

Second Series, No. 65

Saturday, May 9, 1959  
Vaisakha 19, 1881 (Saka)

# LOK SABHA DEBATES

Seventh Session  
(Second Lok Sabha)



सत्यमेव जयते

LOK SABHA SECRETARIAT  
New Delhi

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N.B.—The sign + marked above a name of a Member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

## LOK SABHA DEBATES

16023

### LOK SABHA

Saturday, May 9, 1959/Vaisakha 19,  
1881 (Saka)

*The Lok Sabha met at Eleven of  
the Clock.*

[MR SPEAKER in the Chair]

11 hrs

#### DEATH OF DR KESHAVLAL VITH- ALDAS THAKKAR

Mr. Speaker: I have to inform the House of the sad demise of Dr Keshavlal Vithaldas Thakkar, who passed away on the 4th May, 1959 at Bhavnagar at the age of 79

Dr Thakkar was a member of the Provisional Parliament in the years 1950-52

I am sure the House will join with me in conveying our condolences to the family of Dr Thakkar

The House may stand in silence for a minute to express its sorrow

*(The Members then stood in silence for a minute)*

11-02 hrs.

#### PAPERS LAID ON THE TABLE

##### NOTIFICATION UNDER THE COMPANIES ACT

The Deputy Minister of Labour (Shri Abid Ali): With your permis-

114 (A) LSD—1

16024

sion, on behalf of Shri Kanungo, I beg to lay on the Table, under subsection (3) of Section 641 of the Companies Act, 1956, a copy of Notification No GSR 521 dated the 2nd May, 1959 making certain alteration to the regulations contained in Table A of Schedule I to the Act [Placed in Library, See No LT-1443/59]

##### AMENDMENTS TO HIGH COURT JUDGES TRAVELLING ALLOWANCE RULES

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table, under subsection (3) of Section 24 of the High Court Judges (Conditions of Service) Act, 1954, a copy of Notification No GSR 48 dated the 17th January, 1959, making certain further amendments to the High Court Judges Travelling Allowance Rules, 1956 [Placed in Library, See No LT-1442/59]

##### STATEMENT re FORGED PASSPORTS

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): On 5th May there was a question in the Lok Sabha in respect of forged passports. There were a number of supplementaries also. The information we could give in reply appeared to be inadequate. Therefore, enquiries were made from the Chief Commissioner of Delhi and the police officers, Delhi, and a statement has been prepared which I seek your permission to lay on the Table of the House [Placed in Library, See No LT-1444/59]

Mr Speaker: I will circulate copies of this

**COMMITTEE ON GOVERNMENT ASSURANCES****MINUTES**

**Pandit Thakur Das Bhargava (Pillar):** I beg to lay on the Table the Minutes of the sittings (Eleventh, Twelfth and Thirteenth) of the Committee on Government Assurances held during the Seventh Session.

11.04 hrs.

**MESSAGES FROM RAJYA SABHA**

**Secretary:** Sir, I have to report the following messages received from the Secretary of Rajya Sabha:—

(1) "I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Wednesday, the 6th May, 1959, passed the enclosed motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the State Bank of India Act, 1955. The names of the members nominated by the Rajya Sabha to serve on the said Joint Committee are set out in the motion

**MOTION**

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the State Bank of India Act, 1955, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee:

1. Shri K. P. Madhavan Nair
2. Shri Tika Ram Paliwal
3. Shri Jaspat Roy Kapoor
4. Shrimati Pushpalata Das
5. Shri Jadavji Keshavji Modi
6. Dr. Anup Singh
7. Shri N. M. Lingam
8. Syed Mazhar Imam
9. Shri Jagannath Prasad Agrawal
10. Shri Niranjan Singh
11. Shri Perath Narayanan Nair
12. Shri Harihar Patel
13. Shri Mulka Govinda Reddy

14. Dr. P. J. Thomas
15. Dr. B. Gopala Reddy."

(2) "I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Wednesday, the 6th May, 1959, passed the enclosed motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to provide for the formation of certain Government or Government-associated banks as subsidiaries of the State Bank of India and for the constitution, management and control of the subsidiary banks so formed, and for matters connected therewith, or incidental thereto. The names of the members nominated by the Rajya Sabha to serve on the said Joint Committee are set out in the motion.

**MOTION**

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to provide for the formation of certain Government or Government-associated banks as subsidiaries of the State Bank of India and for the constitution, management and control of the subsidiary banks so formed, and for matters connected therewith, or incidental thereto, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee:—

1. Shri K. P. Madhavan Nair
2. Shri Tika Ram Paliwal
3. Shri Jaspat Roy Kapoor
4. Shrimati Pushpalata Das
5. Shri Jadavji Keshavji Modi
6. Dr. Anup Singh
7. Shri N. M. Lingam
8. Syed Mazhar Imam
9. Shri Jagannath Prasad Agrawal
10. Shri Niranjan Singh
11. Shri Perath Narayanan Nair
12. Shri Harihar Patel
13. Shri Mulka Govinda Reddy
14. Dr. P. J. Thomas
15. Dr. B. Gopala Reddy."

(3) "I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Wednesday, the 6th May, 1959, passed the enclosed motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Banking Companies Act, 1949. The names of the members nominated by the Rajya Sabha to serve on the said Joint Committee are set out in the motion

#### MOTION

That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Banking Companies Act, 1949, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee

- 1 Shri Tarkeshwar Pande
- 2 Shri P S Rajagopal Naidu
- 3 Shrimati Sharda Bhargava
- 4 Shri M Govinda Reddy
- 5 Shri Lavji Lakhamsji
- 6 Shri Mahesh Saran
- 7 Shri Trimbak Damodar Pustake
- 8 Shri Nawab Singh Chauhan
- 9 Shri V C Kesava Rao
- 10 Shri M D Tumpallwar
- 11 Dr Raj Bahadur Gour
- 12 Shri Rajendra Pratap Sinha
- 13 Shri Kamta Singh
- 14 Shri A Chakradhar
- 15 Dr B Gopala Reddi "

(4) "I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Friday, the 8th May, 1959 passed the enclosed motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Companies Act, 1956. The names of the members nominated by the

Rajya Sabha to serve on the said Joint Committee are set out in the motion

#### MOTION

That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Companies Act, 1956, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee —

- 1 Shri Khandubhai K Desai
- 2 Shri T S Avinashilingam Chettiar
- 3 Shri P D Humatsingka
- 4 Shri Babubhai M Chitambar
- 5 Shri J S Bisht
- 6 Dr R P Dube
- 7 Shri Akbar Ali Khan
- 8 Shri Awadheshwar Prasad Sinha
- 9 Shri P T Leuva
- 10 Shri M P Bhargava
- 11 Shri R S Doogar
- 12 Shri J V K Vallabharao
- 13 Shri H D Rajah
- 14 Shri V K Dhage
- 15 Shri Rohit M Dave "

(5) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Bengal Finance (Sales Tax) (Delhi Amendment) Bill 1959 which was passed by the Lok Sabha at its sitting held on the 1st May, 1959, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill "

(6) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok

[Secretary]

Sabha that the Rajya Sabha, at its sitting held on the 7th May, 1959, agreed without any amendment to the Displaced Persons (Compensation and Rehabilitation) Amendment Bill, 1959, which was passed by the Lok Sabha at its sitting held on the 4th May, 1959"

11 05 hrs.

## PUBLIC ACCOUNTS COMMITTEE

### EIGHTEENTH REPORT

Dr P. Subbarayan (Tiruchengode)  
I beg to present the Eighteenth Report of the Public Accounts Committee on the Appropriation Accounts (including Proforma Commercial Accounts) (Civil) 1955-56 and Audit Report, 1957

## CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

### ABNORMAL RISE IN PRICES OF SUGAR IN U P

Shri S M Banerjee (Kanpur)  
Under Rule 197, I beg to call the attention of the Minister of Food and Agriculture to the following matter of urgent public importance and I request that he may make a statement thereon

"The abnormal rise in the prices of sugar in Uttar Pradesh and the steps taken by Government in regard thereto"

Will you kindly allow us to put some questions because there were a number of adjournment motions and short notice questions on this?

Shri Braj Raj Singh (Firozabad)  
There were several adjournment motions

Mr. Speaker: I have received the short notice question also. If, how-

ever, there are one or two questions, I will allow

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas):  
Although the production of sugar this year is likely to be somewhat less than that of the last year, this year's production together with the carry-over from the last year is sufficient to meet the country's requirements of consumption during the current sugar year. Some unscrupulous persons, however, have been trying to create a scare in some towns of Uttar Pradesh particularly in Lucknow and Kanpur, which has led to a spurt in the prices. The retail prices in Lucknow and Kanpur have gone up by 10 to 20 per cent.

For some time it has been the policy of Government to increase the quantity of sugar to be sold through direct allocations by the Government and to correspondingly reduce the quantities to be sold by the mills, while the overall quantities allocated by the Government and sold by the mills remain at the old level. This has been done to control the market conditions and the allocations by the Government will be strengthened as need arises. It appears some persons have wrongly spread the rumour that the overall quota has been reduced. Thus the rise is totally unwarranted and is temporary. The Government of India have also advised the State Governments to license the wholesale dealers in sugar. Further, to counteract the rise, Government have released 5 000 tons of sugar for Kanpur, Lucknow, Allahabad, Agra and Varanasi during the last four days as against a release of about 3,500 tons during the whole of the month of April. Part of the sugar recently allocated is on the move and would soon be reaching the destinations. It is hoped that the sugar market in Uttar Pradesh will soon be under control.

Shri S M Banerjee: I want to know what action has been taken or is being taken against those who have created this situation. Secondly, has the hon.



Minister any information about the wholesale price per bag and retail price in Kanpur and Lucknow?

**Mr. Speaker:** The hon Minister, I suggest, may note down the various points that are raised and answer them once and for all

**Shri Tangamani (Madurai).** I would like to know the whole-sale and retail prices for last month and this month

**Mr. Speaker:** He says it has increased by 10 per cent

**Shri Tangamani.** He said 10 to 20 per cent retail

What was the stock available in these two cities, Lucknow and Kanpur, during the month of April as compared to March?

**Shri Braj Raj Singh.** May I know whether the mills are selling the sugar at the rate fixed by the Government to the wholesalers? Is it a fact that that some 30,000 tons of sugar less than the previous quarter was released for sale in UP? Is it a fact that certain people who are dealing in these activities have got complicity with certain officers, and the officers are not taking action against them?

श्री ब्रजराज राय (खेरी) जो टेडर डाइरेक्टर आफ शुगर के पास जाते हैं वे सब के सब मजूर नहीं होते हैं और इस में किसी के साथ खास रियायत की जाती है। कुछ लोगों के टेडर मजूर होते हैं कुछ के टेडर मजूर नहीं होते। और क्या डाइरेक्टर आफ शुगर न यह भी हुक्म दे दिया है कि जिन शहरो की आबादी एक लाख से कम है वहां के कोई टेडर मजूर न किये जायें ?

**Dr. Kam Subhag Singh (Sasaram).** What is the justification to keep controlled prices of sugar in UP and Bihar and not introduce the same system in other parts of the country?

**Shri Assar (Ratnagiri)** The price of sugar in Bombay has increased upto Rs 40 per maund when the price in UP is Rs 36 per maund. There is no control in Bombay. May I know what steps are Government going to take to decrease the price in Bombay?

**Pandit Thakur Das Bhargava (Hissar)** Five towns in the Punjab have been allowed to make tenders whereas in the rest of the Punjab, in cities and other places in rural areas the rates have risen too high and they are not allowed to tender. So that they are at the mercy of those who make purchases on account of tender or they go to the mills and pay the prices that they demand. According to the previous practice in vogue, merchants at several places had the right to tender. They got the sugar and they distributed it in the *mandas* and towns. Will the hon Minister clarify?

**Shri C. D. Pande (Naini Tal)** In view of the fact that there is enough sugar to meet the year's demand, why is there the necessity of having this tender system and restrictions on the trade, thereby leaving scope for a little corruption here and there with the directorate occasionally indulging in a little favouritism?

**Shri Bibhuti Mishra (Bagaha)** The price of sugar is fixed at Rs 36 per maund. If the price rises beyond that, do Government contemplate giving the benefit of the rise in the price to the cane growers?

सेठ बख्त सिंह (भागरा) जब कि हमारे देश में चीनी की पैदावार खर्चों से ज्यादा है तो कंट्रोल की क्या जरूरत है, क्योंकि कंट्रोल की वजह से जो नारमल भाव है उससे पाच-पाच सात-सात रुपये मन ज्यादा का भाव हो जाता है।

**Shri K. N. Pandey (Hata).** Is it a fact that some of the factories in UP and Bihar are selling their sugar at even less than Rs 36 per maund?

**Shri Braj Raj Singh:** I am told that the Cabinet Minister, Shri A. P. Jain, is here in Delhi. It is not proper that when such an important policy matter is being discussed in the House he should not be present here.

**Mr. Speaker:** What is the question of policy matter here? The object of having Deputy Ministers is to officiate in the absence of the Ministers.

**Shri A. M. Thomas:** It is proper that hon. Members are made aware of the control that we have got on the sugar market. We have no control on the retail side at all. The control we exercise is (1) by regulation of releases from the various factories, (2) by fixing ex-factory prices in certain areas, and (3) by reserving a certain percentage of the production for distribution strictly as per instructions issued by Government. These are the various methods by which we control.

In the nature of things—the hon. House knows—it would be very difficult to control the retail market. We cannot afford to have a far-flung organisation throughout the length and breadth of our country to have retail distribution of sugar, especially when we have not attempted it in the matter of foodgrains. When we were having foodgrain distribution, of course, we have controlled distribution of sugar also. But that is not possible now and I do not think any hon. Member would advocate that.

With regard to the spurt in prices, this question came up a few days back when Shri H. C. Heda asked a question. Has not this been partly due to the scare that has been raised because of rumours that there has been a considerable shortage in the production of sugar? I explained that there is not so much shortage as has been made out. The production of sugar in the current year is round about 19 lakh tons and thus, with the carry-over of the stock, will suffice to meet the consumption requirements of the entire country. Again, in the pre-monsoon period there is always some

spurt in price. During this period, as you know, there is considerable demand for sugar for manufacturing cold drinks and for various other purposes.

If we view the whole country, it is only in certain centres in U.P. that there has been this considerable rise; in other areas, there is no such rise. If you take Bombay, there has not been such rise as in the case of U.P. In U.P., the prices have gone up, according to the information that we have received, to about Rs. 1-2-0 per maund or something like that, in certain areas.

**Shri Khushwaqt Rai:** Rs. 1-4-0

**Shri S. M. Banerjee:** From As. 14 to Rs. 1-2-0

**Shri A. M. Thomas:** Even according to what newspaper reports indicated, it comes to Rs. 1-2-0 or something like that. We have been regulating the releases so that the markets may be adequately fed. On the 29th April, we released for free sale about 1,40,000 tons. We reserved 30,000 tons for distribution against tenders. One hon. Member asked whether all tenders are being accepted. It may not be possible to accept all tenders. Our strategy in this matter is to control prices specially in the larger cities. If as a matter of fact, those areas are adequately fed, naturally the prices would even out and the markets in the entire country would be controlled. That has been our object when we fixed control prices in U.P., North Bihar as well as Punjab. The major part of the production of our country is from these areas, and if the ex-factory prices are fixed in these places, naturally the other markets also will be controlled thereby. It will be seen that in other markets prices have not gone up.

**Pandit Thakur Das Bhargava** referred to the case in Punjab. He has spoken to me also about that some time before the House assembled. Of course, I will look into that. But

according to our information, prices have gone up mainly in Lucknow and Kanpur, that is, in U.P., and we have taken the necessary steps. We have made adequate releases. We have reserved more quantity to be distributed as against tenders. We hope that the phase will only be a temporary one and normal conditions will soon prevail.

I may also say something about the licensing procedure that we are going to adopt. The wholesale trade of sugar is going to be licensed, so that we will have better control. We can cancel licences. We can take action also.

**Shri S. M. Banerjee** raised the question as to what action we have taken. No cases have come to our notice to the effect that sugar mills have sold at more than the ex-factory prices, where the ex-factory prices have been fixed. So that it is not possible to take action. If any case is brought to our notice certainly we will take necessary action.

**Shri Bibhuti Mishra:** What will be the fate of the sugarcane growers? If the sugar price rises, do Government contemplate giving the benefit of the rise to the cane growers?

**Mr. Speaker:** We are not going into details now. We seem to be going away from one question to the other—the whole question of sugar production, sale, distribution, prices to be paid to the agriculturists. The whole thing is not now before the House.

**Shri Braj Raj Singh:** Last year during the off-season period, when we adjourned for three months for recess, the Government issued an Ordinance for the export of sugar. Since then, the sugar position has been going from bad to worse. I fear that within the next three months, when Parliament will not be in session, there may be a sugar famine in India. So I would request you

**Mr. Speaker:** Nobody will die of sugar starvation. I do not know for whom hon. Members are talking. Hon. Members are talking as if we are born

in sugar and will die in sugar. Every small matter becomes an important matter. I am not going to allow this. For whose benefit are these matters raised? I do not know. What if sugar is not available? We can take to pur and various other things. The same emphasis is laid on foodgrains, sugar, soap, toilets and cosmetics! I am afraid that cannot be allowed. (Interruptions) One hon. Member was suggesting why don't you introduce control all over the country? Another hon. Member asked the question when there is plenty of sugar, why do you have control? Control brings black-market along with it. Equally, absence of control makes people corner. In between what is it that the Government want to do? What is this control for? I expect an answer from the hon. Minister. What is the need to give licences? **Pandit Thakur Das Bhargava** asks why don't you give to others also.

**The Minister of Food and Agriculture (Shri A. P. Jain):** The position is that the Government is carefully watching the situation. Now, for the time being we have decided to license the wholesale dealers in U.P. and also in other States. We hope that as a result of this licensing, we shall be able to control the situation. It is always an assessment of the situation and anybody who deals with the matter has to take action according to the assessment. That is our assessment and we hope that the trouble will not continue for long.

**Mr. Speaker:** If there is no control what will happen? Formerly when we had controls when everybody concerned was for controls the late **Rafi Ahmed Kidwai** and **Rajagopalachari** joined and removed the controls. Here sugar is not such a thing that if it is not taken people will die of starvation. What is the need for control?

**Shri A. P. Jain:** The need for control is this. While there is sufficient sugar there is not an unlimited quantity of sugar and controls will discourage hoarding and will prevent it. Therefore, we have taken a midway line,

{Shri A. P. Jain}

that is, we are licensing the wholesale dealers.

Some Hon. Members rose—

Mr. Speaker: I have allowed a number of questions.

Shri K. N. Pandey: Sir, my question has not been replied to

Mr. Speaker: There is another hon. Member who also says that his question has not been answered

I would urge upon the hon. Minister this thing. Whenever they themselves come to know of such things, without waiting for questions of this kind they must make statements. The Members here are not only Members of Parliament but they represent lots of people outside who would also like to be satisfied as to why there is a spurt in the prices and what steps Government are taking in the matter

With great difficulty I allowed the adjournment motions in another form. But for that the hon. Minister would not have made a statement. I have insisted upon hon. Ministers who are in charge of certain things such as Defence, Air Services, Railways and so on to come to Parliament themselves and explain what has happened in cases where there is an accident or something of that sort. It is not only about accidents taking away life. These are matters of life and death when prices go up. Whenever there is an abnormal rise in prices, I expect the hon. Minister of Food to come before Parliament, without waiting for questions to be put, and explain what has happened, when the House is in session. But when the House is not in session he should issue statements as to why this has occurred and what steps Government are taking. Notwithstanding everything done by Government, it will remove a lot of misunderstanding about the actions of Government.

