is mainly with the help of their contributions that the relief work is being increased every day. The British Trades Union Congress has cabled £150-0-0 another. The International Federation of Trade Unions, Amsterdam, has sent by cable £325-0-0 in two

instalments. Owing to the increasing distress of the people here, the Committee has requested these two organisations to send more help. Mr. Thomas Shaw, Secretary of the international Textile Workers' Federation, has just despatched £160-0-0 which may be available to the Committee very shortly. In the City of Bombay the Local Labour Organisation Fund Committee has sanctioned Rs. 2000-0-9 for the relief and the contribution will reach the Committee next week. Attempts are also made to collect contributions in Bombay with the help of selling tickets of Rs. 10/-, 5/- and Re. 1, and also in other directions.

Mr. Thomas Johnstone, Labour M. P. for Dundee and Mr. Sime, Secretary of the Jute and Flex Employees' Union in Scotland, arrived in Bombay during this week. They met the Committee of Assistance and secured all the information about the present Labour crisis. They also went round the mill area and personally saw the strike situation and the extent of distress of the workers. Mr. Johnstone realised the necessity of more contributions for the relief work and immediately sent a cable to "Daily Herald" London, describing the harrowing tale of woe and miseries of the Bombay workers and appealing to the organised labour in Britain to send donations to Bombay.

From BRANCH SECRETARY,  
B. N. RY. INDIAN LABOUR UNION  
To  
THE GENERAL SECRETARY,  
EXECUTIVE (Central) COUNCIL,  
KHARGPUR.

### Subject Re: Free Pass Rules.

I beg to reproduce below the recent Gazette Notification issued by this Railway on the question of restriction of issue of Free Passes to family members, which is causing great inconvenience and expenditure for the employees.

GAZETTE NOTIFICATION No. 157  
DATED 2nd AUGUST 1924.

"The following is reproduced for the information of the staff. The necessary addendum to the Free Pass Rules is being issued.

1. "When a pass is issued for the employee, his wife and children no limit of number need be observed but where dependent family members other than wife and children are included in a pass the total number allowable must not exceed five (exclusive of servants)".

2. "Passes by Mail may be issued following cases only:—

- (a) Employees drawing Rs. 400 and over.
- (b) Employees drawing less than Rs. 40 and above Rs. 109 when travelling 60 miles and upwards
- (c) In case of men sent on urgent duty.

Inter and III class Privilege passes may not be issued by mail.

Heads of Departments and Medical Officers are however empowered to issue Mail Passes irrespective of class and pay on authenticated medical grounds only, but such passes should not be allowed for more than the employee, his wife and two children".

(Agent's No. 16572 dated 24th July 1924)

(Chief Auditor's No. BCH 2250/24/37/5262 dated 28th July 1924)

GAZETTE NOTIFICATION No. 351  
DATED 20-6-1925.

"Interchange of privilege ticket orders over Railways.

Attention is drawn to para 4 (c) and correction slip No. 1 dated 3rd April 1925 to para 2 (b), (v) Appendix A, 1 of conference Regulations part II for 1925-26 which are produced below.

Para 4 (c) children of three years are under free. The age and sex of all children must be entered on the privilege ticket order.

Amend the rule 2 (b), (v) to read as under correction slip No. 1 dated 3rd April 1925. (v) Not more than two of the following dependent relatives:—

Mother, if a widow.

Sister (including step sisters unmarried or widows.

Brother (including step brother) under 18 years who are residing with and wholly dependent on the employee"

Until the revised forms of P. T. O's are supplied by the Audit Office the present stock must be used. Officers before issuing P. T. O's will please see that the application side of the P. T. O. form is duly filled in.

(Chief Auditor's No. BCH. 2250/25/42 dated 11-6-1925).

(2) As regards Gazette Notification No. 157 say if an employee possesses unfortunately mother dependent old father both aged about 8 years and five or more children below 7 years has to travel from the place where he is working to his native place, it is quite natural that he will have to take all these family members with him and this restriction imposes hard restriction on him.

Secondly under the Indian social customs and the present economical conditions, the family members and the children of an employee are supposed to be dependent on in a joint family on the earning employee. Thus it is clear that this rule effects severely to the social and economical conditions of an employee.

