

in actual practice, or that the pay of Railway officers is not reasonable for the services they actually perform. Railway officers enjoy many privileges of considerable monetary value which the Postal officers have not. The two services are entirely dissimilar, and it is not therefore practicable to make a proper comparison. The comparisons in Schedules B and C are certainly inaccurate and misleading.

(10.) It is, in my opinion, most regrettable that the petitioner should endeavour to disparage and belittle the duties performed by the Postal officers by endeavouring to make an invidious comparison. The duties of both the Railway and Postal Departments are of the highest importance to all sections of the community, and the responsibilities of each Department, so far as the general working of same is concerned, are equal. The officers of each Department are trained for the special work they are called upon to perform, and the Railway Department provides all the machinery and instructions that are necessary for ensuring the safety of its operations. All that Railway officers have to do is to comply with these. The tenure of office in the Railway service is just as secure as it is in the Postal or any other Government Department; it merely requires good conduct and efficient work.

(11.) The travelling-allowances paid under the regulations are amply sufficient to compensate relieving officers, and this is fully recognized by the members of the staff, who are invariably most anxious to obtain such positions, and who, generally speaking, are reluctant to relinquish same when they are required so to do. I deprecate the fact that the petitioner in this matter introduces comparisons as between the Postal and Railway Departments. The Railway Department is not concerned in the administration of the Postal Department. The duty of the Railway Department when fixing payments is to consider the financial effect the proposals will have on the operations of the Department, and, while providing reasonably for its staff, to conserve the interests of the taxpayer, who ultimately has to bear all deficiencies on operating the Department.

(12.) The original practice followed by the Department was to grant leave of absence for a certain period annually on full pay, but wherever members were absent at other times a corresponding deduction was made from the period of annual leave, or the member concerned lost his pay. Subsequently, as a concession to the members of the staff, provision was made to pay them up to four weeks when off duty sick, the Department reserving to itself the right to deduct the term from annual leave. This right was not exercised for some considerable time, but ultimately the Department was forced into the position it has taken up owing to the backward position into which the annual leave of members drifted through the continued absence of a large number of members on sick-leave. This not only involved the Department in very heavy expenditure, but resulted in dissatisfaction to those members of the staff who could not get away on their annual leave at due date. The annual leave got greatly in arrears, and the Railway Officers' Institute complained very strongly in respect thereto. Warnings were ineffective to check the abuse of the sick-leave regulation, and the Department, in the interests of the staff and its own finances, was finally compelled to bring into operation the regulation now existing, and to count against annual leave all periods of sick-leave. The result has amply justified the action of the Department. Regulation 55 deals with leave and the deductions to be made therefrom. Regulation 56 merely gives the head of the Department authority to pay a member off duty sick for any time up to four weeks. It is merely a machinery clause subsidiary to Regulation 55, which is the governing regulation so far as the deduction of sick-leave is concerned.

(13.) I do not agree in the contention that the duties of Railway officers are more exacting than those of officers in the Post and Telegraph Department. The duties of the latter cannot be judged from the Railway standpoint, and a wider knowledge of the subject would enable the petitioner to arrive at a more accurate conclusion. I have already pointed out that the conditions of the two Departments are not analogous, and the petitioner entirely overlooks the fact that Railway officers are by virtue of their occupation enjoying considerable benefits that Postal officers do not participate in at all. So far as leave of absence is concerned, the Railway Department's officers obtain free passes for themselves, their wives and families, while on leave. Postal officers, on the contrary, have to pay for whatever travel they desire to do. The leave granted under the Railway Regulations is reasonable, and must be considered in connection with the financial position of the Department. So far as the Postal Department is concerned, those officers who work on statutory holidays are allowed time off and are not allowed to add the period to their annual leave. The time off must be taken at the earliest convenient time to suit the Postal Department. The schedule makes it clear that Postal officers with fifteen years' service obtain leave for twenty-eight days. Twenty-one working-days only are allowed such officers, and it is impossible under the Postal Regulations for any officer to obtain the seven statutory holidays at the same time as he is granted his twenty-one days' leave. The same remark applies to Postal officers with less than fifteen years' service. The petitioner carefully refrains from making any reference whatever to the large number of cases that occur in the Railway service in which officers off duty through sickness receive full pay for periods extending up to six months.

(14.) Officers are required to go on duty to attend train services run to meet the exigencies of the public service. In this respect the position of Railway officers is not singular. Where Sunday duty is performed under special circumstances and it is considered to be necessary by the Department, the officers concerned are paid for same. Where, however, an officer is merely finishing up his week's work under conditions prevailing on suburban lines, for instance, where trains despatched on Saturday nights return after midnight on Saturday, no pay is allowed. It is not considered necessary for officers to come on duty to prepare accounts on Sundays, and payment for this service was stopped advisedly, because it was found that as a result of pay being granted in certain cases there was a tendency in a considerable number of other instances where the same conditions did not prevail for officers to come on duty on Sunday to perform work that could have been carried out on Saturday or on the following Monday.