Shri A. P. Jain: What you have suggested is perfectly all right. But sometimes the difficulty arises because,

when we are contemplating certain action, if the line of action is made public, then, instead of producing the correct effect, it may produce the reverse effect.

We are also thinking upon certain lines; we are discussing with the State Governments and we may take action. But it is not always possible to make public the lines on which we propose to take action.

Mr. Speaker: Normally, the hon. Minister must have issued a notification. There is plenty of rice and plenty of sugar in the market. This is all artificially done by certain people.

Shri A. P. Jain: It has been done; that has appeared in the papers, not only in today's papers, but in the papers of a few days back also.

11.23 hrs.

#### STATEMENT RE EXTENSION OF EMPLOYEES' PROVIDENT FUND ACT

The Deputy Minister of Labour (Shri Abid Ali): Sir, yesterday, when a copy of the notification, regarding the number of workers in the motor transport industry covered by the Provident Fund scheme, was placed here, one hon. Member said that it covered only 5,000 workers while another hon. friend said that it covered 23,000 workers. The fact is that about 215 establishments in the private sector employing approximately 21,000 workers and about 83 establishments in the public sector, employing approximately 82,000 workers are likely to get the benefit of provident fund scheme.

Shri Narayanankutty Menon (Mukandapuram): The first notification was issued in February 1959 just on the eve of the meeting of the Budget session and the hon. Minister took about 3 months—just on the last day of the Budget session—to place that notification on the Table.

Shri Abid Ali: That was not particularly concerning this. It was of a miscellaneous nature. Our practice is that miscellaneous notifications are accumulated and placed when others are also placed. If hon. Members desire that these miscellaneous notifications should also be placed early I will do it.

Mr. Speaker: I will suggest to the hon. Minister that in all cases where notifications have to be placed on the Table of the House, they may be placed on the Table a week after their issue if the House is in session so that hon. Members may have an opportunity of seeing them.

11.25 hrs.

MOTION RE. EIGHTH REPORT OF  
U.P.S.C.—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri Datar on the 7th May, 1959, namely.

"That this House takes note of the Eighth Report of the Union Public Service Commission, laid on the Table of the Lok Sabha on the 24th November, 1958"

The time allowed is 4 hours and the time taken already is 8 minutes and the balance of time left is 3 hours and 52 minutes. Shri Datar

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, yesterday I made a reference to certain points. I would rather leave the other points to hon. Members to consider and debate upon.

Mr. Speaker: The hon. Minister will please resume his seat.

11.26 hrs.

MOTION RE. BREACH OF PRIVILEGE  
—contd.

Mr. Speaker: Hon. Members may be aware that the other day Shri Anthony came to me post-haste inside the Chamber and wanted an opportunity to raise a privilege motion. He said that Shri Joachim Alva is reported to have said—in the *Times of India*—that Shri Anthony's motion for the inclusion of English was inspired by some foreigners and so on. Shri Joachim Alva immediately got up and said that it was not what he said and that he spoke something else. After that I thought there was nothing more to be done and that it need not be pursued.

Some hon. Members suggested that there was a report in the Press and as against it the hon. Member has now made a statement in the House. I always prefer the statement of hon. Members of this House to what appears in the newspaper. Therefore, I thought it was not necessary to pursue the matter at all.

But Shri Anthony came to me and said that I must ask the *Times of India* as to why they have reported like that and so on. I thought of asking them independently of this. In the case of such statements the veracity of any hon. Member who has made a statement should not depend upon the veracity or otherwise of the Press correspondent. Hon. Members must themselves give respect to one another and to Parliament as a whole. There is no meaning in trying to pursue this matter. However, I will get the explanation from the *Times of India* correspondent. But I do not want to make this question dependent upon that and so I refuse to give any consent to moving this motion.

All the same I will ask the *Times of India* correspondent for an explanation as to why he did report like that, but I would certainly accept the statements of hon. Members of this House in preference to anything appearing

[Mr. Speaker]

in the Press as their statements. I would like hon. Members to respect one another.

**Dr. Ram Subhag Singh (Sasaram):** That should be enough; the reporter need not be asked.

**Shri Joachim Alva (Kanara):** Let me express to you my gratitude for this. I may state for your information that there were half a dozen Members of Parliament of various parties at that particular meeting headed by our veteran Member Dr. Aney; and all of them said that I did not make that statement.

**Mr. Speaker:** Dr. Aney himself told me that he was present or presiding and that Shri Joachim Alva did not make that statement.

**Dr. Ram Subhag Singh:** Therefore, we need not ask the Press correspondent why he reported like that.

**Mr. Speaker:** If the House does not want me to ask the Press why it was reported like that I will drop it (*Interruptions*).

**Shri Ansar Harvani (Fatehpur):** The chapter should be closed

**Shri Narasimhan (Krishnagiri):** That won't be fair (*Interruptions*).

**Mr. Speaker:** Let me consider myself.

**Shri C. K. Bhattacharyya (West Dinajpur):** I have one submission to make. Before Shri Anthony brought this thing to your notice, I feel, he should have written to Shri Alva and had it clarified. If that is done amongst ourselves, matters will become smooth and easy, and the relationship between hon. Members will remain cordial.

**Shri Kamalnayan Bajaj (Wardha):** If that convention is established, it would be very good.

**Mr. Speaker:** As a matter of fact, that is the procedure I adopt. As soon as a responsible Member of Parlia-

ment complains that another responsible Member of Parliament has made a statement against him, I ask the other hon. Member also to state what happened and then try to convince both of them.

But, a different procedure was adopted by Shri Anthony. Even then I would have waited and asked Shri Joachim Alva to tell me what happened exactly. But Shri Joachim Alva saved me all the trouble. He got up himself and made a statement here as to what happened. So, it is not necessary to pursue the matter so far as this case is concerned. In future I will take the course which I have been taking all along.

11.30 hrs.

MOTION RE: EIGHTH REPORT OF  
U.P.S.C.—contd

**Shri Datar:** Mr. Speaker, the other day, while initiating the debate on the latest report of the U.P.S.C., I pointed out how their work was increasing, and in particular I made reference to the fact that during the year under report there was not a single case in respect of which we had departed from the advice of the U.P.S.C.

There are two other matters which have been mentioned in this report and to which I should like to make a reference. You are aware that in the report on an earlier occasion, the U.P.S.C. had complained that the standards especially so far as the general attainment and knowledge of the students were concerned, were fast going down and therefore it was a matter which ought to be considered at all levels. I also pointed out that this was a matter which should be taken into full account by the Universities and the Inter-University Board. We find that this time also, in this report, the same complaint has been reiterated. They have said at page 4, item (3), that "the remarks of the Examiners on the performance of candidates in the written examinations

show that the general standard of attainment is going down" For that purpose, two courses are possible one is that the universities should see to it that the standards do not fall at all, and secondly, so far as the services side is concerned, a recommendation had been made that some of these deficiencies might be made up by having courses of training for the accepted candidates. I would point out that so far as the latter course is concerned, we are having a number of courses of training even now in respect of the All-India services like the IAS and the IPS. You are aware that we have a probationers' training course for the IAS in Delhi and for the IPS at Mount Abu. There, not only training in respect of certain subjects is given but the practical training is imparted to them and it is made possible for them to understand the need of the present times. In respect of other services also we are having, to a large extent, a number of training courses and Government are considering as to whether, after the candidates have been appointed to some posts and after a certain number of years, there should or should not be a refresher course also. That is a point which has to be considered. I am confident that on the one hand the university authorities would see to it that the general standards of educational attainment of the students do not go down and secondly we shall also try to see that proper courses of training are opened and that our Government servants after they are taken in service and after they pass a period of probation, are given a period of intensive training as well.

Another very interesting remark has been made by the UPSC. You are aware that we had recently a special examination for recruitment to the IAS. We are having annual recruitment to the IAS and the IPS, and the UPSC have pointed out that in respect of candidates who offer themselves for admission to these examinations there is a marked tendency on the part of candidates to enter the Indian Administrative Ser-

vice even though they might have given first preference to the Indian Foreign Service in their application forms.

Similarly also there is another complaint that even those who have taken training and degrees in technical courses prefer the IAS or the administrative services to these technical or technological services. So far as this is concerned, it is true that the IAS attracts the best talents in all the fields but we are also anxious that so far as the technical training is concerned, for those who receive the technical training, those who are engineers or doctors or those who follow other technical professions, it would be proper for them not to join or apply for the administrative services because their services in the technical or technological fields are as important if not in certain respects more important than in the administrative services. Happily this number was not large, but, all the same, the UPSC have made a reference to it and this is a question that has to be duly considered.

**Mr Speaker.** What is their statement regarding this?

**Shri Datar.** They have said that there has been of late a marked tendency on the part of the candidates to enter the Indian Administrative Service as against the Foreign Service in this context, and in another context they have said that persons who have got technical or technological qualifications like engineers, technicians and others prefer to go in for the IAS instead of taking their chances for service in different fields.

**Mr Speaker.** What is the recommendation?

**Shri Datar.** The recommendation is that such a tendency should be discouraged to the extent that is possible. They have made one more suggestion in respect of these technical or technological studies, and that is, people with such technical qualifications should be given better terms of service. The terms of service that we are

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offering, for example, the pay-scales, etc., are fairly satisfactory, but that is a question which has also to be duly considered.

**Shri Harish Chandra Mathur (Pali):** It is mentioned at page 8,—in the middle of the report.

**Mr. Speaker:** Have they asked the Home Ministry to put a ban?

**Shri Datar:** This is what they have stated:

"It was observed in the recruitment that administrative posts still continue to have a special charm for many aspirants to Government service and technical and scientific personnel are no exception to it. Numerous candidates belonging to the technical services or holding technical posts, have applied for the Indian Administrative Service (Special Recruitment). The same feature is noticeable in the recruitment to the Industrial Management Pool. Obviously it is not in public interest that technical and scientific personnel who are badly needed at present in their own line should feel tempted to go into the administrative line, often at a late stage of their career. If the conditions of service in the scientific and technical fields are suitably improved, it is possible that the lure of administrative services may lose much of its force".

This is what they have stated.

**Mr. Speaker:** Why not the Home Ministry prevent these people?

**Shri Datar:** It is very difficult to discourage them.

**Mr. Speaker:** While one wing of the Government is offering temptation the other wing of the Government is condemning it.

**Shri Datar:** In this connection I may recall the various speeches made by the hon. Members before the examination was held and we had draft regu-

lations made in this context with regard to the notifications. Then a number of hon. Members here suggested that doctors should be allowed to appear, scientific personnel should be allowed to appear, etc. On the other hand the tendency then was that those who were graduates ought to be allowed. This is not the position now. But you will find that we are in the midst of two opposing contentions. All the same this matter has got to be duly considered.

Then I want to make a very short reference to the remarks made by the U.P.S.C. on re-employment. Oftentimes in the course of questions which are asked on the floor of this House and the other House, complaint is made that we are re-employing people or we are extending their services even when there ought to be no such re-employment or extension. We have also pointed out—and I myself have pointed out—what the Government policy is in this respect, and it is the policy that we are following. But, here, happily, the U.P.S.C. have pointed out how in the case of re-employment, where it has to be considered, there are a number of difficulties: it is not possible to get officers when the senior officers in service retire. This is what has been stated at page 11:

"Out of a total of 250 cases in which the advice of the Commission was sought for re-employment of retiring officers, the Commission advised on 224 cases. The reason for such a large number of re-employment cases is that experienced officers, particularly in the technical line, are not available in sufficient number."

So, the Government's conduct has been fully vindicated by this observation of the U.P.S.C.

I would not like to go into other matters at this stage. I would reply to those points which hon. Members may raise during the discussion.



Mr. Speaker: Motion moved.

"That this House takes note of the Eighth Report of the Union Public Service Commission, laid on the Table of the Lok Sabha on the 24th November, 1958"

Shri Sinhasan Singh: Then I will call Shri Kadiyan

Shri Sinhasan Singh (Gorakhpur) I will speak after some time

Mr. Speaker: He is a senior respected Member of the House—of course, all are respected Members of the House—and I thought he was anxious to speak All right, Shri Kadiyan

Shri Kadiyan (Quilon—Reserved—Sch. Castes): Mr Speaker, Sir, in their eighth report, the UPSC has raised some important points which are to be given serious consideration I am glad that some information has been given by the hon Minister while initiating this discussion One of the points raised by the Commission is with regard to the deterioration in the standard of attainment of the candidates appearing for the various examinations and tests conducted by the UPSC

In our country there is a feeling among the public at large that the standard, efficiency and morale of our public services is deteriorating If the candidates appearing for the examinations are not coming up to the standard expected of them, it will certainly affect the standard and efficiency of the public service still further This is a very serious problem As the hon. Minister rightly pointed out, it has two aspects There is the general question of raising the standard of education and training in the universities If the standard and quality of the education is to be raised, it is not an easy matter Certain steps are to be taken and it will take some time to yield results Anyhow, I hope the Education Ministry, in consultation with the people in the educational

field, will take the necessary steps in this direction

In this connection, I have to point out one thing They have decided to restrict the number of admissions to the universities in order to raise the quality of the education imparted to the students But I do not think that restriction on the number alone or the reduction of quantity alone will help in raising the quality I think both quantity and quality will have to go together I do not want to deal with that point any further

The Commission has made a recommendation that in order to overcome the deficiency of the selected candidates to the administrative service, training courses have to be introduced The hon Minister has pointed out that they are already having some courses of training I want to ask him how many centres have been started so far and how many candidates are now undergoing training in the various posts in the administrative service

In this connection, I have to make a suggestion Training courses should be there not only for the candidates selected by the UPSC but also the candidates appearing for the examinations, especially for the scheduled castes candidates, it would be very necessary to give such training I now understand that in certain universities like the Allahabad University they have started some course of training to the candidates appearing for these examinations That sort of training should be extended to some other universities and centres also

As the hon Minister said, the UPSC have pointed out the marked tendency on the part of the candidates to join the administrative service At the same time, they have also stated about recruitment failures At the end of 1957, about 231 posts were remaining

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unfilled, because suitable candidates were not found. This is a very important question. Nobody has any doubt that we are short of technical and scientific personnel in our country. Our demand for technical and scientific personnel will be increasing as the tempo academic development of the country also increases. For that, we have to increase the facilities for training in this particular field. We have to give a technological and scientific bias to our education. I am glad that the Central Government and also the State Governments have realised the importance and urgency of this problem.

In this connection, I may point out that there are a number of trained or qualified people in the technical and scientific field in our country. What about those people? Why are they not coming forward to accept technical jobs? Why do they run after administrative posts? The most important factor to be considered in this connection is that the technical and scientific personnel are not offered sufficient encouragement, reasonable pay-scales and other emoluments. Unfortunately, in our country, those working in the administrative side are better paid and better placed than the technical and scientific personnel. In advanced countries, we find that the technical and scientific personnel are given a special and honoured status in the society, they are better paid and their requirements are better looked after. But in our country, those in the administrative side are better paid. So, naturally, people coming out from the universities and other educational institutions with qualifications in technical and scientific field prefer to enter administrative service.

From the report, I find that the Commission could not find candidates with regard to certain posts. With regard to some posts for which they could not find candidates, they have remarked that the scales fixed for such posts were unattractive.

I am not surprised to find that candidates were not coming forth for the post of a Malaria Officer or a Filariasis Officer because I find that the pay fixed for them at the starting point was only Rs 250/- If a man, who has qualified in that special field, who has got medical education, who has spent a lot of money on his education, after having undergone special training in this particular field of malaria or Filariasis control is to be given only Rs 250 a month, naturally he will not opt for that post. There is no doubt about it. Therefore the main thing that we have to consider today is that we have to give special consideration to the technical and scientific personnel in our country. They have to be given decent pay and their services must be made attractive. It is only through that that we can overcome this difficulty.

With regard to the temporary appointments, I have to say a few words. These temporary appointments normally are made for a period of one year and within that period of one year such appointments have to be referred to the Public Service Commission. They have got to be consulted. But from the Report I find that there were a number of cases during the year where consultation was not made with the Commission by the Government. In one case I find that consultation was made only two years after the normal, stipulated period of one year expired. So, this irregularity still continues.

Under the cover of temporary appointments, certain permanent appointments are being made. Last time when I spoke about Consultation Regulations pertaining to UPSC, I pointed out a case where some particular gentleman, after having been appointed on a temporary basis to several posts, was made permanent against a post for which he had been disqualified or had been declared unfit by the Public Service Commission several times.

**Mr. Speaker:** If for a post Public Service Commission's recommendation is necessary, how was he appointed? If there is a post which has to be filled in on the recommendation of the Public Service Commission, how was that man, even after being rejected, appointed?

**Shri Kediyan:** That is exactly my point. How was he appointed? There is a post of Director of Archives. This gentleman's case was referred two or three times and all these two or three times he was rejected. He was put on a temporary basis in some other post and finally we find that this particular gentleman has been made the Director of Archives. I do not know how it happened.

**Mr. Speaker:** I am sure the hon. Minister will try to explain that.

**Shri Datar:** Yes, I will do that.

**Shri Kediyan:** Now I understand that there are some officers serving in the Food and Agriculture Ministry at various centres, like Madras, Bangalore and Cochin. They have now been called by the Union Public Service Commission to appear for a certain examination in order to decide whether they should be made permanent or not. I understand further that these officers have been serving under the Ministry for 14 to 15 years. If those people, who are working under the Food and Agriculture Ministry after having put in 14 to 15 years' service are now called upon to appear before the Public Service Commission for certain tests or examination, I cannot understand it. Normally, after one year their matter has to be referred to the Commission and their appointments have to be regularised. But after 14 to 15 years these people are now called upon to appear before the Public Service Commission. I do not understand why such a long time was allowed to elapse, retaining these people on a temporary basis.

Then there is another handicap so far as newcomers are concerned. If people are retained on temporary

basis even after the normal period has expired then on the plea that these people are experienced newcomers will have to be shelved.

Then I come to another point. There is a feeling among the people of my State that they are not getting their due share in the Central Services. I do not know how far this is justified, but there is this feeling which is very strong. I understand that this feeling is prevailing in certain other States also.

Then there is another difficulty also so far as our people are concerned that is, people coming from Kerala are concerned. The Public Service Commission has no examination centre in Kerala. All the candidates, who intend to appear in an examination of the Public Service Commission, from Kerala have to travel a long distance to other examination centres. This is a handicap to our people. Therefore I request the Government and the Public Service Commission to open examination centres in Kerala also so that those people in Kerala, who are desirous of appearing at the examinations conducted by the Commission, can do so in their own State without incurring unnecessary expenses.

Only one point more and I will finish. There is a practice of the Home Ministry to send for reports about candidates after police verification. This is a practice which gives room to corruption. If a candidate is selected and fails to obtain a good report from the local Police, he will certainly be denied the appointment. I do not say that in every case this happens, but there have been many instances where on the basis of adverse Police reports candidates who were selected were not appointed. I can cite any number of instances, but I would point out only one instance.