As regards Gazette Notification standing order No. 351 dated 20-6-25 Re. Interchange of privilege ticket orders on the Railway P. T. O's are disallowed for dependent mother if she is not a widow. It must be the understanding of the framers of this new rule that if the mother is not a widow, she is maintained by her husband. It is quite alright so far as the husband i. e. the father of the employee if he is an earning member or rich man possessing good property allowing him an income to maintain himself and his wife. If the case is reverse i. e. the father of an employee is not an earning member and old above 55 years of age and if he has no property to live upon himself and his wife, naturally both the father and mother are to depend on the maintainance of his son or sons.

Under the latter condition, how to meet this extra expenditure on P. T. O's for father and mother by an employ in these hard days. You will be

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a census is taken on the Railways more than 50% of Indian employees shall come under the latter destitute condition.

As an instance I shall give you a case of a workman by name Sayed Kzreem, Fitter T. No. 2936 of Khargpur Workshops applied for a P. T. O. for dependent mother on 27-3-25. The man has got an old dependent father aged about 100 years without any property of his own and thus both father and

mother are dependent on the applicant. This man has been replied that P. T. O. passes for dependent mother when father is alive are inadmissible as per Gazette Notification No. 351 d/20-6-25.

Under the circumstances explained above I urge upon you to take strong action so as to alleviate the grievances of the staff under the above rules and let me hear.

(Sd.) W. V. R. NAIDU,  
Branch Secretary.

THE GENERAL SECRETARY,  
B. N. RY. INDIAN LABOUR UNION.  
TO  
THE STATION MASTERS  
B. N. RY. STATIONS.

### Subject Labour Journal!

Perhaps you are aware that a Labour Journal issued by the Executive (Central) Council of the B. N. Ry. Indian Labour Union, Khargpur is serving you from October 1923 with all its humble efforts in representing various kinds of complaints and grievances of the staff to the Railway administration and thus endeavouring to alleviate the same to the best possible manner at its command so as to get

This Journal has so far been conducted at the expense of the Union since it has not drawn the required number of subscribers to be a self supporting one and therefore a majority of the staff have remained immune from gaining the advantages thereof. Nay most of them even do not know the existence of such an organ in the Union whereby they can communicate their grievances so far unheard of to the higher authorities.

The further prosecution and printing of this important Journal has come of such a stage that unless the English literate section of the staff on the line would extend their helping hand by subscribing to its publication it would not be possible to show a good progress in that respect in the near future.

The Central Council has therefore decided to appeal to almost all our comrades to come forward with their support without which its continuity is apprehended.

Dear Comrades it is not a very difficult problem to solve since where there is a will there is a way. If you only part with a very small moiety of your station handlings (contingencies) and subscribe to the Journal by paying Rs. 2-4-0 on account of its yearly subscription or order us to send the Journal by V. P. P. the condition of the Labour official organ will undoubtedly much improve and we should then be able to make the paper as attractive and serviceable as possible. So long, the Journal was sent by ordinary post, it was received by many and when it was sent per V. P. P. after due warnings for financial reasons already mentioned above, some of our friends returned the Journal sent by V. P. P. in the hope that they will patronize it and release the parcel. This practice put the Union which is your own, to great loss in the shape of postal stamps affixed, for which we are sorry and trust that gentlemen who have refused V. P. P's. will kindly recall them by writing to the undersigned at a very early date.

No doubt there are on occasions irregularities in despatching due to

various unavoidable causes viz. change of addresses of the subscribers which are not intimated to this office, want of appreciable material for printing etc. To obviate this it is requested that no sooner than there is a change in address on account of transfer or leave the General Secretary, Indian Labour Union, Khargpur should be promptly advised in order to direct the Journal correctly and by the by it is desirable that the staff will from time to time assist by sending some useful matter interesting to all the low and high class of employees of the Railway addressed to the undersigned. Of course the names etc. of such correspondents will be kept confidential.

Representations on appeals against varieties of punishments inflicted on the staff by their authorities and results thereof are published monthly in the Journal and it brings to your hand fresh news on the working of the Union for your benefit and prosperity. Subjects of 12 hours duty and its consequences, staff not getting due leave and passes etc. are from time to time published in the Journal and many a subject concerned with the working of the station and other staff find place therein to serve as a guide to the future course adopted to their daily business and as such it is really interesting to obtain and watch the progress of the Journal.