A well-qualified Scheduled Castes gentleman in my State applied for a post in the All India Radio. He was

[Shri Kadiyan]

selected. After the selection his case was referred to the Police for verification. The Police reported that he was an undesirable element having connection with the Communist Party. So, he was denied the appointment. The most unfortunate thing in this episode was that this particular gentleman at that time was carrying on propaganda against the Communist Party. He was an anti-Communist and he still continues to be an anti-Communist. Still, he failed to get an appointment because a local Constable—ultimately this verification goes in the hands of an ordinary Constable or a Head Constable—gave an adverse report. On the basis of that Constable's report he was denied the appointment.

12 hrs.

So, such things happen. Why should we rely on the report of the Police? Candidates appearing before the Union Public Service Commission are qualified people. After having undergone training in educational institutions, having got high qualifications and degrees, they will be given conduct and other certificates by the heads of the institutions or universities. So, instead of relying upon the certificates of the head of the institution and other responsible persons why should the Government rely upon police reports? Why should Government be particular of knowing the political leanings of particular candidates? This practice must be put a stop to. I am proud that at least in my State this police verification has been done away with. No political discrimination is shown there in the matter of appointment. If a particular candidate has got any political leanings that does not bar him from entering the government service. If after entering the government service he behaves in an undesirable manner against the interests of the Government of the country or the people there are adequate provisions in the Government Servant's Conduct Rules

to take proper action against him and he can be dealt with effectively. When such provisions are there, why should we resort to this method of relying upon the report of the police?

After all the police may be influenced by persons in that particular locality. Often it happens in this way. The police constable goes with the report. He may not find but the particular candidate. There may be some big persons in that village. Ultimately the constable will go to that big person in the village and if that big person is not interested in this particular candidate he can very well inform the constable that such and such a man is not a desirable man, if he has any personal animosities against that particular candidate. It is in this way that a lot of corruption is creeping into the system. Therefore, I earnestly appeal to the hon. Minister to do away with this kind of practice.

Shri Harish Chandra Mathur: Mr. Speaker, Sir, the Union Public Service Commission is a great institution and it is only natural if we are most anxious and even zealous to see that it is properly constituted and that it functions in a manner that it inspires confidence not only among the services but in the country as a whole. Particularly in a welfare State when the administrative machinery is charged with very great responsibilities and when the governmental programmes and the success of the administration depend upon the good health of the administrative machinery, it is only natural that we should pay greater attention to our services and see that they are in the best of health, that their morale is at the top level and that they function in an efficient and independent manner.

That is why a special place has been given to the Union Public Service Commission in our Constitution. We would like to examine whether the Union Public Service Commission has been able to discharge that responsibility which has been assigned to it,

whether the Union Public Service Commission today inspires that confidence in the minds of the services and in the country as a whole, and if not what are the reasons, whether the Union Public Service Commission is responsible for certain failures and lapses, whether the Ministry is responsible for certain failures and lapses.

I can say without any hesitation that during this year the Union Public Service Commission has done quantitatively much more work and they have interviewed a larger number of candidates; they have held a larger number of examinations; they have interviewed a number of people, they have received and written back any number of letters and replies and so on, from nine and a half lakhs to eleven lakhs to which my hon. friend in his opening remarks referred. Unfortunately, I have not the slightest hesitation—and I say it with a deep sense of regret—that the Union Public Service Commission today does not command half the confidence and respect which I would wish it to command in the minds of the services and in the mind of the public as a whole.

I do not know to what extent I can hold the Ministry responsible for this. The first thing is the constitution of the Union Public Service Commission itself. In regard to the constitution of the Union Public Service Commission at the first page in this report you will find that certain Members retired and other Members were appointed. I find that Shri S. H. Zaher, I.C.S., Member of the Board of Revenue, U.P., has been appointed. He has been appointed with effect from the 1st of June in the place vacated by Shri A. A. Fyze who retired. Maybe it is a pure accident that a Muslim has replaced a Muslim. It may be a pure accident, but it gives a sort of feeling that there ought to be one Muslim on the Union Public Service Commission, and immediately a Muslim vacates his seat, it should

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be filled up by another Muslim. That sort of feeling which is created by such appointments is not at all healthy, so far as the constitution of the Union Public Service Commission is concerned. Appointments on the Public Service Commission should be absolutely free from all extraneous considerations and I wish we create a sort of feeling in the minds of the people that persons of known integrity and great independence alone are selected for the Public Service Commission.

If you again examine, you will find that only people who are not outstanding among the services, who have only another three or four years to put in, like to go to the Union Public Service Commission. What happens is that they just wait till it is time for them to retire; when they are near 55 or 56 they try to get into the Union Public Service Commission, so that they get another six years to spend in service. That tendency must strongly be checked.

The Union Public Service Commission should not be made the dumping ground for people whom Government want to favour, or people who are in high positions and who can manoeuvre for themselves a place in the Commission. That sort of feeling should not at all be there.

Now, Sir, even in the conduct of affairs—I mentioned it earlier, and it is with very great regret that I have to mention it again—the Commission does not create any confidence in the minds of the people. I will not mention names, but only give certain facts from which the House can draw its own conclusions and inferences. Recently it has been reported—it is mentioned in this report also—that they gave certain promotions to the I.A.S cadre from among the provincial services. Similar promotions were given to certain members of the Rajasthan Administrative Service also. This committee is presided over either by the Chairman of the

[Shri Harish Chandra Mathur]

Union Public Service Commission, as mentioned in this report, or by one of the Members of the Union Public Service Commission who is asked to go and preside over it. Now, it will surprise you that certain persons who were rejected even for the Rajasthan Administrative Service and who after a lot of wangling could find a place only after two or three rejections into that list, immediately got a place in the IAS list. You will find, again, that those very persons who were just left over by a selection committee presided over by the Chairman of the Union Public Service Commission in the last two or three consecutive years, those very persons are now given a chance and given a promotion, and they are given a promotion by superseding a number of persons. If you look at the list of persons who have been taken, this is by promotion. When you have a selection list, according to their own lists, that list should be prepared in such a manner that if the senior-most person is not worthy of promotion he should be skipped over and another man should come over. If you see the list which I have, you will find that persons as low as 80th in the list have been taken over and taken on to the I.A.S. They wanted only two persons to be put on the I.A.S. list. But they prepared a waiting list of thirteen persons that will not be consumed even in five years time. And this acts in a prejudicial way to the remaining people who come to the services. There is no justification whatsoever that against two or three vacancies they should prepare a waiting list of thirteen persons. Maybe it is again by accident; I do not want to impute motives that there are three Muslims. There was only one Muslim who could be promoted to the I.A.S. cadre during the first ten years. All the screening was through the Union Public Service Commission. In the first ten years only one Muslim could find a place in the I.A.S. This time, unfortunately or fortunately, it may be again by accident ab-

solutely, three persons find a place in the I.A.S. in the selected list. And those persons are so low as 50th and 60th in the order of seniority. They find a place.

Mr. Speaker: Are there any instructions, as in the case of Scheduled Castes and Scheduled Tribes, that with respect to other classes there may be a remission of marks?

Shri Datar: No, Sir, only in respect of Scheduled Castes.

Shri Harish Chandra Mathur: There is absolutely nothing of the type. It would be rather too much to say that because a Muslim Member of the Union Public Service Commission was this time presiding over it three Muslims came. But it does create a suspicion in the minds of the people. You cannot get away from it. Here a Muslim walks out, you appoint another Muslim. Not more than one person could be found all these ten years. Here there are three in the list—because the presiding gentleman happens to be a Muslim; it may be absolutely on merit, it may be accidental, it may be anything. But it does create a deep suspicion in the minds of the people....

Shri Narayanankutty Menon (Mukandapuram): Sir, on a point of order. In the list published by the Union Public Service Commission showing the selected candidates, the presumption is that they conform to the qualifications and have come up to the prescribed standard. Just because a Muslim Member is presiding over the Commission and three candidates who have been selected happen to be Muslims, what is the justification for the hon. Member to say in the House that there can be a suspicion created? Does not that amount to an aspersion on the conduct of the Chairman of the Commission who presides over and selects the candidates? Unless there is substance behind it that the three

persons who were selected did not conform to the rules and they did not come to the particular standards prescribed by the Commission, certainly it cannot be allowed. That is my submission.

**Shri Datar:** I would request the hon Member to speak with certain restraint. Let him not merely say that he does not attribute motives, and all along there are insinuations. Let us be very careful about the Union Public Service Commission Members particularly. They are a statutory body carrying on their work so well. Let there be no insinuations please.

**Mr. Speaker:** Order, order. I did not follow. I thought the hon Member was referring to some people very low in the list, 50th or so, being put up first. In that connection I thought he was referring to community, this and that. But if it is not in that connection, while stating that differences ought not to be made, the hon Member himself is making the difference. It is open to any person in this country, to whatever designation he belongs, to whatever communal denomination he belongs, to rise to the highest position in the land. Nothing should be said against the integrity of any person merely on the ground of community. In so far as those statements are concerned, I am really sorry that those statements are made. I thought, somehow I clubbed those two things together—somebody who is fifty-fourth in the list being put on the top. These are two distinct things. He ought not to make such statements. A person belonging to the Muslim faith is as good a citizen of this country as any other person. I am really sorry that he should have either directly or indirectly made any reference to the community or to the religious denomination that a person belongs to.

**Shri Harish Chandra Mathur:** I am merely stating facts.

**Mr. Speaker:** Order, order. There is no question of facts. The hon

Member may think it is facts. But facts too ought not to be said. There are methods by which Public Service Commission Members may be removed. I do not allow aspersions to be cast even on ordinary members of the public services, where I want notice to be given in advance that the conduct of a particular official is going to be impeached. With respect to Public Service Commission Members, High Court Judges, Supreme Court Judges there are special procedures prescribed in the Constitution for their removal. No other aspersion can be made, if the hon Member tables a motion either here or it is done in the other counter-part of this House, then it will be for us to consider the matter, not otherwise. Hon Members must bear it in mind. I would not allow any kind of aspersion against any Member of the Public Service Commission in his official capacity, unless it is a substantive motion for removing him.

**Shri Harish Chandra Mathur:** I have nothing to say against anybody.

**Mr. Speaker:** All the same he is saying!

**Shri Harish Chandra Mathur:** If you will bear with me, Sir, for a minute.

**Mr. Speaker:** What has religion to do with it if three Muslims come in? If three Brahmins come, does it mean that all the Brahmins are bad? And suppose three Rajasthanis come in?

**Shri Narayanankutty Menon:** He has made a remark, Sir, that last time only one Muslim came, but this year fortunately or unfortunately three have crept in.

**Mr. Speaker:** How is it unfortunate?

**Shri Harish Chandra Mathur:** There is a procedure prescribed by the Union Public Service Commission itself about the method of certain selections. I am sure you will appreciate this. Now, they go and select

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certain people for the Indian Police Service. The same Selection Committee. I do not call any Indian Police man for the interview. Let me state only facts.

Mr. Speaker: Before he proceeds further may I ask him whether it is obligatory on their part to do so? Are they obliged to call? I do not know. Does the hon. Member say that the Union Public Service Commission is bound to call the Police gentleman to come and sit with them in the selection, or can they do so themselves?

Shri Harish Chandra Mathur: It is not that, Sir. What I say is about the candidates who are to be selected. It is a question of promotion. So far as the promotion quota is concerned, sometimes what has happened is that they go exclusively by the record. They call for the files, look into the record and make promotions on the basis of the record. Now, sometimes it has happened alternately that one year they have done it absolutely by going through the record without calling anybody for an interview, and another year they call people for interview and they do not go by the record. In the same year, for the Indian Police Service promotions they go exclusively by record and do not call them for interviews, and for the I.A.S. they do not go simply by the record and they call for the record as well as go by the interviews. I am just stating facts. Do you think...

Mr. Speaker: That is all right. If he states it in general terms as to why there should be such a distinction between the one and the other, it is all right.

Shri Harish Chandra Mathur: I go a step further. These officers are called for an interview. Somebody does not appear. When an interview is fixed, some people receive a twenty-four hour notice and they are supposed to appear before the interview. I am referring to the procedure and

the manner and the method in which this is being conducted. Twenty-four hours' notice is given for the people to appear. Well, certain people are selected, and even certain people who had not appeared at the interview find themselves in the selected list. This way of conducting affairs is certainly in one manner a great reflection against the working of the U.P.S.C.

Mr. Speaker: We are concerned with names. The hon. Member Shri Narayanankutty Menon raised this point that the hon. Member referred to three young men by name and by the religious denomination to which they belong. Does he mean to say that these irregularities according to him, have been committed in the selection of these three people?

Shri Harish Chandra Mathur: It is the same selection about which I am talking.

Mr. Speaker: Does he mean to say that these three were selected though they did not appear before the Board for interview whereas others appeared?

Shri Harish Chandra Mathur: I am not confining only to one . . .

Mr. Speaker: Why did he bring in religion? The point is, let him not go away from what has been asked. He has to answer what Shri Narayanankutty Menon has raised. He definitely thinks that the hon. Member had no business to refer to three persons by religious denomination. That casts an aspersion which ought not to be on the record. What is the answer of the hon. Member?

Shri Harish Chandra Mathur: To what?

Mr. Speaker: To saying that three Mohammedans were selected. Last year there was only one that was selected.



**Shri Harish Chandra Mathur:** I did not say that . . .

**Mr. Speaker:** He did say so; I heard him.

**Shri Harish Chandra Mathur:** I did not say only for the last year. I say, during the last 10 years, one person was selected. If you want me to substantiate what I say, if you permit me. . . .

**Mr. Speaker:** No, no. The hon. Member is exceeding the limit. Let it be that in 100 years one Mohammedan was selected. It does not mean that in another one year three need not be selected. Is there any ratio? This is a very fallacious argument. The hon. Member ought not to indulge himself in this kind of argument. People may not have come in. Other young men may have come forward in competition and may have appeared. How is this to be judged?

**Shri Harish Chandra Mathur:** On their own merits. It would not be proper for me to go more deeply into it. I have got full facts and figures which I do not want to go into. If you just ask me to substantiate every word of what I have said, I will do it here. It is not only I who am saying; the entire R.A.S. of the Rajasthan Government and their association felt compelled to be called upon to do it.

**Mr. Speaker:** He is going far beyond. If he likes, let him table a resolution that one or all the members of the Public Service Commission should be removed. I am prepared to admit it if it is otherwise admissible. Let him substantiate by facts *prima facie*. But, indirectly, he ought not to refer to them. He may have a hundred things. That is very wrong. It is easy to cast aspersions. It gathers ground and it goes out into the country. The mischief that is done is irreparable. It is not right. I do not know what to do. So much of record has been already besmirched by this kind of attack on members who ought to be respected in the country. If they are

bad, let them be removed in the proper manner. I have the least objection. I think the hon. Member must stop now. He has nothing more to say except this.

**Shri Harish Chandra Mathur:** I have got much more to say.

**Mr. Speaker:** Why does he not say anything relevant, without saying things to which objection is taken?

**Shri Harish Chandra Mathur:** I thought it was relevant.

**Mr. Speaker:** It is not at all relevant—the religious denomination to which these people belong. They are not asked there about Muslim Law or Muslim tenets. It is purely a secular matter.

**Shri Harish Chandra Mathur:** Muslim or non-Muslim, I only wish to say that the Public Service Commission should command much greater respect. I will now pass on to the next question.

In this report, as the hon. Minister also said, reference has been made by the Public Service Commission to the general standard of attainments. I wish to invite your attention to the earlier report in which reference has been made to this very point. It was suggested in the report that the Home Minister should discuss this matter with the Education Minister and come to certain conclusions. I raised this question also at that time. I asked the further question whether this matter has been discussed with the Minister of Education and whether they have given any consideration to this matter and whether they propose to do anything in this direction.

In this report they have mentioned about the Industrial management pool and selections. The report of the U.P.S.C. itself has made a complaint that it was extremely difficult for them to make selection and even in making the selection, their task was rendered more difficult because the Home Ministry would not tell them about the

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break up of the Industrial management pool. I refer to page 7 where they have stated thus:

"The posts in the Pool carry 8 different grades and scales of pay ranging from Rs. 350.....The number of posts under each of these 8 grades was not given in the requisition. The selection of candidates for interview which was already very difficult because of the very large number of applications was thus rendered all the more difficult as respects the number of applicants to be called for interview...."

The Ministry ought to have furnished them all this information. I do not know whether they have properly constituted the pool. I asked a question that day and I wanted a half-an-hour-discussion on this matter particularly. You were good enough to ask the Home Minister to lay on the Table of the House all the Government notifications regarding the constitution of this pool. They have laid down that notification. I invite your attention to para 6 of the notification where they have stated: that the authorised permanent strength of the pool at the initial constitution shall be 200 and this number will be distributed among the different grades by the controlling authority in consultation with the Ministry of Finance in the light of the estimated requirements of each grade. They should have given a break-up of this pool of 200 persons before they asked the U.P.S.C. to make the recruitment to it. That would have helped the U.P.S.C. in doing this. The Ministry has failed to do so.

Again, because of certain criticism from this House and outside also, though the personality test continues today, anybody who does not get a minimum number of marks in the personality test is not debarred and he is taken in service. The U.P.S.C. have mentioned in this report that if the previous disqualifying provision had

continued, 23 persons would not have been taken on the Foreign Service, 28 on the Administrative Service and 28 on the Police Service and 158 on the Central Services. That is to say, that these people have got poor marks in the personality test and if the rigidity of the personality test had been observed, these people would not have been taken. I would like the hon. Minister to tell us how these officers have fared in the probationary period or in the services. Because, we have yet to come to a particular conclusion whether this personality test is desirable or not, whether the rigidity of the personality test should be re-imposed or not. The hon. Minister for Home Affairs, continuously, for the last 4 or 5 years, was pressing this point and urging the necessity and importance of the rigidity of the personality test. It was under certain pressure of public opinion and certain criticism from Parliament that it has been given up. It is therefore very necessary that we should know how this is working, how the officers who did not qualify themselves in the personality test and were yet taken have fared in the Police and other services, particularly in the services here.

There is another point mention of which has been made. Out of the 67 candidates interviewed abroad, 32 were selected. We would like the hon. Minister to throw some more light on these selections made outside this country, that is, made abroad, how the Public Service Commission as a whole functioned in the selection. I would like to know how these people who were selected outside, were selected, whether they were selected exclusively by the Chairman or there was some Board constituted there, or just the Commission is only in name and selection is made by one particular individual Member of the Public Service Commission.

There is also another matter to which reference has been made in this report, and that is a very welcome reference. For the first time, the UPSC

has thought it fit to have a conference of the State Public Service Commission members. They have met together and discussed, but very little has been mentioned in this report as to the conclusions they have arrived at or the outcome of the deliberations of the conference of the State Public Service Commission members and the UPSC members

I would point out here that in the constitution of the UPSC, we have got nobody from the judiciary. We have got people from the administrative side and from the educational side, but none from the judicial side. I think it would be very much in the interests of the UPSC itself if we have a rule or at least a convention that there should be at least one member from the judiciary, who belongs to the high judiciary, and who is fit to go to the Supreme Court. I do not want any retired judge of the Supreme Court to serve on the UPSC, because the superannuation age is 65 in the case of both. But certainly, we can have a Chief Justice of a High Court who is going to the Supreme Court say, at the age of 60. If some such person is appointed on the UPSC, I think it would be very helpful in giving a new tone and a new prestige and respect to the UPSC. In the present set of circumstances, with the urgent necessity of giving a new tone to the services, something must be done also to strengthen the UPSC.

The functions of the UPSC should also be expanded to cover the training and other aspects of the officers' lives, because only the other day, some very prominent people who had collected here were discussing about the morale of the services, and they came to the conclusion that the morale of the services was not what it ought to be.

There is a lot of demoralisation, and there is a lot of frustration in the services today, and people are not prepared to take the responsibility which they are supposed to take. Since

the role of the services is going to grow in the developing economy, it is very necessary that proper care is taken about the morale of the services, and the UPSC has to play a very important role in this matter.

श्री सिंहासन सिंह अध्यक्ष महोदय, किसी देश और समाज के उन्नत होने के लिये आवश्यक है कि जनता का उस के शासन में भट्ट विश्वास हो। शासन की सफलता के लिये शासन के तीन अंग होते हैं विधायक, कार्यकारी और न्याय अर्थात् लेजिस्लेटिव, एग्जिक्यूटिव और जूडिशियरी। अगर लेजिस्लेचर के अन्दर जनता का विश्वास न हो तो उस को उसे हर चार या पांच वर्ष पर बदलने का अधिकार है और उसे बदला जा सकता है। इसलिये जहाँ तक विधायक का प्रश्न है उसे स्वयं प्रयत्नशील रहना होता है कि जनता का उस पर विश्वास रहे। दूसरा जो सब से बड़ा अंग है शासन का वह कार्यकारी अंग है और उस के बाद न्याय। इन दोनों अंगों के आदमियों के चुनाव में, सिवा सुप्रीम कोर्ट और हाई कोर्ट के जज के, विशेष अधिकार हमारे कमिशन का है। स्टेट लेवल पर भी और बेंचे ही यूनिजन लेवल पर भी। जहाँ तक कमिशन का प्रश्न है उस के प्रति जनता का अदम्य विश्वास हो, किसी के ऊपर कोई भी उगली न उठा सके। जैसा अभी मेरे पूर्व बक्ता ने कहा कि ऐसी नौबत न आनी चाहिये कि कमिशन के सदस्यों के ऊपर किसी की उगली उठे। उन के प्रति सब का विश्वास हो। उन की कार्यक्षमता में सरकार का विश्वास हो और सरकार में उन का विश्वास हो। आज के दिन उभय पक्ष एक दूसरे के प्रति अविश्वास की भावना से नहीं देखते।

इन बातों के साथ, कमिशन के व्यक्तियों के बारे में मुझे कुछ नहीं कहना है। जो जहाँ पर है अच्छे हैं। मुझे केवल एक बात कहनी है कि उन्होंने ने खुद अपनी रिपोर्ट में एक जगह बतलाया है कि कमिशन के

## [श्री सिद्धान्त सिंह]

काम के लिये जरूरी है उस में लोगों का विश्वास हो। वे इस बात की शर्ह करते हैं कि ऐसा जरूरी है :

"The relations of the Commission with their Governments also came up for consideration as it is very necessary to maintain confidence in the proper functioning of the Commissions. While the statutory position of a Commission has to be zealously safeguarded, it is equally necessary to build up relations of mutual trust and harmony so that healthy conventions and traditions may develop which would, in course of time, acquire a force stronger than that of statutory safeguards. It was generally agreed that ordinarily, there should be no difficulty in developing such relations without, in any way, impairing the statutory obligation of the Commissions to advise their Governments in a spirit of absolute fairness and impartiality."

एक्सोल्प्ट केमरनेस एंड इम्पॉजिएलिटी यह दोनों ही कमिशन के गाइडिंग प्रिंसिपल हो सकते हैं, और हमें यह देखना है कि वह उन पर कितनी तबज्जह देता है। मैं ने संप्टर १३ के अन्दर देखा कि सीनियारिटी के बारे में कमिशन के पास कुछ नाम भेजे गये थे। कमिशन ने अपनी रिक्-मेंडेशन किया, लेकिन पता नहीं क्यों बाबजूद कमिशन की सिफारिशों के, हालांकि जिन सिद्धान्तों को मैं ने पढ़ कर सुनाया उन के अनुसार एक दूसरे के प्रति काफी विश्वास होना चाहिये, उन सिफारिशों को पूरी तरह कार्यान्वित नहीं किया गया है। जो ४८७ नाम डिटरमिनेशन आफ सीनियारिटी के लिये भेजे गये थे वह अप्रैलिस १३ में १४ नं० पर दिये हुए हैं।

	Officers
Number of cases received in the year	487
Number of cases on which advice was communicated	285
Number of cases pending at the end of the year	270
Number of cases on which Government have taken decision	64
Number of cases on which Government have not taken decision	221

इन २८५ आदमियों के बारे में कमिशन ने रिक्मेंडेशन कर के भेजा। उन में से गवर्न-मेंट ने केवल ६४ को उन की सीनियारिटी दे दी, लेकिन २२१ को नहीं दी। प्रथम माननीय मंत्री जी स्वयं विचार करें कि इस गवर्नमेंट के प्रति कमिशन की भावना क्या होती। जब कमिशन ने आप के कहने पर उन को सीनियारिटी दे दी तो गवर्नमेंट की तरफ से उन को सीनियारिटी देने में क्यों देर हो रही है? मेरा खयाल है कि इस पर बहुत ज्यादा ध्यान देना चाहिये। कमिशन ने आखिर में कहा है कि यह खुशी की बात है कि गवर्नमेंट ने अभी उन से डिफर नहीं किया लेकिन गवर्नमेंट ने उन की सिफारिश को पूरा भी तो नहीं किया।

दूसरी बात जिस की तरफ मैं आप का ध्यान दिलाना चाहता हूँ वह रिएम्प्लायमेंट के बारे में है। गवर्नमेंट ने रिएम्प्लायमेंट की चीज भी रक्की है। इस के सम्बन्ध में मेरी एक खास धारणा है, मैं नहीं चाहता कि रिएम्प्लायमेंट अधिक हो। रिएम्प्लाय-मेंट अधिक होने के माने यह है कि इस से बहुत से लोगों को निराशा होती है। आज बहुत से लोग आशा लगाये रहते हैं कि वे कुछ समय बाद उन्नति पयेंगे, ऊंचे स्थान पर पहुँचेंगे। यह काम क्रमबद्ध होता है। जिस क्रम से लोग जाते रहते हैं उसी क्रम से वे आगे बढ़ते जाते हैं। लेकिन अगर आदमी रिएम्प्लाय हो जाता है तो फिर आगे बढ़ने की मति एक जाती है और उस का परिणाम यह होता है कि नीचे काम करने वालों को जो आशा बंधी होती है वह खत्म हो जाती है और आगे बढ़ने में उन का विश्वास

उक्त जाता है। आज हमारी सन्निवेश में चारों तरफ इन एफिशिएंसी हैं। कार्बनम्मा कम दिखालाई पड़ती है। अगर हम इस को इस चीज में मिला कर विचार करें, और मेरा अनुभव भी है कि जब बहुत से आवसी रिप्लाय किये जाते हैं तो वे अपने मातहतों में ज्यादा क्षमता के साथ वह विश्वास नहीं ला सकते जो उन के प्रति पहले मातहतों में था। और इस प्रकार खर्च भी होता है और काम भी ठीक से नहीं होता। कमिशन ने रिमार्क किया है कि चूकि आज टेकनिकल भावमियों की कमी पड़ती है इसलिये यह व्यवस्था करनी पड़ती है कि पुराने और अनुभवी लोगो को रिप्लाय किया जाय। २५० केसेज गवर्नमेंट ने रिप्लायमेंट के लिये कमिशन को रिफर किये जिन में से कमिशन ने २२४ केसेज को रिक्लेन्ड किया। गवर्नमेंट ने उन में से २१६ भावमियों को रिप्लाय किया।

12.40 hrs.

[Mr. DEPUTY-SPEAKER in the Chair]

अनुभव के नाम पर २५० केसेज रिफर किये गये। मैं अदब से कहना चाहता हूँ कि अंग्रेज यही कहा करते थे कि भारत के लोग अभी शासन के योग्य नहीं हुए हैं, उन को शासन दे देने के माने होंगे भारत में गड़बड़ी। जिस समय भारत का शासन सूत्र हमारे नेताओं के हाथ में आया, मेरी गुस्ताखी माफ हो, उन को शासन करने का अनुभव नहीं था, लेकिन उन्होंने ने अपनी कार्यक्षमता से दिखाया कि जहाँ सूत्र की नदी बही उस स्थान में भी और दुनिया में भी हिन्दुस्तान का स्थान ऊंचा रहा। काम काम को सिखाता है। काम को सीखने से दूर रहने से कर्तव्य-परायणता कैसे आ सकती है? इसलिये अनुभव के नाम पर किसी को सीका न देना, मेरी समझ में देश के साथ न्याय करना नहीं है। मैं फिर दोहराना चाहता हूँ कि अभी

कांग्रेस पार्टी ने एक कमेटी बिठलाई थी ताकि वह देखे कि गवर्नमेंट कहां-कहां लोगों की संख्या अधिक बढ़ा रही है और खर्च को बढ़ा रही है। उस की रिपोर्ट देखने को नहीं मिली लेकिन अलबारों में हम ने पढ़ा कि उस ने सिफारिश की है कि गवर्नमेंट से कहा जाय कि वह साल दो साल के लिये रिक्लेन्ड बन्द कर दे। काफी लोग नौकरी में आ गये हैं, उन के कारण ही देश की सरकार में बहुत भीड़ हो गई है, और अधिक भीड़ न की जाय। उन की यह सिफारिश है, लेकिन शायद उन्होंने ने यह खयाल नहीं किया कि रिक्लेन्ड रोक देने से हमारे यहां बेकारी कितनी बढ़ेगी, आज हम इस का अनुमान नहीं लगा सकते। अगर उस ने यह सिफारिश की होती कि रिप्लायमेंट और एक्स्टेंशन रोक बिडे जाय तो देश का ज्यादा कल्याण होता, ऐसी मेरी धारणा है। मैं समझता हूँ कि इस रिप्लायमेंट और एक्स्टेंशन के सारे मसले पर गवर्नमेंट को बहुत ठंडे दिल से ध्यान देना है। अगर इस पर ध्यान नहीं दिया जायगा तो मैं नहीं कह सकता कि देश किबर जायेगा। हमारे विनोबा जी, जोकि गांधी जी के प्रतीक स्वरूप कहलाते हैं, उन्हो ने एक बार कहा था कि राजनीति में भी भ्रवकाशग्रहण होना चाहिये। मध्य प्रदेश के मुख्य मंत्री के मरने पर उन्होंने ने यह वक्तव्य दिया था कि भ्रवकाशग्रहण इस में भी होना चाहिये। जीवन के हर क्षेत्र में, हर क्षेत्र में भ्रवकाश ग्रहण होना चाहिये। लेकिन सरकारी क्षेत्र में भ्रवकाश-ग्रहण का नियम होने पर भी भ्रवकाश न दिया जाना मैं समझता हूँ कि देश के साथ न्याय नहीं है और मैं इन विचारों को बड़ी दृढ़ता के साथ इस सदन के सामने रखना चाहता हूँ।

दूसरी बात कमिशन ने बड़े मार्क की-कही है। गवर्नमेंट की जगहों की सूचनायें कमिशन को भेज दी जाती हैं कि इतनी जगहें हम भरना चाहते हैं और तुम उसे ऐडवर्टाइज करो।

[श्री सिंहासन सिंह]

उन की सूचना प्रकाशनों में दी जाती है, पोस्ट्स ऐडवर्टाइज की जाती हैं और आवेदन पत्र आते हैं और उन की जांच-पड़ताल के बाद उम्मीदवारों को बुलाया जाता है, यह सब करने के बाद यह सूचना निकाल दी जाती है कि यह सब पोस्ट्स कैसिल हो गईं और आप स्वयं समझ सकते हैं कि इस से कितने लोगों में कमिशन के प्रति गुस्सा और नाराजगी पैदा होती होगी। ऐसा होने से लोगों में काफ़ी बेवैनी पैदा होती है और मैं समझता हूँ कि कमिशन द्वारा ऐसा करना उचित नहीं है। कमिशन की रिपोर्ट के पेज २ पर यह रिमार्क्स हैं :

"A number of requisitions as per Appendices XI and XII were cancelled after the Commission had issued advertisements or completed interviews for the posts. These cancellations cause inconvenience and hardship to the candidates after involving the Commission in a good deal of avoidable work. It is hoped that the appointing authorities will in cases of inevitable cancellations inform the Commission immediately about such cancellations so that further work may be stopped at the earliest opportunity."

यह जो फ़ीगर्स दी गई हैं उन के अनुसार करीब ३७ पोस्ट्स तो ऐपेंडिक्स ११ में और ७ पोस्ट्स ऐपेंडिक्स १२ में थीं और इस तरह से ४४ पोस्ट्स के लिये इंटरव्यू हुआ, दरखास्तें मंगाई गईं और यह सब करने के बाद एक दम से उन पोस्ट्स को भरना रोक दिया गया। अब जनता में इन चीजों को लेकर हमारे प्रति जो एक भ्रम और शक पैदा होत, है वह हमारे लिये बड़े धर्म की बात है। लोग कहते हैं कि साहब वहाँ पर तो बगैर सिफारिश के काम नहीं चलता और लोग तो यह भी कहते हैं कि जगहें जो बनती हैं वे कुछ खास उम्मीदवारों को ध्यान में रख कर बनाई जाती हैं ताकि उन को किसी तरह एंकोमोडेट किया जा सके। अब मैं

नहीं जानता कि आम जनता के यह आरोप कहीं तक सच हैं? लेकिन यह मैं धक्कड़ करूँगा कि पोस्ट्स ऐडवर्टाइज करने के बाद और इंटरव्यू पर लोगों को बुला लेने के बाद फिर यथायक उन पोस्ट्स को कैसिल कर देना ठीक नहीं है और उस से लोग इस तरह का शक करने लगते हैं कि मालूम होता है कि उन के भादमी जिन को कि वह एंकोमोडेट करना चाहते थे वे चूँकि इंटरव्यू में पास नहीं हो सके हैं इसलिये इन पोस्ट्स को नहीं भरा गया। जनता के मन में स्वाभाविक तौर पर भ्रम पैदा होता है कि पोस्ट्स कुछ खास लोगों के वास्ते बनाई जाती हैं। इसलिये मैं चाहता हूँ कि कमिशन की नीति ऐसी रहनी चाहिये जिस से जनता के मन में उन के और सरकार के प्रति अविश्वास न पैदा हो और कोई किसी किस्म की शंका न हो। इसलिये गवर्नमेंट को चाहिये कि किसी पोस्ट को ऐडवर्टाइज करने से पहले खूब अच्छी तरह से देख भाल कर लें कि वाकई इस पोस्ट की जरूरत भी है कि नहीं और जब यह जान पड़े कि नहीं यह पोस्ट भरी जानी निहायत आवश्यक है तभी कमिशन उस के लिये अर्जिया मंगाये और लोगो को इंटरव्यू पर बुलाये। ऐडवर्टाइजमेंट्स देने के बाद और उम्मीदवारों का इंटरव्यू ले लेने के बाद पोस्ट्स के कैसिलेशन से उम्मीदवारों को बहुत ही दिक्कत और परेशानी का सामना करना पड़ता है और मेरी निगाह में तो एक दम से पोस्ट्स को कैसिल कर देना असम्य काम है और मैं सरकार से यह प्रार्थना करूँगा कि ऐसी घटनायें नहीं होनी चाहिये कि किसी को भी तकलीफ़ हो, उम्मीदवारों को भी तकलीफ़ हो और उन के घर वालों को भी तकलीफ़ हो, इतना उन का रुपया पैसा खर्च करया जाय और बाद में पोस्ट्स को कैसिल कर दिया जाय।

दूसरी बात कमिशन ने बड़ी मार्फ़े की दिखलाई है। अभी हमारे माथुर साहब ने

सबन् का ध्यान बिलाया था कि अभी तक जो एक पर्सनलिटी टेस्ट था वह निकाल दिया गया है और उस के निकालने के कारण काफी ऐसे व्यक्तियों की भरती हो गई है जोकि अगर पर्सनलिटी टेस्ट होता तो शायद उस में वे पास न होते। लेकिन यह तो उभय पक्ष की बात है और इस में दोनों तरफ़ के लिये कहा जा सकता है। पहले जमाने में जब पर्सनलिटी टेस्ट था तो वही एक मात्र डिसाइडिंग फैक्टर हुआ करता था और ५ मिनट के इंटरव्यू में लोगो को भरती और रिजैक्ट कर दिया जाता था और ऐसा भी होता था कि जो रिटेन टेस्ट में पास हो चुके हैं लेकिन अगर वह पर्सनलिटी टेस्ट में नहीं आ सके तो उन को निकाल दिया जाता था। इसलिये मेरी समझ में पर्सनलिटी टेस्ट को ही एक मात्र नीकरी के वास्ते डिसाइडिंग फैक्टर मान लेना अनुचित था और गवर्नमेंट ने यह सही ही किया कि पर्सनलिटी टेस्ट की जो प्रभुता थी उस की जो विशेषता थी उस को कम किया लेकिन उस को एक दम से बिल्कुल निकाल दिया जाना भी अपने स्थान पर सही नहीं होगा . . . . .

एक माननीय सदस्य : कहा निकाला गया है ? वाईवा बोसी है तो ।

श्री सिंहासन सिंह : अगर वह डिसाइडिंग फैक्टर तो नहीं है ।

एक माननीय सदस्य : उस के भी नम्बर जोड़े जाते हैं ।

श्री सिंहासन सिंह : अगर नम्बर जोड़े जाते हो तब तो ठीक बात है लेकिन साथ ही पर्सनलिटी टेस्ट में कुछ सर्टेन नम्बर तक आना जरूरी होना चाहिये ताकि एक उम्मीदवार की पर्सनलिटी भी एकाउन्ट करी हो सके ।

डिफेंस सर्विसेज के बारे में इस कमिशन ने एक बात कही है और वह बात सोचने

और समझने की है। उन्होंने कहा कि डिफेंस में रिटेन टेस्ट की बिना पर जो भरती हो जाया करती है और वह जब मिलेटरी के टेस्ट में जाते हैं तो बड़ा जा कर वे सब के सब फ़ेल हो जाते हैं। पढ़ने-लिखने के इम्तिहान में तो वे आ जाते हैं लेकिन वहां तो दौड़ने, कूदने आदि में इम्तिहान देना होता है और डिफेंस सर्विसेज के सेलेक्शन बोर्ड के टेस्ट में वे पास नहीं हो पाते हैं क्योंकि उस में तो सुगठित शरीर और अच्छे स्वास्थ्य की आवश्यकता होती है। अब इस की वजह यह है कि शहरों में रहने वाले बड़े-बड़े अधिकारियों के लड़के जोकि अंग्रेजी स्कूलों में शिक्षा पाते हैं वे तो इन रिटेन टेस्ट्स में पास हो जाते हैं लेकिन चूकि वे शहरों में रहते हैं और शारीरिक दृष्टि से वे काफी हूष्ट पुष्ट नहीं होते इसलिये वे डिफेंस सर्विसेज के उन दौड़ने, कूदने आदि सम्बन्धी टेस्ट्स में पास नहीं हो पाते लेकिन चूकि उन्हीं में से उन को लेना होता है तो इस तरह हमारी मिलेटरी की क्षमता भी कम होती है। यह तो ठीक है कि स्वराज्य प्राप्ति के बाद से हम ने डिफेंस सर्विसेज में भरती के वास्ते जो एक विशेष वर्ग के लोग ही उपयुक्त समझे जाते थे लड़ने वाले समझे जाते थे और केवल उसी वर्ग के लोगो को चांस मिलता था उस मोनीपली को तो हम ने खत्म कर दिया है और मैं समझता हू कि यह ठीक ही किया गया और सब को फौज में भरती होने, देश की रक्षा करने और अस्त्र शस्त्र की विद्या प्राप्त करने का समान अवसर मिलना चाहिये। लेकिन इस सम्बन्ध में मेरा यह सुझाव है कि जो इम्तिहान हो वे ऐसे रखें ताकि देहात के लड़के भी उन में बैठ सकें और उस में पास हो सकें। आज देहात के लड़के बिल्कुल बंचित हैं जिन को कि वास्तव में मिलेटरी में स्थान मिलना चाहिये क्योंकि शहर के लड़के के मुकाबले में वे ज्यादा हूष्ट पुष्ट होते हैं और दौड़ने कूदने में उन से आगे रहते हैं और फिर लड़ाई के मैदान में जो लड़ते हैं वह सिपाही भी वही होते हैं। कमिशन ने कहा है कि स्टैन्डर्ड गिर गया है ।

## [श्री सिंहासन सिंह]

"A very large number of those who qualify in the written test do not pass the test conducted by the Services Selection Board of the Defence Services".