In conclusion I fervently hope that immediately on receipt of this appeal you will be pleased to patronize the cause which is your own and enlist yourself as a subscriber if you have not already done so by remitting to the undersigned Rs. 2-4-0 only by money order and the gentlemen who have stopped taking the Journal by refusing V. P. P's. may kindly advise us to redirect the Journal to them.

Complaints regarding non-delivery of Journals if brought to the notice of the undersigned prompt and best attention will be paid to such and any improvements suggested carried out as promptly as far as practicable.

Thanking in anticipation and hoping a prompt and sympathetic response.

P. RAMACHANDRA RAO,  
General Secretary.

### Improvement to Staff quarters Nos. 3 & 4 types.

Letter No. S/4/521 dated 23-10-25 from the General Secretary,  
B. N. Ry., Indian Labour Union, Khargpur to the  
Chief Engineer, B. N. Ry., Kildaspore.

YOUR No 35219 dated 13-10-1925.

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With reference to your above, I beg to inform you that the extension of the front and back verandahs and the roofing in line with the room and kitchen of type No. 3 and of providing jaffrey with shutter doors in the back of type No. 4 and also a tin sheet lean to the jaffrey door are very essential for the ordinary requirements and safety of the above quarter and there-

fore I shall be obliged by your kindly obtaining administrative sanction of the agent for these additions and alteration also.

The Union is grateful for your recommending jaffrey doors in the front verandah and providing new windows and increasing the size of the existing windows.

Letter No. 35219 dated 13-10-1925 from the Chief Engineer,  
B. N. Ry. Calcutta to the General Secretary, B. N. Ry.  
Indian Labour Union, Khargpur

### ALTERATIONS & IMPROVEMENTS TO TYPES OF QUARTERS Nos. 3 & 4 AT KHARGPUR.

—:O:—

With reference to your letter No. 31473 dated the 26th August 1925, I beg to state that estimates for carrying out the following alterations and improvements to types of quarters Nos. 3 & 4 at Khargpur have been submitted to the Agent for sanction.

1. Providing Jaffrey doors in front verandah
2. Providing new windows and increasing the size of existing windows

### INDIAN LABOUR ORGANISATION

—:O:—

Mr. C. F. Andrews, President of the All-India Trade Union Congress, has contributed the following article to the first number of the *B. & N. W. Ry. Men's Gazette*:—

When the All-India Trades Union Congress Movement began, more than four years ago, I held aloof. Though I had been very deeply interested in Trade Unionism all my life; yet at that particular time Mahatma Gandhi convinced me that the hour had not yet come for an All-India Trade Union Congress. Therefore, when the move-

ment began, I did not go down to Bombay to take part in it. The subject of labour emigration abroad absorbed all my active attention.

Mahatma Gandhi's argument was this: "I know", he said to me, "how little we have been able to accomplish in the way of organisation at Ahmedabad where I have directed the textile labour Union for many years. Even there, we are not yet ready to join an All-India organisation; and yet we are one of the most advanced Trade Unions in the country".

I was shaken out of that position by what happened at Geneva and Washington after the Peace Treaty. It became clear to me that, for international relations, a Trades Union Congress, representing All-India, was necessary. Labour had suddenly become a world issue and international decisions had immediately to be taken. The labour problem of India could only be solved by international action. It would not be too much to say that more has been done in the last three years to improve the conditions of labour in India than had been done in fifty years before.

This world factor had already come to my notice during the strike at the Buckingham and Carnatic Mills, in Madras, some years ago. When I urged upon a sympathetic management the necessity of shortening the hours of work, I was told that this would be impossible, from a business point of view, except under an international agreement. That international action has now been taken and things have advanced one step further forward. The same is the case in India with Employers' Liability, Maternity Benefit, women and child labour, and many other issues. It has been vitally necessary that Indian Labour should be internationally represented in all these large and important subjects.

Indeed, it would have been a fatal mistake, in the educational training of Industrial Labour in India, if there had been no means whereby these great issues could be discussed and voted on and representatives directly chosen by labour itself. The All-India Trades Union Congress has formed such means, and I have now come fully to recognise that its value may be very great indeed both in international and domestic affairs.