अब इस स्टैंडर्ड के गिरने का वही कारण है जोकि मैं ने आप को अभी बताया ।

अभी हमारे माननीय मंत्री ने कहा कि हमारे यहां पर लोगों का ध्यान आई० ए० एस० की तरफ सब से अधिक रहता है और आई० ए० एस० का ज्यादा चार्ज रहता है और इन्हीं शब्दों का कमिशन बें भी प्रयोग किया है । अब आखिर इस का कारण क्या है कि जो इंजीनियर्स होते हैं, प्रोफेसर्स होते हैं और डाक्टर्स होते हैं वे भी आई० ए० एस० में जाना चाहते हैं । जिस लाइन में वे विशेष योग्यता प्राप्त करते हैं अर्थात् डाक्टर, प्रोफेसरी या इंजीनियरिंग, उन में न जा कर वे आई० ए० एस० में ही क्यों जाना चाहते हैं, यह एक विचारणीय विषय है । वह इसलिये जाना चाहते हैं कि सरकार की लिस्ट में आई० ए० एस० को सब से ऊचा स्थान दिया जाता है जैसे कि शासन काल में आई० सी० एस० वालों को प्राप्त था और जिन आई० सी० एस० वालों के वास्ते पंडित जी ने अपनी पुस्तक में "स्टीलफ्रेम" शब्द का इस्तेमाल किया हुआ है, वही पुरानी स्थिति आज भी कायम है . . . . .

श्री बजराम सिंह (फिरोजाबाद) : पंडित जी अब उस को भूल गये हैं ।

श्री सिंहासन सिंह : अब जहां तक भूलने की बात है तो वह शायद और भी बहुत सी बातों को भूल गये होंगे । अभी मैं पढ़ रहा था कि जिस समय हिन्दुस्तान की आजादी की समस्या भारतवर्ष के नेताओं के सामने मौजूद थी और यह तय करना था कि देश का बंटवारा किया जाय अथवा नहीं तो जब लार्ड माउण्टबेटन के साथ नेताओं की भारतवर्ष का बंटवारा करने के लिये सह-

मत हो गई थी और ने इंडीपेंडन के लिये रजामंद हो गये थे तो इस बंटवारे के खयाल को ले कर गांधी जी और कांग्रेस के नेताओं में मतभेद उत्पन्न हो गया था और गांधी जी यहां से बिहार चले गये थे और रास्ते में उन्होंने ने स्वर्गीय सरदार पटेल को लिखा था कि इस मामले में मेरा तुम से मतभेद है । अब समय और स्थान में परिवर्तन आने से मतभेद अग्नर पैदा हो जाय और खयालात बदल जायें तो उस में कोई आश्चर्य नहीं होना चाहिये । यह भुमकिन है कि अग्नर में आप की जगह पर होता तो मैं भी शायद वही सोचता और मेरा भी वही खयाल होता जो कि आप का है तो स्थान और समय का कुछ न कुछ प्रभाव पड़ता ही है लेकिन बात अपनी जगह पर उसी तरह कायम है । अब लोगो में आई० ए० एस० के वास्ते इसलिये चार्ज है कि आई० ए० एस० वाले हर चीज के लिये योग्य खयाल किये जाते हैं । कमीशन की रिपोर्ट जो निकली है उसमें भी यही दिखाया गया है कि आई० ए० एस० वाले हर चीज के लिए योग्य हैं और इसलिये हर एक भले ही वह इंजीनियरिंग पास हो, डाक्टरी की योग्यता रखता हो अथवा प्रोफेसर हो, आई० ए० एस० में जाने को इच्छुक रहता है । अब यूनाइटेड किंगडम आदि में साइंटिस्ट्स, प्रोफेसर्स और डाक्टर्स का उचित मान होता है और उनकी काफ़ी भीतर की जाती है और मैं चाहता हूं कि हमें यहां पर भी उसी चीज को लाना होगा और हमें अपने सर्विसेज के दृष्टिकोण को बदलना होगा । अग्नर हम अपने यहां के प्रोफेसर्स, टीचर्स, इंजीनियर्स और साइंटिस्ट्स आदि की अधिक भीतर करें तो शायद हमारे यह लोग आई० ए० एस० में जाने के लिये उतने सालायाित न होंगे जितने कि आज होते हैं ।

कमीशन खुद लिखता है कि इसके लिए बहुत दरखास्तें आती हैं । आज तो लोग यह भी कहने लगे हैं कि कहीं से सिफारिश भी



मेजो न । पहले हम सुना करते थे कि एक कमीशन है । यह वहीं मान्य होता था कि कमीशन है । सिफारिश की बात सोचने का संभाल ही नहीं पैदा होता था । आज तो झूझत यह है कि आड़े कामयाबी हो या न हो, बड़ी रूप पहले से शुरू हो जाती है ।

गवर्नमेंट ने कई कमेटिया सरबिसेज रिफारगेनाइजेन के लिए बिठायीं, उनकी रिपोर्टें भी आयी, लेकिन वे दाखिल दफ्तर नही गयीं उन पर कोई प्रभाव नहीं हुआ । तो मेरा सुझाव है कि सरबिसेज का रिफारगेनाइजेशन इस तरह से किया जाये कि उनमें ऐसा काम न रहे जैसा कि आजकल है ।

श्री बजराम सिंह : गवर्नमेंट को ही दाखिल दफ्तर कर दीजिये ।

श्री सिंहासन सिंह : वह तो आप कीजिये । हम तो इस गवर्नमेंट को रखना चाहते हैं और इसमें जो कमियां हैं उनको दुरुस्त करना चाहते हैं । अगर आपकी गवर्नमेंट होगी तो हमारा क्याल है कि देश खतरे में पड़ जायेगा ।

तो मेरा सुझाव है कि सरबिसेज को रिफारगेनाइज किया जाये । आपने कई एक्सपर्ट कमेटिया बिठायी, लेकिन सरबिसेज का रिफारगेनाइजेशन नहीं हुआ । आपको कुछ ऐसी व्यवस्था करनी होगी कि सारे लोग एक ही सरबिस में न जाना चाहें । तो मेरा सुझाव है कि इस पर सरकार विचार करे ।

दूसरा सवाल टेंटेटिव एप्वाइंटमेंट्स का है । इस बारे में जब कमीशन का सुझाव है और मेरा सरकार से इस बारे में बड़ा मतभेद है कि बगैर कमीशन को रेफरेंस के टेंटेटिव एप्वाइंटमेंट्स कर दी जाती है । इसका नतीजा यह होता है कि बहुत से लोग हमारे पास आते हैं और कहते हैं कि मिनिस्टर से कह कर हमको नौकरी दिलाओ । हम उनको नमा कर देते हैं पर कमी-कमी करना भी पड़ता है क्योंकि उधर कोट का कर रहता है । मैं आपके

यह बात इमानदारी से कह रहा हूँ । वृकि आप इस तरह से लोगों को मुकर्रर करते हैं इसलिये आप पर जोर दिया जाता है । तो यह जो ६६२ टेंटेटिव एप्वाइंटमेंट्स हुए थे क्यों । कमीशन बना हुआ है । आपको बड़ी आवश्यकता पड़ती है तो आप लोगों को रख लेते हैं फिर उनमें से किसी को ६ महीने बाद, किसी को एक साल बाद, किसी को दो साल बाद कमीशन के सामने फनफरमेशन के लिये भेजते हैं । अब आप जानते हैं कि जो प्रादमी एप्वाइंट हो जाता है और काम कर लेता है उसको अनुभव भी हो जाता है, और उसकी तरफ से लोगों का यह क्याल ग्री हो जाता है कि इसको क्यों निकाला जाय । इस तरह से योग्य न होने पर भी बहुत से प्रादमी रख लिये जाते हैं और जो दूसरे योग्य प्रादमी आ सकते थे वे नहीं आ पाते । तो यह जो टेंटेटिव एप्वाइंटमेंट्स के नाम से जो बहुत से प्रादमी रख लिये जाते हैं यह नहीं होना चाहिये ।

इसके अलावा लोगों को टैम्पोरेरी तौर पर रखने का भी एक बड़ा सवाल है । इस के बारे में मैंने कई बार सवाल भी किया पर जवाब नहीं मिला । बहुत सी सरबिसेज हैं जिनमें लोग दस-दस पन्द्रह-पन्द्रह बरस से टैम्पोरेरी चल रहे हैं, खास कर रेलवे के इंजीनियरिंग विभाग में । बहुत से उनमें से यह समझते हैं कि टैम्पोरेरी रहते हुये ही वह रिटायर हो जायेंगे । यह बड़े दुःख की बात है । हमको यह निश्चित करना होगा कि टैम्पोरेरी कब तक किसी को रखा जा सकता है । एक बार गवर्नमेंट ने कहा था कि जो प्रादमी तीन साल तक टैम्पोरेरी रहेगा उसकी परमार्नेट कर दिया जायेगा । लेकिन मैं जानना चाहता हूँ कि ये बातें कहीं चलती हैं । हम क्यों न अपनी आवश्यकता के अनुसार प्रादमी रखें और उनको मुस्तकिम रखें । जो प्रादमी टैम्पोरेरी होता है उसके सिर पर एक तालवार की मदकती रहती है कि न जाने कब निकाल दिया जाऊँ, और इससे उसकी एफीसैंसी कम

### [श्री सिंहासन सिंह]

हो जाती है। जैसे कि जब आप किसी रिटायर्ड आदमी को दुबारा नौकर रखते हैं तो उसको काम की ज्यादा परवाह नहीं होती, अपनी एफीशेंसी बढ़ाने की परवाह नहीं होती क्योंकि वह समझता है कि ज्यादा से ज्यादा मुझे निकाल ही तो देंगे, मैं रिटायर तो हो ही चुका हूँ। इसी तरह से टेम्पोरेरी आदमी के मन में खयाल रहता है। वह समझता है कि परमानेंट तो हूँ ही नहीं। अगर काम खराब होगा तो मुझे निकाल देंगे। और वह अपनी एफीशेंसी बढ़ाने की कोशिश नहीं करता। इसलिये मेरा सुझाव है कि जहाँ तक हो सके आप टेम्पोरेरी आदमी कम रखें, जहाँ तक हो सके परमानेंट आदमी रखें ताकि वे ज्यादा अच्छा काम कर सकें। टेम्पोरेरी के मन में यह खयाल रहता है कि मैं आज हूँ न जाने कल रखा जाऊँगा या निकाल दिया जाऊँगा।

इन शब्दों के साथ मैं कमीशन की रिपोर्ट की तारीफ़ करता हूँ और उम्मीद करता हूँ कि मेरे सुझावों पर गौर किया जायेगा। एक बात और है . . . . .

**उपाध्यक्ष महोदय :** अब आप नई बात शुरू न करें।

**श्री सिंहासन सिंह :** एक ही बात और कहनी है।

**उपाध्यक्ष महोदय :** किसी वक्त तो बंटी सुनी जानी चाहिए।

**Shri Supakar (Sambalpur):** Public services are like the limbs of the body with which a man works and, therefore, we should see that our public services are kept at a very high level of efficiency. It is unfortunate that the Union Public Service Commission has had occasion to remark not only in this Report but in previous reports also about the general deterioration of the standard of candidates who appear before it.

Before dealing with this aspect, I would suggest that that one reason why not only the persons who appear before the Public Service Commission but the general standard of administration have deteriorated is that probably neither we nor the Public Service Commissions have taken note of the change in the pattern of administration during the last twelve years after we attained independence. We notice that the same standard of examination and the same standard of personality test which used to obtain before independence still remain, but the work that is expected of our public servants has undergone almost a revolutionary change. Twenty years ago, what was expected of an ICS officer, say, a District Magistrate? What is expected of a District Magistrate today? Can you compare? The two will not compare. Then, the District Magistrate was a District Magistrate in the true sense of the term. He was in charge of mainly maintaining law and order in the district under his jurisdiction. He was also Collector and had to satisfy the Government that the revenue is collected for the proper administration of the State.

13 hrs.

Apart from these two functions, the Administrative Officer had really no other function to discharge. But, nowadays, he has practically not much responsibility as a District Magistrate, that is to say, the law and order programme; it has come to be of very minor importance. Now, the main duty of the Administrative Officer is that of the district level worker similar to that of the village level worker at the village level. He has to look into the minor irrigation projects; he has to look into the development programmes; he has to look into how far the several items of our several Five Year Plans are progressing every month and every year. He has to do more of social work than what is really called the law and order work. That is one aspect of the problem.

Coming to the other aspects of the administration, they have come into greater prominence with the development of the public sector in the country, after the coming into the forefront of the different steel projects, the shipyards, the fertilizer and a thousand and one other projects under the Five Year Plans for national development. We find that the duties and responsibilities of the Administrative Officer have become varied and much more responsible than they were about 20 years ago. But the pattern and standard of examinations are practically the same as they used to obtain about 20 years back.

In this connection, may I suggest that it is time that the Union Public Service Commission and the Government of India gave thought to the reorganisation of the system of examinations and testing of the candidates who appear before them for posts of an administrative character. I would draw the attention of the House to some of the remarks of Dr. Appleby in the report of his survey which he did in the year 1953. Of course, he merely reviewed the position that obtained during the period of his survey and he did not make any very definite and concrete suggestions, except the two suggestions of having an Organisation and Methods Division and the establishment of an Institute of Public Administration.

I quote from page 64: he says:

"But modernly, political democracy has caused a steady widening of meaning for the word 'welfare', and science and the division of labour in professionalization and technology have provided new means for enhancing welfare. India, more than any other nation, has frankly and emphatically dedicated itself to the achievement of a Welfare State in these expanded terms. The meaning of this is that here efforts will be more various, extended and particularized with reference to individual persons. The Government

has set out on an impressive program not merely helping its people but of helping persons, seeing and reaching them and their lives as individual beings. This puts great, new obligations on public administration, and calls for new learnings, new understandings."

So, I submit that this matter needs to be reconsidered and proper adjustment made.

Now, I will refer to one or two points to which the Commission has made particular reference. I draw your kind attention to Appendices XI and XII—List of posts requisitions for which were cancelled after advertisement and list of posts for which requisitions were cancelled after advertisements and interview of candidates. Shri Sinhasan Singh has made pointed reference to this and to the huge waste not only of Government money and energy but also the waste of time and energy of the candidates concerned.

I would suggest that a lot of mischief done on account of this cancellation could be reduced and minimised if the Government were asked in all cases to specify the reasons why they cancelled the requests after advertisements and after advertisements and interview of the candidates. If Government were required to give the reasons why and the circumstances under which they cancelled the requests, there will be a proper check on the different departments and the labour and energy of the Government and the candidates will not be wasted unnecessarily.

I will make a reference to one more point and then finish. That is with regard to Appendix XIV where the delay in communication of references is referred to. It deals with the list of posts filled by Government under Regulation 4(b) of the Union Public Service Commission (Consultation) Regulations and in respect of which the requisite reference to the Commission was delayed. We find that in

[Shri Supakar]

some cases there has been a delay of about 5 years and sometimes of 6 years. Although the Union Public Service Commission is here and the different Ministries are also here. Why should it take about five years to make a proper reference to the Union Public Service Commission? There is no explanation. I believe in this case also, the different departments of the Government, when they make such unconscionable delay, should be asked to give the reasons for the delay, and that should also form part of the appendices and form part of the report.

These are some of the lacunae from which the report suffers on account of the defects and delays on the part of the different departments of the Government. I believe if the lacunae are remedied, the report could be a more comprehensive and more meaningful one to us, Members of Parliament.

Shri C. E. Pattabhi Raman (Kumbakonam): Mr. Deputy-Speaker, Sir, it may not be realised that in the whole of the Asian continent, three countries are referred to as countries where some amount of security is assured to the citizens, where an orderly government is obtaining. Usually that reference is to the three countries viz. Japan, Turkey and, like a pendulum swinging in the middle, the jewelled ornament, India or the Indian peninsula. The orderly government, especially in India, is due to the great work done by the services and the great traditions of the services.

It is with a definite object that we have a separate Part—Part XIV—in the Constitution which deals with the services. There we have article 317 which deals with the removal of members of the Public Service Commission which can be effected in consultation with the Supreme Court. Definite rules are laid down, and we have also got a definite rule that no man can aspire to anything after his term as a member of Public Service Commission. Today, the Union Public

Service Commission is manned by a Chairman who has had a distinguished record in Madras as a civilian. It has got a Member who was the Speaker of the Madras Legislative Assembly. It has got a Member who was the Vice-Chancellor of a University. There are other distinguished people and I do not want to mention their names. We must develop a tradition of respecting them, the people who cannot defend themselves. They are doing a magnificent work of selecting candidates day in and day out. Thousands of candidates go through their hands. The Commission endeavour to do their best. As the hon. Speaker recently pointed out, if there is any irregularity we can always strike it down with a motion in the House. There are so many other methods of dealing with them. Let us not have a fling at them, because we will be fouling our nest. We must build up a real tradition of respecting the Services. The Union Public Service Commission is doing the work, if I may say so, well.

A suggestion was made that judges of the high courts, when they are fit to be elevated to the Supreme Court, may be considered for membership of the Public Service Commission. I oppose that very idea. In regard to judges in England, if a man is invited from the Bar to become a judge, he gets the appointment order in the morning. Usually, in the afternoon, or the next day, the King or Queen as the case may be knights him, and thereafter he expects nothing from the Government. It will be a tragedy if judges are made to look up to service in the Public Service Commission as a further post to carry on there till 65.