Yet, at the same time, it has to be acknowledged that Mahatma Gandhi's warnings were not without justification. The Trades Union Congress movement, thus prematurely started in India, under specially urgent conditions, has had hitherto precarious existence. At Calcutta, in 1924, it seemed destined to split into parties. This would have been quite a fatal event at such an early state, when united representation was absolutely essential. But the fact, that it has survived this period and come out of it with a united front, appears to me to show that there is a vital growth within it. It is not now a question of propping it up artificially from without. The development of the whole movement during the year 1925 has been quite phenomenal. It has also been in certain respects sound and healthy.

A single fact is likely to show best the strength of the movement to-day. An Executive meeting had to be called at Nagpur on June 6th. It was impossible to make any arrangements to meet the heavy expenses of the journey. All except two of the members (resident at Nagpur) had to come very long distances by train. Yet out of forty members twenty-six were present, that is to say, more than double the number needed for a quorum. The terrible heat of the Central Provinces in midsummer and the cost and inconvenience had not kept the members from doing their duty. What was still more encouraging, was the thoroughly business like way in which the agenda were carried through and a heavy and important programme completed. Every one stayed to the end and every one felt the success that had been achieved. Compared with one year, or two years ago, such a growth in unity, efficiency and enthusiasm is truly remarkable.

But there are outstanding questions of the gravest importance which urgently need attention. One of these is the abstention of practically all the State services from the Trade Union Congress movement. The Government of India is the employer of nearly one half, the industrial labour of India. The railway system is rapidly coming back under Government control. State

electrical development is not unlikely to follow. Posts and telegraphs form a very large industrial section. Government clerks also are everywhere numerous. Out of 185 Trades Unions, already started in India, more than 90 belong to the Government services. Yet under the present regulations of the Central Executive of India, these different Unions, forming one half of the whole number, appear to be disallowed from joining the Trades Union Congress. The chief factor which prevents them from taking part, is the fear of political complications. But it should not be impossible to find a *via media* by which they could engage in labour issues only, while avoiding those of Politics.

### N. W. Rly Strike.

—:O:—

Mr. Mukunda Lall Sircar, the General Secretary of the All-India Railwaymen's Unions Federation, Calcutta writes:—

In the Autumn Session of the Legislative Assembly numerous questions were asked by the Honourable Members in connection with the N. W. R. Strike but to almost all of them evasive and unsatisfactory replies were given. We really fail to understand why the Government fight shy to investigate

the causes of the N. W. Railway strike and bring the whole matter in this respect to light, so that the public may judge about the justification or otherwise of the strike. If there was no justification at all for the strike, the Government could have easily declared it with facts in support of their view after thoroughly going into the causes of and matters contributory to the strike instead of making a sweeping observation. We quote below the opinion of the Indian Railway Gazette in this connection, as expressed in its issue of August, 1925 which is amply illuminating and needs no further comments.

The Indian Railway Gazette says,—“The North Western Railway strike which began at the end of last March terminated on the 18th June, having lasted close on three months. We have reserved comment on this matter till opportunity for closer information became available. The fact that they would support the Railway administration and “would refuse to agree to the Board of conciliation or to any negotiations with the strikers or their leaders”. The statements above, given in inverted commas, are taken from the London *Times*’ Lahore correspondent in a cable dated collapse of the strike was due mainly to the expansion of the bazar credits of the strikers. It may be recalled that a *communiqué* was issued by

Government shortly before the end of the strike, in which the Government made it clear 18th June, and appearing in the *Times* of that date. The management of this strike by the N.W. Railway is an excellent example of the inability of the N. W. Railway authorities to understand their position as controllers of a large labour force. Viewed from a labour aspect it represents a distressing example of the brutal temporary triumph of Capitalism over labour. The Government *communiqué* with its blank refusal to interfere in any shape or form, indicates clearly the divorce between the people and the Government. At home things are done differently. Public opinion would not tolerate for a day the conduct such as that manifested by the Government and the N.W. Railway. We take up this line of hostility towards the N. W. Railway and the Government not only because their conduct in the whole matter has been unfair and unjust to Labour but also because it is only a matter of time before the N. W. Railway will once again be the scene of a further strike. We are growing weary of reiterating the fundamentals of modern Labour control, viz., that if the cause of discontent is not examined and rectified it is only a matter of time before there will be a recrudescence of the trouble. And do the Railway authorities suppose that the many strikers who returned, after

hunger had forced them and their families, will not have had the iron enter into their souls. And from men smarting under a grievance and a defeat do they expect loyal work and *esprit-de-corpse*? Rather expect the sun to shine as the moon than men thus circumstanced having any other feelings than bitter hostility and revenge.

There is only one line of policy which the N. W. Railway can now pursue and that is an impartial investigation into the cause of the trouble. If they are of opinion that there was no justification whatsoever for the strike, and we fear

that feeling is held by many, then it will not be long ere once again the N. W. Railway will be engaged in a fierce struggle with its labour; the public put to inconvenience and loss and all because those in authority do not understand the elementary rudiments of the handling of labour problems. In private enterprises, where the Managers are unable to handle their labour, they are dismissed and more suitable people appointed, and now that efforts are being made to run our Railways on business lines the adoption of this business principle has everything to commend it.

### NOTES & NEWS Bombay Mill Strike.

A complete deadlock has set in in the Bombay textile industry. Consequent of the cut in the wages of the mill operatives a lakh and fifty-six thousand workers have gone on strike. Of the 82 textile mills in the town and suburbs of Bombay, only 6 are working, with depleted staff.

Thirty-seven members of the Legislative Assembly headed by Pundit Motilal Nehru had issued a statement on the situation. They have urged upon the millowners to make immediate arrangements for a conference and have offered their mediation.

The Committee of the Bombay Mill-owners' Association considered the above offer of the Assembly members and assured them that the Association would give them any information they required.

The All India Trade Union Congress representing Bombay textile workers, have appointed Messrs N.M. Joshi, D. Chamanlal and Devaki Prosad Sinha as their representatives for the purpose of negotiating with the millowners, that will be initiated by the Assembly members.

The Usar Textile Workers' Union, Moscow, (Russia) has sent 10,000 roubles to the Secretary, All India Trade Union Congress as help to Bombay strikers.

The British Trade Union Congress, have sent £342 to the All India Trade Union Congress, towards helping the strikers of the N. W. Railway.

The consideration of the Trade Union Bill, which emerged from the Select Committee, of the Indian Legislature has been postponed till the Delhi session of the Assembly, during the winter.

Mr. Chamanlal, M.L.A., in a statement regarding the negotiations carried on by members of the Assembly and the millowners observed that the negotiations, could not be completed owing to the fact that "no tangible proposition could be agreed upon."

Cr. Rev. P. No. 4/25 IN ICHAPUR GOLANTRA COLLISION CASE  
FILE BY THE RAILWAY POLICE.

In the Court of District Magistrate, Ganjam.

Dated Chatrapore 19th September 1925.

Present:—A. M. A. C. GALLETI Esquire, I. C. S.,

In (1) Criminal Revision petition No. 4/25 and (2) Further proceedings against E. L. Narayana to show cause why he should not be prosecuted.

IN (1) PETITIONER:—The Superintendant, Government Railway Police, Madras.

COUNTER-PETITIONER:—M. E. Sarangpani, late Assistant Station Master Ichapore Station.

### Order.

The following are four stations on the Calcutta Madras line.—

| MILE. |     |     | STATION.    |
|-------|-----|-----|-------------|
| 375   | ... | ... | Berhampore. |
| 381   | ... | ... | Golantra.   |
| 390   | ... | ... | Ichapur,    |
| 397   | ... | ... | Jhadupudi   |

Goods trains 206 up and 203 down cross at one of these stations usually at Ichapur, shortly after mid-night. On 8-10-24 206 started from Berhampur late about 2-12, passed Golantra about 2-35 and collided with 203 about five miles from Golantra and 3½ from Ichapur 203 arrived at Ichapur about 2.00 waited there 40 minutes. started at 2-40 and collided with 206.

2. No collision would have occurred if Golantra had stopped 206 until 203 arrived or if Ichapur had stopped 203 until 206 arrived.