You can always co-opt judges. Whenever munsiffs are appointed in the States a judge is co-opted with the State Public Service Commission. You can always co-opt them for specific purposes. Having said that, I would now say one thing more. There is reference in this report to a Central Legal Service. It is good that we should have a Central Legal Service

and if it is properly organised, it will be good I congratulate the Home Ministry on the lead given so far as the establishment of the Central Legal Service is concerned. But may I suggest to them one thing? I have already pointed it out elsewhere It is just possible that the Law Commission's report with regard to a sort of Central Judicial Subordinate Service may come into effect later on But till then, till it comes into effect, some steps may be taken in that direction I do say that it is imperative that we must take young lawyers from various States to form panels For that purpose have a judge of a high court with the permission of the Chief Justice co-opted with the Commission Have a panel for our young junior lawyers of various States who will appear for and advise in the central cases It is no doubt true that so far as the States are concerned, they have got the Government Pleader, the Advocate-General, the Public Prosecutor, the Legal Remembrancer and similar other appointees But I feel that you can have a panel in each State for the Central Government's affairs and for advice

Take, for example, the Industrial Investment Corporation So many kinds of advisory work is done in such bodies The appointment of men for such work should not go by patronage There are very good, brilliant men who are not able to get a place under the sun because they are not able to pull wires I think the Ministry of Home Affairs will consider that aspect and see to it that the Public Service Commissions, in various States and the Union Public Service Commission are able to get people for this panel

There is also reference to the health services It is a great pity that the old Indian Medical Service went with the British Some of its members were very brilliant men They had an all-India outlook An Indian Medical Service is very essential in India Anything that unifies India and gives an all-India outlook is always good and must be started and must be

maintained. What is happening is this. I know of a case A very good ophthalmic man, an eye-specialist, a young fellow, is put in a State in the Accident Ward of some hospital, or is shunted to some district in charge of the out-patients and things like that These vagaries will end if we have a Central Health Service I hope the Ministry will consider that aspect and have a Central Health Service Though it may not be strictly germane to the discussion here, there is reference to it in the shape of an initial constitution of health services in the report Therefore, I feel that I have got some leeway to adumbrate this

It is no doubt true that there has been some delay in the matter of notifications, applications, giving notice to the candidates, etc What happens is this Under Indian conditions, especially, considering the unemployment among the educated classes, if there is an advertisement for a service, thousands of people apply, it was 25,000 in one case The figures are given in the report

I know of two definite cases where the people were really kept on tenterhooks for months and months on end. One is with regard to the special recruitment What happened was, the question was hanging fire for long A number of people were invited for interviews Nothing happened Then finally, they announced a list Many States would not take those people into their service and even today some of the candidates are in a very tantalising situation Some of the people are not able to get promotion in their own service because there are people already in service who try to get to the Central Services Delay are there but these delays should be done away with

Take the management pool I know that in America really good businessmen, good industrialists and industrial heads are invited to run quasi-governmental or governmental bodies. Take the Tennessee Valley Authority

[Shri C. R. Pattabhi Raman]

for instance The management pool is a good idea. I am glad you are going to take it up But now nothing has been done So many people have applied There are various businessmen and various experts who apply. Naturally it has got to be a special cadre by itself and there must be special conditions But nothing is done I know the Commission has given the reasons for the delay, but then this delay could also be avoided You must make up your mind with regard to such services Do you want them? If you want them, be definite about it, be definite about the place, advertise, give proper notice, select and announce and train the people as quickly as possible Do not keep all these matters pending and do not delay for a long time It is neither fair to the Commission nor to the services nor to the various persons who apply

Similarly in regard to quasi-permanency There also a number of pending cases are there The Constitution confers certain rights on the man who has been made quasi-permanent If the man is a temporary servant and there are so many decisions of the Supreme Court on the point, he can be sent home with just a short notice and there is an end of it But in quasi-permanency, you have got definite rights You cannot keep a man temporarily for more than a certain period At the end of a particular period you must make him quasi-permanent I know you have not got rules in existence But they are not given effect to You must deal with the quasi-permanent cases with a little more urgency I am very glad that the Commission also referred to various cases of quasi-permanent people I find still there are 140 cases pending at the close of the year They themselves admit the delay Therefore, this is also a case which needs looking into by the Home Ministry

Then I am very happy that the personality test rule has since been taken

away It has undergone a sea-change and we have got a proper rule now. Actually, from my own personal experience, I can say that there was a brilliant chemist in my time in England who appeared for the I.C.S. examination

He was a puny-looking short man and the Commission asked "Have you seen Trafalgar Square?" He said, "No; I have been reading all the time". Still he got full marks So, there are brilliant men who may not have personality This personality test was working havoc It was made use of for lobbying and discrimination through pressure I am glad it has gone and no minimum is required so far as the personality test is concerned

Shri Harish Chandra Mathur: Lobbying with whom?

Mr. Deputy-Speaker: If lobbying and discrimination are intended to be imputed to the Public Service Commission

Shri C. R. Pattabhi Raman No, Sir; I am not meaning that

Mr. Deputy-Speaker: We are discussing the report of the UPSC.

Shri C. R. Pattabhi Raman: I am much obliged to you, I will make myself clear about the word 'lobbying' I am only saying there are political pressures at a given time

Shri Harish Chandra Mathur: On whom?

Shri C. R. Pattabhi Raman: Not on the Commission, I have not finished.

Shri Datar: I think he should withdraw that

Mr. Deputy-Speaker: First an opportunity should be given to explain.

Shri C. R. Pattabhi Raman: Suppose there is a press campaign In fact, when I contradicted my learned friend, Shri Mathur, about this very question, I am not going to commit the same fault; I assure him.

**Mr. Deputy-Speaker:** Sometimes there are lapses also without the intention being there.

**Shri C. R. Pattabhi Raman:** I am much obliged to you; I will give an example. Perhaps it may help Shri Mathur. Recently, there was a very eminent person in Madras belonging to the Muslim community, who got up and said, "Our community is being neglected". If you are not aware of it, you can see it in *The Hindu*; I shall give the reference and I am sure your assistants will get it in no time. There is a complaint that that community is being neglected; in independent India, they are not getting enough chances and all that. He even suggested discrimination. I meant that pressure, i.e. groups saying in public giving a sort of publicity to their views. When I said, 'lobbying', I did not refer to any individual pressure on the members. I will be the last man to say that. When I am defending the Commission, I am not going to impute any lack of integrity in them. But I do say that this sort of propaganda. . . .

**Mr. Deputy-Speaker:** I must say that even this explanation does not carry us far. A frustrated man or a rejected man might have many suspicions and he might say anything that he likes. But when the hon. Member, who is a very responsible politician, says that there are cases of discrimination, when we are discussing the UPSC report, certainly it carries some insinuation or implication, which we must avoid. I think he must realise it, avoid it and withdraw the one that he has said.

**Shri C. R. Pattabhi Raman:** I will certainly and readily do that. I was only referring to frequent references and attacks on the Commission. What I really meant was that these insinuations are made against the Commission. I am not saying they are bound to be influenced by it; they would not be influenced by it. I am anxious to protect them more than anything else. They are doing a very difficult task and they have an onerous task to

perform and they need all the protection. Please remember that I was referring to this under the heading 'personality test'. I was only saying how properly Government have changed the rules and abolished the minimum so far as personality test is concerned. It is very proper, so that a man of merit does not suffer. The other day, there was a distinguished Vice-Chancellor who said that we must do away with the examinations. Let us not go into the merits of that now. Today, examinations are the best tests for finding people with merit. Therefore, they are essential. There was some reference made by my hon. friends to personality test and I was really speaking under that heading. (*Interruption*). I am not saying lobbying; I am referring to pressure in the papers.

**Mr. Deputy-Speaker:** Lobbying may be there; that is not very objectionable, because that is only an attempt to influence. But when 'discrimination' comes in, it means that they succumb to that lobbying.

**Shri C. R. Pattabhi Raman:** I am glad that the minimum for personality test is gone; it was precisely under that heading that I was talking.

With regard to pensions, I shall say a word. I find pension also is a subject which appertains in a way to the Public Service Commission. There are really cases of pension which have been pending too long. There are cases of pension not being paid to retired men for 1, 2 or 2½ years. On what are they to live? Are they to live on water and air? They cannot borrow they are not in service. I think this is really a case where there must be utmost expedition. I am sure the Government will bear this in mind.

Having said this, I shall say again that the Public Service Commission have been doing an excellent job and they need all the praise from this House. We must have a tradition, a sort of convention, with regard to the Public Service Commission, who are

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really judges in their own way, to see to it that, when they are not here to defend themselves, nothing should be done to insinuate want of integrity in them. I have got the highest regard for them.

Shri Satyendra Narayan Sinha (Aurangabad—Bihar): Mr. Deputy-Speaker, Sir, the report of the Commission is presented to the House every year and we get an opportunity to discuss it. From that point of view, I beg to submit that the report should be able to provide a greater inkling into the working of the Commission. In today's discussion, you might have noticed that you have had to call to order several times Members who have been participating in the debate. Not that there was anxiety on the part of Members to cast aspersions or insinuations against any member of the Commission, but the position is that we are all very anxious to see that the working of the Commission is such that there is general assurance, respect and confidence in the Public Service Commission. That can be assured if the report contains greater inkling and some more details as to how they function

For instance, in the case of *viva voce*, we find sometimes candidates who have uniformly secured first class marks in written papers get 10 per cent in *viva voce*. Obviously, there does not appear to be any explanation. It leaves us a guessing as to how that candidate has got only 10 per cent. It also does not help the candidate. He has to appear again and he does not know where he has failed to impress the Commission. If the report contains an analysis of the criteria which the Commission adopt in judging the merit of the candidates, perhaps it will help the candidates and it will also insulate the Commission against any kind of suspicion about their working. Because, you will agree that even with regard to the administration of justice, we also follow the same norm with regard to the High Court Judges.

Administration of justice does not consist in justice being done; it must appear to have been done. Likewise, my submission to you is that this report should contain some more details so as to give us a clear idea as to how the Commission is working.

My personal experience as a member of the University Syndicate is that sometimes we find that the university office also tabulates the relative merits of the candidates on the basis of their academic records and all that, but it goes to the Commission and the recommendations come, the whole arrangement is topsy-turvied as a result of the personal interview. It leaves us a guessing as to what were the criteria adopted by the Commission in judging the relative merits. My friend, Shri Pattabhi Raman said that we should not insinuate or cast any kind of aspersion on the Commission. I am at one with him. But you must have found the difficulty with which he was proceeding and several times you had to pull him up, because he could not get away from the general impression that is created, the vagueness, the sort of uncertainty or the indefiniteness which pervade the atmosphere. From that point of view I say—I am not casting any aspersion on the Commission but it is because of my anxiety that I say that the Commission should be above board and people should have respect for that just as we have got respect for the High Court judges. Therefore, I am asking . . . .

Mr. Deputy-Speaker: When he wants that the Commission should be above board, he means to imply that it is not above board.

Shri Satyendra Narayan Sinha: No, Sir. That is not the point. The point is that there should not be any such kind of impression in the public mind.

Mr. Deputy-Speaker: That is a different thing. When the hon. Member says that there are chances for



people to suspect or that suspicions are aroused in them, though they may be unfounded, and when we say that we want that they should be above board, it implies that. Certainly, we believe that they are above board and we do not want anything further. So far as the procedure, personality tests and other things are concerned, when such things happen, certainly those candidates who go away, might have reasons to complain. Such suspicions do arise. We want that even those should not arise.

**Shri Braj Raj Singh:** Should we not here, in this House, say generally something about the Commission as a whole, whether they have earned the respect of the public or not? I admit that we could not cast aspersions on the personalities in the Commission, but generally, I think, we are entitled to say something about it.

**Mr. Deputy-Speaker:** To say something about the institution is a different thing. But when we say that we have doubts about the Commission's impartiality or their fairness or other things, that is objectionable. Whether we take them collectively or individually, that does not make any difference. As an institution it is a different thing. Then, we discuss them in a different manner.

**Shri A. C. Guha (Barasat):** It becomes very difficult to discuss a report unless something is said also about the procedure under which the commission or the committee has worked.

**Mr. Deputy-Speaker:** There is no objection so far as reference to procedure is concerned.

**Shri A. C. Guha:** Then the question would also come whether the commission or the committee has worked in a fair manner. If you do not allow anything to be said about that then I think it is no use our discussing this report at all.

**Mr. Deputy-Speaker:** How could I allow that when their fairness is

doubted? Reference to the procedure is not objected to. If it is defective, we can amend it, we can discuss it and we can criticise it. If the procedure itself gives rise to any suspicion or if there are any defects in it, that must be improved. That we can do. We can discuss that.

**Shri A. C. Guha:** The procedure should be discussed both from subjective and also objective stand points, whether it appears to the people to be fair.

**Mr. Deputy-Speaker:** I do appreciate that there is some difficulty in that. But really hon. Members ought to avoid that.

**Shri Satyendra Narayan Sinha:** I just want to assure you that I am anxious that the Commission must also appear to be just and fair. That is my only anxiety. It is not that I say that they are not just but that they must appear so. That is why I suggest that when they submit the report or send it to the Government, it must contain some more details as to what criteria they had adopted, how they had come to this conclusion, etc. This will serve as a guidance to candidates who will have further chances to appear before them for viva voce. That is why I am suggesting this.

With respect to the personality test, I am glad that this qualifying provision has been removed. But what I find on page 5 of the Report is that the Commission have said that they will be studying the effect of this vital change on the efficiency of the candidates appointed to these services. I should like to know from the hon. Minister whether the Commission has appointed any agency of their own to follow up their work in different places to which they are posted or will they depend on the Government agency for assessing the efficiency of the work. This point may be clarified by the Government.

Last year, during the debate on the report of the Commission, many hon. Members suggested that there should be only one commission for the whole

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country and that State Service Commissions should be like different branches or different wings of it. It is not possible within the Constitution but I welcome the step taken by the Commission in convening a conference of the Chairmen of the State Public Service Commissions in order to discuss common problems and to develop a common approach to things, common procedure and all that and thereby they will also be able to infuse greater strength and cohesion among members of the State Public Service Commissions.

A lot of complaints were made last year with respect to the working of the State Public Service Commissions and it was objected to—and rightly too because that cannot be done here in this House. But if they are going to repeat this procedure, as you are doing in respect of the Presiding Officers, greater cohesion will be achieved and a common approach, procedure and tradition will be developed. So, I welcome that step.

Then there is this point, which was referred to last year also, with respect to the public undertakings. We are expanding our economy every day and are also expanding the public sector. We have also instituted the Industrial Management Pool. But I cannot understand why the appointments in the public undertakings have been taken away from the jurisdiction of the Commission. From my personal experience, I can tell you that the persons serving in the public undertakings do not enjoy the same security of tenure as those serving in the Government offices or even in private management. I have noticed that officers drawing very high salaries can be dismissed for having incurred the displeasure of their bosses and are not given an opportunity to defend themselves. The Board is just helpless because it is for the Managing Director to run the undertaking and they have just to ditto what he says. He has no right of appeal to higher authorities. When

they are serving in Government undertakings, we should extend to them also the benefit of security of service as is available to other Government servants. Last year, the hon. Minister did not make any reference to this question, which was raised. I ask the hon. Minister to at least tell us as to what the idea is, whether or not they are going to extend these benefits to those employees who are serving in the public undertakings which are more or less Government departments but for the sake of functioning have been given autonomy.

Then I come to the question which has already been referred to by my hon. friend, Shri Sinhasan Singh and other hon. friends with respect to cancellation. I really cannot understand as to why, after the post has been advertised and interview has been held, the Government should come up with the decision of cancelling the appointment. Too much waste is involved in this and I hope that this sort of thing will not be repeated again.

Then, with respect to the tentative appointments or temporary appointments, which are referred to the Commission later on, a lot of complaint has been made on that score. In the Report also several cases have been referred to in which appointments were made and were not referred to the Commission within the period of three months. They were referred long after three months, sometimes after six months or a year or so. This creates suspicion in the minds of those who are desirous of competing that those persons, who are appointed on a temporary basis, get an artificial and technical advantage over them by having experience added to their qualifications. This long delay in referring these cases only adds to their experience and gives them undue advantage over those persons who will come from the open field. So, this thing should not be repeated again.

The Commission also referred to it last year and this year again it has referred to it. But I do not know why the Government have not found its way to put an end to this kind of practice. The departmental officers, who go as experts, sometimes also dominate in the proceedings, because as has been informed by a friend of mine, who is an hon. Member of this House, the Commission gets unduly weighted. One of the members of the Commission is there and sometimes two experts are there. One of them is a departmental Secretary or Deputy Secretary. He submits a report in favour of the candidate who is already serving. So, he gets an initial advantage over those who might have been otherwise more qualified but who lack this qualification and backing. This operates to the disadvantage of those who are not lucky enough to get into Government service through the backdoor method. So I make my strong submission that this be put an end to.

With these words, I conclude.

Shri Aurobindo Ghosal (Uluberia):  
Mr. Deputy-Speaker, Sir, the Public Service Commissions were originally set up for recruitment of persons for higher posts, sometimes of persons with special knowledge and high qualifications, and also sometimes for posts where persons of high merit and ability are required. The idea was that if the recruitment for these posts were left in the hands of the executive departments, there was likelihood of favouritism or predilections coming into play. This important agency was set up with this object in view.

Now, the work of the Union Public Service Commission and the Public Service Commissions of the States is gradually expanding due to the expanding nature of our public undertakings and also the Plan projects as also the increase in our employment potential. In order to cope with the demand of more man-power with greater efficiency some speedy procedure should be adopted for recruitment. Instead of going into details I

should like to touch on some broad features of this Report.

In the Eighth Report you find it mentioned that the number of candidates is gradually increasing, but the staff of the Public Service Commission is not being increased proportionately. Whatever might be the reasons, unemployment or more craze for government service, if the staff is not increased, it takes a long time to recruit even for posts which are required to be filled up immediately.

Secondly, the present procedure of UPSC for recruitment has got to be reviewed. It takes about a year to recruit persons through the UPSC. I think this is the reason why the number of temporary appointments is increasing. The work cannot be suspended for the time that will be taken by the UPSC for advertisement and final recruitment. So some temporary appointments are made to those posts. By the time the UPSC secures a man after going through all its formalities, that temporary man gains some experience in that post and naturally the question of cancellation comes in. The important point is this. Instead of advertising and calling for applications and keeping the temporary man in suspense for years, he should be made permanent in his post.

The Eighth Report, as also the Seventh Report, of the UPSC complains that the standard of the candidates is gradually falling. Several reasons may be attributed for this lowering of standards. First comes the system of education. It cannot be denied that the standard of examinations has fallen down; the system of secondary education varies from State to State. The students are overburdened with their texts. Moreover, nowadays the practice is to allow more marks to the texts, as a result of which cramming for the purpose of passing the examinations, develops. Even during my time in our State in the Matriculation Examination out of 200 marks allotted

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for the English paper, 150 marks were earmarked for outside studies and only 50 marks for the texts. At present for the School Final Examination out of 250 marks for English paper, 200 marks are allotted for texts and only 50 marks for outside studies. Naturally, cramming has developed and after graduation, when the candidates appear for the UPSC examination they are faced with stiff tests. These defects in the educational system must be removed in order to raise the standard.

Naturally, the calibre of the students is almost the same. The procedure of the educational system has changed and that is perhaps one of the reasons for this fall in standards.

Secondly, the scale of pay is not very attractive. That has also to be considered. In our country, there is dearth of qualified persons. Naturally, the market rate of salary, or grade of salary becomes high. If the law of supply and demand operates there can be no objection. Government shall have to revise their scales in order to take into service better type of men

Another observation in the report should be noted. More candidates are now available for civil and executive posts and there is dearth of candidates for Joint Services Wing examination. During the Budget discussion also we heard complaints about best persons not coming to the Defence Academy at Kakrasa and other places. An enquiry should be held as to why the tendency of avoiding employment in the Defence Services is gradually growing.