3. By Golantra I mean M. L. Narayana, Assistant Station Master Golantra P. W. 2 in Lower Court, on duty, or person who did or neglected his duty for him on 8-10-24, 9-10-24 night. By Ichapur I mean M. E. Sarangpani late Assistant Station Master, Ichapur, accused in the Lower Court, on duty, or person who did or neglected his duty for him on 8-10-24, 9-10-24 night.

4. The prosecution case in the Lower Court was that Golantra obtained line clear for 206 from Ichapur at 2.10 to 2.15 but Ichapur nevertheless started 203 at 2-40. This is incredible unless Ichapur was drunk or mad or Ichapur was a different person at 2.40 from the person at 2.15 and the person at 2.15 had omitted to note his answer that line was clear. The prosecution case was that M. E. Sarangpani personally gave line clear to 206 and then prepared the line clear ticket for 203. This is in-

credible unless it is assumed that M. E. Sarangpani left instructions that 203 should not start till 206 arrived, and went away and his instruction were not understood.

5. The Lower Court threw out the case declaring itself unable to decide whether Golantra gave line clear to 203 and failed to get line clear for 206 or Ichapur gave line clear to 206 and failed to get line clear for 203.

6. Either theory is equally incredible unless it is assumed that Ichapur or as the cause may be Golantra were different persons at different times in that fatal half hour, and the first person went away leaving instructions which were misunderstood. If M. E. Sarangpani and E. L. Narayana had communicated on the telephone as they both pretend they did, between 2.10 and 2.15, Narayana would have heard that 203 was at Ichapur and Sarangpani would have heard that 206 had started on its way from Berhampore and a crossing arrangement would have been made and there would have been no collision.

7. It is assumed as a certain assumption that either Golantra must have got line clear for 206 or Ichapur must have got line clear for 203. It appears to be not only a certain assumption but quite unlikely. It seems far more likely that no message got through at all.

8. Ichapur attempts to prove his message by his book. So does Golantra.

Ichapur attempts to disprove Golantra's message by its omission from his book. So does Golantra try to disprove Ichapur's message.

9. The prosecution believed Golantra, not Ichapur, because Ichapur entered a wrong Golantra private number. Curiously enough Golantra entered a wrong Ichapur private number. The Ichapur number is a Golantra number, but the wrong one. The Golantra number is an Ichapur number but the wrong one. If Ichapur forged its line clear message, as proved by the wrong Golantra number, then Golantra forged its line clear message as proved by the wrong Ichapur number: and both messages are forged and neither station got line clear.

10. The only difference is that we can see how Ichapur got a genuine Golantra number, though not the right one; for the number (67) had been communicated to him by Golantra for a previous train; but we cannot see how Golantra got hold of a genuine Ichapur number (32), though not the right one; though he may have done so by means we cannot trace.

11. We are on firm grounds about these numbers. Every thing else may be a forgery but 67 & 32 are entered on the line clear tickets given to the train staff and found on the scene of the collision. Golantra gave the train staff Ichapur number 32 and Ichapur gave

Golantra number 67. They are both numbers of 8-10-24 and not of 9-10-24. If Ichapur or Golantra had really given one another numbers at 2.10 to 2.15 on 9-10-24 they would not or ought not, to have given numbers of the previous day. But if Ichapur forged, he would naturally use Golantra 67 which he had received.

12. Golantra in his evidence says he could not have given Ichapur 67 for train 203 because he had already used it for 201. This I can prove to be a worthless argument, because from the Berhampore Up Enquiry Book I find Golantra communicated 67 to Berhampore for train 204 up on 8-10-24. He therefore used 67 twice in one day (for 201 & 204) and might have used it three times for 203 as well)

13. I cannot say the wrong number 67 proves Ichapur's guilt; still less can I say that the wrong number 32 proves Golantra's guilt because I cannot say where Golantra got hold of a genuine Ichapur number; whereas I can say where Ichapur got hold of a genuine Golantra number 67 i.e., either (1) from Golantra's message about train 201 or (2) from the train staff of train 204.

14. But the fact remain;

- (1) Both gave line clear tickets to train staff;
- (2) Both these line clear tickets bear incorrect private numbers.