Regarding coordination between the Union Public Service Commission and the Commissions of the States we know that the UPSC has already held a meeting with the State Service Commissions about cooperation that exists between the UPSC and the Central Government. But the same attitude is lacking in the case of rela-

tion between the State Service Commissions and the State Governments. I would like to draw the attention of the hon. Minister to the position in my State. In the annual report of the Public Service Commission of my State it has been said that . . .

Mr. Deputy-Speaker: We are discussing the UPSC's Report.

Shri Aurebindo Ghosal: I am only giving you an example.

"Men with lower qualifications are being recruited for dearth of qualified men."

The same explanation has been given you will find here, that a very small number of graduates who have passed in First Division are coming for the Judicial Services. The salary of the State Judicial officers is fixed at Rs. 150 in the beginning, whereas any lawyer after passing the examinations in the first Division will earn not less than 300 in the beginning. Naturally, we have to raise the standard of pay. What is applicable to the UPSC is applicable to the State Public Service Commissions. Though it is a matter relating to the States, still for the sake of better efficiency and also because the States shall have to execute and implement all the Plan projects, I suggest that attention should be given to this problem also.

Lastly, I have observed a tendency in the Central Government to bring more and more posts outside the purview of the U.P.S.C. This tendency is very bad and it will encourage more corruption and nepotism in the services. I would therefore like to draw the attention of the House to this problem, so that even in the beginning we can check this undemocratic tendency in our Government. Also, we can increase the staff of the Union Public Service Commission and bring the appointments in public undertakings under the purview of the Commission in order to recruit

persons of high qualifications and also in order to improve the present procedure of recruitment so that speedy recruitment is possible.

श्री बबराज सिंह : उपाध्यक्ष महोदय, देश में नौकरियों का प्रश्न बहुत महत्वपूर्ण है, न सिर्फ इस लिहाज से कि उससे बहुत से लोगों को अपनी जीविका अर्जित करने का अवसर मिलता है, बल्कि इस लिहाज से भी कि उस से देश की सेवा एक ढंग से करने का भी अवसर मिलता है। इसलिये जब पब्लिक सर्विस कमीशन की रिपोर्ट पर बहस हो, तो वह एक बहुत ही महत्वपूर्ण अवसर होता है। पब्लिक सर्विस कमीशन का कार्य-क्षेत्र बढ़ता जा रहा है, यह इस रिपोर्ट में कहा गया है। हमें यह भी बताया गया है कि कुछ इस तरह की नौकरियां थी, जिनके लिए विज्ञापन देने के बाद भी उम्मीदवार नहीं मिल सके। इस रिपोर्ट के एपेंडिस ९ में उन नौकरियों की लिस्ट दी गई है, जिनका जिक्र पैराग्राफ १२ में किया गया है कि उनके लिए विज्ञापन दिया गया, लेकिन फिर भी उम्मीदवार नहीं मिल सके और इसलिये परसनल कन्टेक्ट कैंडिडेट्स के नाम से कुछ कैंडिडेट्स छाटे गए। अगर इन परसनल कन्टेक्ट कैंडिडेट्स में कुछ ऐसे लोग रहे होते, जो टेक्निकल किस्म के लोग हो, तो मैं भौचता कि हो सकता है कि इन पदों के लिए विज्ञापन से भी लोग नहीं आए, और उन्होंने परीक्षाएं नहीं दी, इम्तिहान नहीं दिये। इस रिपोर्ट के पेज ३६ पर परसनल कन्टेक्ट कैंडिडेट्स की लिस्ट दी गई है और उसमें ९५ नम्बर पर दो कापी-राइटर्स, मिनिस्ट्री आफ इन्फार्मेशन एण्ड ब्राडकास्टिंग को जिनका ग्रेड ३५०-६२० है, परसनल कन्टेक्ट कैंडिडेट्स के तौर पर भरती किया गया। मैं गृहमंत्री महोदय से जानना चाहता हू कि क्या कापी राइटर भी कोई टेक्निकल लोग होते हैं और उनके लिए विज्ञापन देने के बावजूद भी लोग मिल नहीं सकते हैं? इस तरह से नम्बर १०९ पर

कम्पाइल (सिंचेटीयर्स), मिनिस्ट्री आफ एजुकेशन का जिक्र है, जिस पद का ग्रेड ६००-११५० है और इनके बारे में भी कहा गया है कि ये मिल नहीं सके हैं। ११० नम्बर पर दो रिस्चर्च आफिसर्स, प्लानिंग कमीशन का जिक्र है जिस पद का ग्रेड ३५०-८५० है और उनके बारे में भी यही कहा गया है। इसके बाद १११ नम्बर पर एक पद के लिए जो कि सीनियर रिस्चर्च आफिसर, प्लानिंग कमीशन का था और जिसका ग्रेड ६००-११५० है, कोई नहीं मिल सका है। इसी तरह से ११७ नम्बर पर डिप्टी डायरेक्टर आफ एडवर्टाइजिंग एण्ड विजुअल पब्लिसिटी, मिनिस्ट्री आफ इन्फार्मेशन एण्ड ब्राडकास्टिंग का जिक्र है जिसका ग्रेड १०००-१३०० है और कहा गया है कि इसको भी परसनल कन्टेक्ट कैंडिडेट के तौर से भरा गया है। १२५ नम्बर पर डिप्टी डायरेक्टर (सर्वे आफ लेबर कंडिशनस) आफिसर आफ डायरेक्टर लेबर ब्यूरो, शिमला, मिनिस्ट्री आफ लेबर एण्ड एम्प्लायमेंट के पद का जिक्र है जिसका ग्रेड ८००-११५० है और यह पद भी इसी तरह से भरा गया है। मैं जानना चाहूंगा कि जब ये टेक्निकल पोस्ट्स नहीं हैं, तो क्या वजह थी कि इन के लिये विज्ञापन दिये जाने के बाद भी लोग नहीं मिल सके। मैं जानना चाहता हू कि विज्ञापन देने का तरीका क्या अख्तियार किया जाता है और किस तरह से विज्ञापन दिये जाते हैं? एक तरफ तो हमारे मुल्क में बहुत अधिक बेकारी है, लाखों लोग पढे लिखे हैं तो क्या कारण है कि इन नान-टेक्निकल पोस्ट्स के लिए आदमी विज्ञापन देने के बावजूद भी नहीं मिल सके, कापी-राइटर नहीं मिल सके। मुझे ऐसा लगता है कि इसकी जांच किये जाने की आवश्यकता है और मैं आशा करता हू कि गृह मन्त्रालय इस ओर ध्यान देगा और पब्लिक सर्विस कमीशन भी अविध में यह कोशिश करेगी कि परसनल कन्टेक्ट कैंडिडेट्स वाली जो चीज है वह कम से कम हो और यह

[श्री बजरत्न सिंह ]

कोशिका की जाए कि जो विज्ञापन दिया जाता है, अगर उससे लोग नहीं भाते हैं तो किसी दूसरे तरीके से भी विज्ञापन दिया जाए।

अब जहाँ तक विज्ञापनों का तात्लुक है, उनकी भी एक अजीब स्थिति है। अंग्रेजी के मुख्य मुख्य अखबारों में ही विज्ञापन दिये जाते हैं और जिसे अभी तक दुर्भाग्य से लैंगुएज प्रेस कहा जाता है और जिसे वाकई में राष्ट्र भाषा प्रेस कहा जाना चाहिये, चाहे वह तमिल की हो, बंगला की हो, गुजराती की हो, मराठी की हो, हिन्दी की हो, इन सभी भाषाओं के जो अखबार हैं, इनमें आम तौर से एक विज्ञापन भी नहीं दिया जाता है। इसलिये जिन लोगों को अंग्रेजी के अखबार पढ़ने का मौका नहीं मिलता है या किसी वजह से किसी दिन पढ़ नहीं पाते हैं, उनकी निगाह से वह चीज गुजर जाती है, उनकी नजर में वह चीज भाती नहीं है तो इसका नतीजा यह होता है कि वे एप्साई नहीं कर पाते हैं, तो फिर परसनल कांटैक्ट कैडिडेट्स के तौर पर इन लोगों को भरती कर लिया जाता है। मैं समझता हूँ कि जो विज्ञापन इन जैसे पदों के बारे में दिये जाते हैं, वे सभी अखबारों में दिये जाने चाहिये, उन सभी भाषाओं के अखबारों में दिये जाने चाहिये, जो कि हमारे देश में निकलते हैं।

एक और प्रवृत्ति हमारे देश में चल पड़ी है कि केवल मैरिट के आधार पर ही लोगों को भरती किया जाए। इसका नतीजा यह है कि जैसा रिपोर्ट में बताया गया है कि सिर्फ १६ शैड्यूल्ड कास्ट्स के लोग ही आल इंडिया सर्विस में आ सके हैं और जहाँ तक ट्राइबल जातियो का सम्बन्ध है, केवल दो व्यक्ति ही आ सके हैं और जो कोटा उनका था, वह पूरा नहीं हो सका। हमने अपनी कास्टीट्यूशन में व्यवस्था कर रखी है कि बैंकबर्दे क्लासिस के लोगों के लिये खास रियायतें की जायेंगी और उनके लिए कोटा

रिजर्व किया गया है और ऐसी व्यवस्था होते हुए भी अगर हम कोई ऐसा कदम नहीं उठा सकते हैं जिससे कि इन जातियों के लोग नौकरी में अधिक सख्या में आ सकें तो फिर मैरिट वाली बात जो है वह तो उन्हीं लोगों को हमेशा फायदा पहुंचाती रहेगी जो कि ऊची शिक्षा पाये हुए हैं या जिनकी आर्थिक स्थिति हमेशा से ही अच्छी रही है और उसकी वजह से अच्छा पद लिख गये हैं और उन्हीं को हमेशा उच्च पद पाने का मौका मिलता रहेगा और इन पदों पर हमेशा बड़ी लोग बने रहेंगे। इस तरह से समाज में जो ना-बराबरी का दर्जा है वह हमेशा कायम रहेगा, भरती के बारे में जो यह केंपस मैरिट का तरीका अपनाया गया है, मैं चाहता हूँ कि इस पर फिर से गम्भीरता के साथ विचार किया जाए। मैं चाहता हूँ कि गृह मन्त्रालय तथा यूनिजन पब्लिक सर्विस कमीशन सोचें कि क्या यह मुनासिब होगा कि आज की स्थिति में जबकि बहुत से लोग ऐसे हैं जो बहुत ज्यादा शिक्षा पाये हुए नहीं हैं और जो कि मैरिट में नहीं आ सकते हैं, कम्पीटीशन में नहीं आ सकते हैं, हमेशा ही उनको नौकरी से वंचित रखे, इन पदों से वंचित रखे? जिस प्रकार की व्यवस्था हम आगे करने जा रहे हैं, समाज की जिस प्रकार की रचना हम करने जा रहे हैं, उसमें यह आधार तय करना होगा कि सब तरह के लोगों को प्रतिनिधित्व मिल सके।

मुझे खुशी है कि परसनैलिटी टेस्ट को छोड़ दिया गया है। यह एक प्रतिक्रियावादी चीज थी। इसको भूतकाल में इसलिए लागू किया गया था कि अंग्रेज यह देवना चाहते थे कि कोई किस तरह से टाई बाधता है, अंग्रेजी बोलने का उसका लहजा कैसा है, चलने फिरने का ढंग क्या है, किस तरह से बाल बनाता है और जो उनकी कसौटी पर पूरा उतरता था उसी को लिया जाता था। लेकिन आज के जमाने में ये चीजें जरूरी नहीं

रह गई है और यह भी जरूरी नहीं है कि देखा जाए कि कोई किस तरह से कुरता पहनता है या पोसी पहनता है। नौकरी में उससे कोई खास फर्क नहीं पड़ता है। हो सकता है कि कहीं ब्याह शादी की बात हो तो फर्क आए। लेकिन नौकरी में फर्क नहीं पड़ेगा। मैं चाहता हूँ कि इस परसेनलिटी टैस्ट को हमेशा के लिए छोड़ दिया जाए और उस पर चिन्ता करने की कोई आवश्यकता नहीं है। आज अगर इस और थोड़ा बहुत ध्यान दिया जाता भी है या किन्हीं पदों के बारे में दिया जाता भी है तो उसको भी छोड़ दिया जाना चाहिये।

भारत सरकार द्वारा घोषित कुछ दूसरी नौकरिया भी हैं जिनके लिए कमीशन प्रत्यक्ष रूप से तो भरती नहीं करती है या प्रमोशन नहीं देती है लेकिन पब्लिक सर्विस कमीशन के एक मੈम्बर उस बोर्ड के चेयरमैन होते हैं जिसके कि ज्वायंट सैन्ट्री इत्यादि मੈम्बर होते हैं जो कि मिनिस्ट्रीज से लिये जाते हैं और उन सबका एक बोर्ड बनता है और यह बोर्ड लोगो को ग्रेड ३ से ग्रेड २ में प्रमोशन देने के लिए, एक पेनल तैयार करता है। इस बोर्ड के बारे में जब कभी भी सवाल किये गये तो गवर्नमेंट की तरफ से यह कहा गया कि हमने कोई नियम निर्धारित नहीं किये हैं और कमीशन अपनी तरफ से ही कैंडीडेट्स की सूटेबिलिटी तय करती है और उसके मुताबिक भरती करती है। लेकिन जब गवर्नमेंट की तरफ से कुछ लोगो को पत्र लिखे गये तो उनमें कहा गया कि हमने कुछ नियम निर्धारित किये हुए हैं और वे थे कि ५० फीसदी को सीनियारिटी के आधार पर ग्रेड ३ से ग्रेड २ में लाया जाएगा और बाकी ५० फीसदी को एग्जिमिनेशन के आधार पर लिया जाएगा, मेरिट के आधार पर लिया जाएगा और इस तरह से रेग्युलर टैम्पोरेरी इस्टेबलिशमेंट बनाई जाएगी। यह एस्टेबलिशमेंट उनकी होगी जो ५० फीसदी तो एग्जिमिनेशन के आधार पर आवेगें और बाकी ५० फीसदी सीनियारिटी के आधार पर। इससे काफी असन्तोष बल

रहा है। १३७ आफिसर्स की अभी हाल ही में २८ फरवरी, १९५६ को एक लिस्ट प्रकाशित की गई है जिनको कि १ मई १९५८ से ग्रेड ३ से ग्रेड २ में नियुक्त किया गया है, सैक्शन आफिसर्स नियुक्त किया गया है, प्रमोशन दी गई है। इनमें से कुछ लोग ऐसे हैं जिन को जिस वक्त प्रमोशन मिली ग्रेड ३ से ग्रेड २ में तो उनकी सर्विस केवल १० महीने, बीस महीने या दो साल ही की थी। अब इस रेग्युलर टैम्पोरेरी इस्टेबलिशमेंट का जो पूल बना हुआ है, उसमें ५० फीसदी सीनियारिटी के आधार पर लिये जाने थे और बाकी ५० फीसदी परीक्षा तथा मेरिट के आधार पर। लेकिन केवल चार आफिसर्स ही सीनियारिटी के आधार पर लिये गये और एग्जिमिनेशन के आधार पर, मेरिट के आधार पर लिये जाने वालो की संख्या १३३ है। इन १३३ आदमियों में से कुछ तो १६० वषया तनक्वाह ही पा रहे थे, असिस्ट ही थे और अब फौरन ही उनकी पे ३२५ हो गई है, दस महीने के अन्दर ही। ये लोग एक साल के अन्दर ५३० के ग्रेड में आ जायेंगे।

14 hrs.

अगर कोई एक्सेपशनली योग्य व्यक्ति है, तो आप उसको दूसरे तरीके से भरती कर सकते हैं। लेकिन यहा नौकरिया मौजूद थी, और व्यक्ति भी मौजूद थे और आप उनको ग्रेड ३ से ग्रेड २ में लाना चाहते थे। कितने ही आदमी इन तरह के थे जिन को कि आपने रेग्युलर टैम्पोरेरी एस्टेबलिशमेंट में रखा हुआ था और आपने कहा हुआ था कि जितनी भी नियुक्तिया होगी, उनमें से ५० परसेंट सीनियारिटी के आधार पर होंगी और ५० परसेंट परीक्षाओं के आधार पर, मेरिट के आधार पर होगी। तो उचित तो यह था कि दोनों में से बराबर लिये जाते लेकिन बराबर नहीं लिये जाते। लोग यह जानना चाहते हैं कि पुनिपन पब्लिक सर्विस कमिशन सूटेबिलिटी अर्थात् योग्यता

[श्री बजराम सिंह]

को किस तरह से जांचेगा। उस के सम्बन्ध में उन्होंने कोई स्कीम बनाई है? कोई नियम धारि बनाये गये हैं? अगर कोई नियम धारि हैं तो मैं चाहूंगा कि उन को ठीक से प्रकाशित किया जाय ताकि लोगों को यह मालूम हो सके कि उस नियुक्तियों के बास्ते क्या प्रावश्यकतायें हैं और उन को किस चीज के लिये तैयार होना है। अगर कोई नियम नहीं है और सुटेबिलिटी सिर्फ दिमाग में रहती है तो इस से लोगों के अन्दर असन्तोष हो सकता है। जो धादमी आज किसी के नीचे काम कर रहा है और १६० रु० तन्वाह पा रहा है, उस को एक दम से ३५० रु० दे दिया जाय और साल दो साल में उसे ५३० रु० पर कर दिया जाय यह कहां तक उचित है। अभी २८ फरवरी १९५९ को सूची प्रकाशित हुई है जिसमें १३३ धादमी मेरिट्स के आधार पर लिये गये हैं ग्रेड ३ से ग्रेड २ में। उन की तन्वाह नई ग्रेड में १.५.५८ से दी गई जब कि सूची प्रकाशित की गई २८ फरवरी, १९५९ को। इस में हर एक अफसर को एक एक हजार रुपये एरियर्स के मिले हैं जब कि ये उस स्थिति में काम नहीं कर रहे थे। इस के अपर गवर्नमेंट ३ लाख रु० खर्च करने जा रही है। यह कहा जा सकता है कि जब कि सरकार का ८०० करोड़ का बजट है तो उस में ३ लाख रु० कुछ ज्यादा नहीं है। मैं मानता हूँ कि ३ लाख रु० ज्यादा नहीं है, लेकिन जब चपरासियों की तन्वाह ५ रु० बढ़ाने की बात कही जाती है तो उसे न दे कर कह दिया जाता है कि सरकार के पास रुपया नहीं है। आज जिन को हक नहीं है उन को देने के लिये ३ लाख रु० खर्च कर दिया जाता है लेकिन जो हकदार है, जिन को जरूरत है उन के लिये कुछ नहीं किया जाता। आप ३ लाख रु० की बात कहते हैं, लेकिन आप १० लाख रु० खर्च कर दीजिये, मुझे कोई एतराज नहीं है, लेकिन मैं चाहता हूँ कि नाजायज तरीके से यह सब न किया जाय। मैं चाहूंगा कि

इस में निस्पक्ष रूप से जांच की जाय। जो धार० टी० ई० से १३३ अफसर ग्रेड ३ से ग्रेड २ में लिये गये हैं उन की पूरी जांच फिर से की जाय।