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Ichapur and 4 from Golantra. It occurred nearer Ichapur than Golantra. It is not true that the up reply book of Ichapur is missing. It is Exhibit V. It is not true that the down reply book of Ichapur (messages from Jhadupudi) ought to contain entries corresponding to those in the Golantra enquiry book. I mention these last mistakes in connection with the Lower Court's suggestions that the Railway authorities did not secure the books and that the accused relative, Traffic Inspector, suppressed them. The Ichapur down reply book, which is missing, would not contain line clear message. Golantra about 206 unless by strange accident Ichapur had it there by mistake instead of in reply book. I do not think these books would throw any light on the collision. There is evidence that the Traffic Inspector Naidu, suppressed anything to believe that there was any suppression. The re-election of Traffic Inspector by the lower court is unjustified by any evidence.

(Sd.) A. M. A. C.  
DISTRICT JUDGE

### NOTICE

#### ANNUAL GENERAL MEETING OF THE B. N. RAILWAY INDIAN LABOUR UNION DEATH BENEFIT FUND

The Annual General Meeting of the B. N. Ry., Indian Labour Union Death Benefit Fund will be held at Chikradharpur on Sunday December 1925 at 3 P. M., in the Indian Institute Hall. All members of the Death Benefit Fund are earnestly requested to attend.

### AGENDA.

1. To confirm the proceedings of the last General or extra general meetings, if any.
  2. To receive and adopt the Annual report and accounts.
  3. To elect Executive Committee and one Auditor.
  4. To consider resolutions, and additions or alterations to the rules for which due notice may be sent by any member of the Death Benefit Fund to the President (V. V. Giri Esq., Bar-at-Law, at Berhampore, Ganjam District B. N. Ry.)
  5. Any other business appearing on the agenda.
- N.B.—The Annual Report has not been received and the same therefore could not be published. Members who still desire to see the resolutions may do so immediately.

V. V. GIRI,  
President, Indian Labour Union, D. B. F. 16th Nov. 25.

Both men pretend they got line clear messages but in both cases the message is wanting at the other side.

The natural conclusion is that there is no line clear message from Golantra and both parties are guilty of running on their trains without asking for line clear. There is evidence that Sarangpani was not at the station from 2.10 to 2.40 and it is alleged that he forged the line clear message and wrote out the line clear message before leaving the station; Golantra tried to get into collision with Ichapur and failed because the crossing would be at 2.26 go on without getting line clear. Then Sarangpani's guilt is greater than E. L. Narayana's but they would both be

The most probable hypothesis is that there was no communication between E. Sarangpani and E. L. Narayana; they are guilty; and both forged line clear messages. E. L. Narayana's message has another indication, besides the wrong number, of a hastily concocted forgery. In the message out he gives the previous train, down mail's arrival at Golantra as 23.48 (looks more like 23.14) and in the line clear message pretends he received as 0.07 at Golantra. The down mail gets to Ichapur before it gets to Golantra. So one of the timings given in the messages is obviously wrong. The real Mail timings

according to the Jhadupudi, Ichapur and Berhampore books were Ichapur arrival 23.13 (10 minutes stop), Golantra 23.48. These were also the schedule timings. If E. L. Narayana really wrote down the message out when sending it at 2.10 and the message in when receiving it at 2.15 he could hardly have made this mistake. He seems while fabricating these messages in a hurry, to have added on 19 minutes, the assumed time required for the Mail to go 8½ miles, to 23.48 instead of subtracting it or to have entered 0.07, being the Berhampore arrival time, in a message which he forgot for a moment while he was forging it, was supposed to be coming from Ichapur. I see reason to believe that Golantra's clear line messages are as much a forgery as Ichapur's.

17. But a hypothesis however probable is only a hypothesis and reasons to believe, however good, are not positive proof and though the facts warrant, in my opinion, very strong suspicion of both men, the proof required by a court of law is wanting because the evidence of the Golantra suspect cannot be believed against the Ichapur suspect and vice versa. I therefore believing prosecutions would be infructuous, will not order further enquiry into the case against M. E. Sarangpani; nor order proceedings to be taken both against Sarangpani and Narayana.

18. The Lower Court has stated some of the facts. It is clear that the collision occurred