पब्लिक सर्विस कमिशन के आविषियों में से सिर्फ वेधरमैन बैठता है। एक उस में गवर्नमेंट आफ इंडिया का ज्वायेंट सेक्रेटरी बैठता है। यह बड़ी अजीब स्थिति है। सरकार कहती है कि पब्लिक सर्विस कमिशन जो सिफारिश करता है हम उसी के आधार पर भरती करते हैं। पब्लिक सर्विस कमिशन का तो एक ही धादमी होता है बाकी लोग गवर्नमेंट आफ इंडिया के होते हैं। नतीजा यह होता है कि जिन को गवर्नमेंट आफ इंडिया के लोग चाहते हैं उन को प्रमोशन मिल जाता है, जिन की एक एक साल के अन्दर ३०० या ४०० रु० तन्वाह बढ़ जाती है। मैं तो यह कहता हूँ कि गवर्नमेंट आफ इंडिया के ज्वायेंट सेक्रेटरी वहां पर क्यों बैठे? गवर्नमेंट आफ इंडिया में एक चीज ओ० एंड एम० डिवीजन कही जाती है। इस ओ० एंड एम० डिवीजन का स्तर इतना गिर गया है कि मेट्रल सेक्रेटेरियट में उस का नाम ही गया है आयल एंड मैसाजिंग डिवीजन। जो तेल लगा सकता है, मालिश कर सकता है उस को प्रमोशन मिल जायेगा। इस तरफ भी सरकार का ध्यान जाना चाहिये। अगर ओ० एंड एम० को लोग आयल एंड मैसाजिंग कहने लगे तो कोई अछड़ी बात नहीं है। भले ही इस बात में पब्लिक सर्विस कमिशन का हाथ न हो, लेकिन इस तरह से उस की बदनामी हो सकती है। मैं कहता चाहता हूँ कि न्याय वह नहीं है जो कि किया जाता है, न्याय वह होता है जो जनता को मालूम हो कि न्याय हो रहा है। जब तक जनता के दिल में विश्वास न हो कि न्याय किया जा रहा है तब तक उसे न्याय नहीं कहा जा सकता है। इस लिये मैं निवेदन करूंगा कि जो सेलेक्शन किया जाता है कुछ ओहदों पर, या सेंट्रल



सर्विसेज में प्रमोशन दिया जाता है, उस के लिये इस बात का ध्यान रखा जाय कि पूरे का पूरा सेलेक्शन जो हो वह पब्लिक सर्विस कमिशन की तरफ से हो, उस में जो गवर्नमेंट आफ इंडिया के मातहत लोग हैं उन का कोई हाथ नहीं होना चाहिये, और अगर उन का हाथ रहता है तो लोगो में यह शका बनी रहेगी जिस का मैं ने जिक्र किया है। इस लिये मैं चाहूंगा कि इस की जाच जरूर की जाय कि किस तरह से १३३ अप्रैल, जो कि दो साल के अन्दर १६० ६० मासिक पर भरती हुए थे और दो साल के अन्दर ५३० ६० पर पहुंच जायेंगे, भरती किये गये। तो इस की जाच हो और अगर कोई अन्याय हुआ है तो उस को ठीक किया जाय, लेकिन चूँकि इस में पब्लिक सर्विस कमिशन के आदमी रहते हैं और उनकी बदनामी होने का डर है इस लिये मैं चाहूंगा कि भविष्य में अगर प्रमोशन देने की कोई जरूरत पड़े तो वह पब्लिक सर्विस कमिशन के जरिये किया जाय, और तरीके से नहीं।

एक बात और भी कहना चाहता हूँ। जहाँ तक पब्लिक सर्विस कमिशन के मेम्बरो की नियुक्ति का सवाल है, उस में ऐसे लोग होने चाहिये जिन की प्रतिष्ठा देश में उसी प्रकार की हो जैसे कि सुप्रीम कोर्ट या हाई कोर्ट के जजो की होती है। मैं इस बात से सहमत हूँ कि हम को पब्लिक सर्विस कमिशन को भी उसी प्रतिष्ठा पर रखना चाहिये जिस तरह से कि सुप्रीम कोर्ट या हाई कोर्ट को रखते हैं। सुप्रीम कोर्ट और हाई कोर्ट के बारे में आम तौर से देश में यह भावना है कि वहाँ जाने से हम को न्याय मिलेगा, यह दूसरी बात है कि गरीबी की वजह से हम वहाँ जन न सकें। पब्लिक सर्विस कमिशन के बारे में मैं कहना चाहता हूँ कि इस तरह की भावना नहीं है। अब भी लोगो में यह भावना है कि वहाँ सिफारिश से सब कुछ हो सकता है। अब भी लोग सोचते हैं कि वहाँ और आधारी पर भी लोगो की नियुक्तिया हो सकती हैं

और प्रमोशन हो सकते हैं। भले ही यह न होता हो, लेकिन अगर यह भावना लोगों में रहती है तो यह हमारे जनतंत्र के लिये घातक भावना है। इस लिये मैं कहूंगा कि पब्लिक सर्विस कमिशन में जिन लोगो की नियुक्ति हो उन का व्यक्तित्व इतना ऊँचा होना चाहिये कि उन के बारे में कभी कोई शक होने का सवाल ही न आये। कुछ लोग अगर डिस्ट्रिक्ट कलेक्टर रहे हो और उन से साठी चार्ज करने के लिये कहा जाय तो वे यह काम अच्छा कर सकते हैं लेकिन अगर उन से कह दिया जाय कि वे ठीक तरह के उम्मीदवारो को छांटने का काम करे तो मैं बहुत विनम्र शब्दों में इस में अपना शक जाहिर करना चाहता हूँ कि वे इस काम को कर सकेंगे। इस पब्लिक सर्विस कमिशन में आप ऐसे लोगो को नियुक्त करे जो हाई कोर्ट या सुप्रीम कोर्ट के जज रहे हो। इस से लोगो में उस के प्रति विश्वास पैदा होगा। अगर कोई बहुत बड़ा शिक्षाविद हो तो उस के होने से विश्वास पैदा होगा। अगर प्रशासनिक सेवा के लोग वहाँ ज्यादा जायेंगे तो वह ठीक नहीं है। इस लिये ज्यादा से ज्यादा कोशिश इस बात की होनी चाहिये कि वहाँ बड़े बड़े शिक्षाविद, सुप्रीम कोर्ट और हाई कोर्ट में जाने वाले लोग या इस तरह के जज जिन के बारे में सारे मुल्क के लोगो के दिल में प्रतिष्ठा हो, भेजे जायें।

अन्त में मैं अपने पहले प्वाइंट पर फिर जोर देना चाहूंगा कि सिर्फ मेरिट्स के आधार पर नियुक्तिया ठीक नहीं हो सकती। हमें यह भी देखना पडगा कि हमारे मुल्क में जो विधान तैयार किया है उस के अनुसार नियुक्तिया सही तौर से प्रशासनिक सेवाओं में होती है या नहीं। अगर नहीं होती है तो इस से जनता के दिल में असन्तोष पैदा होता रहेगा।

**Shri Shree Narayan Das:** (Darbhanga). Mr Deputy-Speaker, the importance of the administrative set

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up, especially in a democratic administration is fully realised and it was with this intention that the Constitution made a special provision with regard to recruitment of personnel to function in our country.

Having regard to the importance of the matter, there are three aspects with regard to the services which require our attention. These are right recruitment, right training and right allotment. As far as this report is concerned, it is concerned with the question of right recruitment. It is a matter of satisfaction that it has been fully realised that in order that there may not be any patronage, and in order that intelligent persons may be appointed to the services, appointments to the services must be made by an impartial body.

But, from time to time, complaints have been made here as well as outside, and the attention of Government has also been drawn to the fact, that the system of recruitment or the method of recruitment is not quite up to the mark. Some foreign experts were also appointed to go into this matter. In our own country, some gentleman was entrusted with this task. In view of the fact that the very structure and the very pattern of our Government has changed, there must be some change in the method of recruitment.

It is all right that a body like the UPSC has been appointed at the Centre, and various State Public Service Commissions in the States. But the mode of examination and the way in which recruitment is made are practically the same as before; of course, it is true that certain new cadres have been introduced such as the Industrial Management Pool and so on; and the idea of having an Industrial Service Commission is also under consideration. But even then, the method of examination is not quite satisfactory.

Some hon. Members have expressed satisfaction that the minimum pres-

cribed for the marks to be obtained in the personality test has been abolished. I also welcome this change. It is a vital change that has been made. I do not know, but I think the UPSC might have been consulted with regard to this.

But from the report we find that there is some comment somewhere to the effect that the effect of this abolition is being studied by the members of the UPSC. Whatever the effects may be, the commission in their report have given the number of persons who qualified in the written tests but did not come up to the mark in the personality tests, that is, the marks obtained by them in the personality tests were not up to the minimum required previously. Therefore, they have specially mentioned that the performance of those officers will be under scrutiny to judge whether they are efficient or not. But I would like to say that there is no necessity for the UPSC to judge this, because in order to judge the proper working of the various officers, in several departments, there is the Organisation and Methods Division, and this Division will observe their performance. I do not know in what way the UPSC will observe their performance. I shall leave this matter here.

With regard to recruitment, some suggestion was made by Shri A. D. Gorwala some time back. I do not know whether Government have given consideration to that suggestion. Besides, the personality test or the interview for fifteen minutes by the members of the commission may not give a full idea of the personality of the candidates being interviewed. We must also see whether the persons who may have passed the written examination and who may have passed the personality test are efficient in their actual working. What is required for Government service is not merely intellectual development or intellectual achievement, but what is required in our country, particularly

in the democratic set-up is the proper mental and emotional development of the candidate. Therefore, as has been suggested by Shri A D Gorwala, we must also have some expert psychological examination with a view to have a scientific insight into the candidate's mental and emotional make-up. Such an examination will bring out the way in which the candidate is thinking, whether he believes in the ideology which Government have accepted, whether he believes in the high objectives that we have set before ourselves. This is very necessary. The candidates that may be selected may be very brilliant, they may have high intellectual achievements, but they may not be following our ideology and they may not be believing in the ideology that Parliament has set before the country. Therefore, it is necessary that some more attention should be given to this aspect so as to enter into the minds of the candidates with a view to find out whether in their future career, the candidates would be able to show their belief in the objectives that the State has placed before itself, or that the Government have placed before the country—or, the Congress Government may believe in something, while the other Governments may not believe in it—or the objectives that have been enshrined in the Directive Principles of the Constitution. Otherwise, it may happen that the candidates selected may be good writers, but not good administrators. Therefore, I stress this point that there must be some expert psychological test.

Every hon Member has welcomed the fact that the UPSC have invited the chairmen of the State Public Service Commissions to a conference and discussed matters of common interest with them. That is all right. Some inkling has been given here as to the subjects discussed. But what were the broad decisions arrived at? Some idea should have been given of the conclusions arrived at and the nature of the subjects discussed. Of course, there is some mention about it, but what was the general opinion expressed by the chairmen of the

State Public Service Commissions? If this had been given, then we the Members here would have been able to appreciate the importance of it to a greater extent. I welcome this sort of conference, and I hope that in the future reports, some mention will be made of the subjects discussed and the broad decisions that are reached.

The commission have said that the general standard is going down, and that the deterioration in the standards is continuing. Some measures must be adopted to check this deterioration. One general suggestion is that the educational standard in all the universities should be maintained at a high level. In this connection I would like to suggest—I do not know whether there is at present any such arrangement—that just as there has been a conference of the UPSC members with the members of the State Public Service Commissions, likewise, there must be some annual conference of the University Grants Commission and the vice-chancellors of the different universities and other institutes which are engaged in offering degree courses, with the UPSC, and these matters regarding the standards of the candidates should be discussed. I do not know what the Central Government are doing in this regard. But I would suggest that the Central Government should be seized of this question fully. For, in spite of all our professions and all our speeches here and outside, the standard of education, as it appears from the various reports of the Public Service Commissions, both at the Centre and in the States, is going down, in spite of the expenditure that is being incurred and in spite of the reform that we are carrying out.

It has been suggested in this report that the lure for the purely administrative jobs is increasing. Even persons who have passed the M Sc or other technical examinations are applying for the administrative services. What is the reason for this lure? There can be two reasons for this. One is that the terms and conditions of service of the administrative services are better than those of

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the other services. As regards those who are engaged in doing work in the various laboratories and research institutions or technical institutions, their terms and conditions should be improved, or at least they should be so levelled up that there may not be any difference, for, what we find now is that a graduate who has put in four or five years in some scientific work also comes forward and appears for the IAS, IPS, IFS, and leaves off all the experimental work that he has been carrying on, and then comes to join the service. What is the reason for this lure? I have already mentioned one of the reasons. The second is that the administrative service gives more prestige, whereas the research work carried on in the laboratory does not give any prestige. Therefore, the emoluments or the terms and conditions of service and also the prestige should be equal in all the spheres, in all the levels and in all the departments.

The relation of the Government with the Commission is cordial, and that should be maintained. It appears from the report that there has been no point of difference between the Commission and the Government in giving effect to the recommendations of the Commission. I think that is a very welcome thing, and that should be appreciated. I think Government will continue to pay such regard to the recommendations of the Commission as is expected.

Shri Satyendra Narayan Sinha referred to the powers of the Commission with regard to the appointments made by companies and undertakings in which the Government has majority shares. I would like to support that idea. They are practically Government bodies and most of the money spent by them is granted by this Parliament. Therefore, all appointments made to such companies and undertakings either by boards or committees or individuals, should be under the supervisory power of this Commission.

Mention has been made here that posts are advertised, qualifications and terms and conditions are laid down, and then no suitable candidate is available to the Commission. Sometimes, the Commission says that on such terms and conditions suitable candidates are not available, but there is a general tendency and hesitation on the part of the Government to increase the pay so that such posts could be filled with suitable candidates. Heed should be paid to the recommendations of the Commission to increase the emoluments so that the posts are not allowed to be filled by persons who are not up to the mark.

I think it is quite wrong to make a cancellation after the Commission has issued the advertisement or interviewed the candidates. In a planned economy, there should be no occasion for that. Once advertisements have been made and candidates have been interviewed, Government should not come forward saying that they do not require the posts to be filled up.

There are a number of papers in which the candidates have to qualify. There are some optional papers. I have not fully enquired into the matter, but it is said that some of the optional papers are such that a candidate who has taken up that particular subject as his optional, gets more marks than others. That is unfair. The questions set in optional papers should be of such a standard that no particular candidate gets undue advantage from the marks that he receives in that.

I do not know if this question is being considered by the Government, but it is before the public, and it is felt that IAS and IPS candidates of one State should be posted in another State. Though it will involve some additional expenditure and some difficulty in language, this would be in the interests of independent and impartial administration. I think this suggestion should be considered by the Government, and the practicability of this suggestion should be examined.

की अक्स वर्क (गड़वाल) उपाध्यक्ष महोदय, सच लोक सेवा आयोग की रिपोर्ट पर इस समय विचार हो रहा है। मुझे यह बेलकर कुछ आश्चर्य और निराशा भी हुई कि इसके जितने बेयरमैन और सदस्य हुए हैं उनमें से सार्वजनिक जीवन का अनुभव रखने वाले लोग कोई नहीं हैं। यह समझा जाता है कि सिविल सर्विस के लोगों को प्रशासन का जो अनुभव होता है उसी के आधार पर इस पद के लिए वे पूरी तरह योग्य हो जाते हैं। लेकिन मेरा ख्याल है, जैसा कि कुछ मित्रों ने पहले भी बतलाया है, कि अब केवल कानून और व्यवस्था रखने का कार्य हमारे प्रशासकों के हाथ में नहीं है, बल्कि देश के विकास की बागडोर भी उनके ही हाथों में आ गई है, अब उनके कंधों पर बहुत बड़ा दायित्व आ गया है, इसलिए अब उनका दृष्टिकोण भी बदलने की आवश्यकता है। अगर सरकारी कर्मचारियों के दृष्टिकोण को बदलना है तो उनका निर्वाचन भी, ऐसे तरीके से होना चाहिए कि ऐसे लोगों को प्रोत्साहन मिले जो नया दृष्टिकोण लेकर सेवा में प्रवेश करें। इसके लिए यह आवश्यक है कि लोक सेवा आयोग के गठन पर बुनियादी तौर से विचार किया जाये। मेरा अनुरोध है कि जो हमारे बहुत से राज्यपाल लोग रिटायर होते हैं, और उसने बाद उनको कोई काम नहीं रह जाता उनका इन स्थानों पर नियुक्त किया जाये। यहाँ पर सदन में वाद-विवाद के दौरान यह कहा भी कहा गया था कि राज्यपाल लोग बाद में बकायत करने लगते हैं और और कोई दूसरा काम करने लगते हैं। इसमें अच्छा हो कि इनको लोक सेवा आयोग में नियुक्त किया जाये क्योंकि उनको सार्वजनिक जीवन का भी अनुभव होता है और प्रशासन का भी थोड़ा अनुभव होता है। अगर इन लोगों को आयोग में नियुक्त किया जाये तो इस दृष्टिकोण के बदलने में बहुत कुछ सफलता मिल सकती है।

दूसरी बात मैं यह कहना चाहता हूँ कि हमारे सचिवालय में दो तीन चीजें ऐसी हैं

कि जिनको विशेष महत्व दिया गया है जैसे सुप्रीम कोर्ट है, कंट्रोलर एंड ऑडिटर जनरल है और तीसरा यह सच लोक सेवा आयोग है। मेरा अपना यह ख्याल रहा है, मैं नहीं समझता कि हमारा मनिमडल इससे कहा तक सहमत होगा, कि इन सदस्यों की स्वतंत्रता को कायम रखने के लिए, और इनके प्रति किसी प्रकार की भी कोई आशंका न उठे, इसलिए यह जरूरी है कि इनको दिल्ली में न रहने दिया जाय। मैं यह दावा तो नहीं कर सकता कि अगर इनको दिल्ली में न रखा गया और दूसरे स्थान पर रखा गया तो इनकी स्वतंत्रता बढ जायगी, हो सकता है कि मेरी यह दर्नील गलत हो, लेकिन यह अवश्य है कि अगर इनको दिल्ली में न रहने दिया गया तो ऐसा वातावरण अवश्य पैदा हो जायगा कि किसी को इनकी स्वतंत्रता के प्रति आशंका न रहे। हमारा यह बड़ा दर्भाय है, बहुत से लोग इसे मोभाय कहेंगे, कि सुप्रीम कोर्ट का इनका बड़ा भवन यहाँ बन चुका है कि उसको यहाँ से हटाया नहीं जा सकता। इसी तरह से कंट्रोलर एंड ऑडिटर जनरल के लिए भी भवन का निर्माण किया जा चुका है और उनको यहाँ से नहीं हटाया जा सकता। परन्तु यह लोक सेवा आयोग अभी तक एक किराये के मकान में चल रहा है। मुझे बताया गया है कि इस आयोग के लिए यह मकान सुविधाजनक नहीं है। इस बात की शिकायत है कि उसमें जगह की पूरी गुज्राह्य नहीं है और जितनी गोपनीयता होनी चाहिए वह उस मकान में नहीं रखी जा सकती। इसलिए गवर्नमेंट के सामने यह सबाल जरूर आयगा कि इसके लिए भी भवन का निर्माण किया जाय।

तो मेरा शासन में यह अनुरोध है कि इस भवन का निर्माण करने से पहले वह इस बात पर विचार कर ले कि आया यह आयोग दिल्ली में रहे या न रहे। मेरा ख्याल है कि इसको ऐसे किसी स्थान पर रखा जाये जहाँ कोई राजधानी न हो। मैं मसूरी के लिए

## [श्री भक्त दर्शन]

तो नहीं कहता क्यों कि आज कल उसका दूसरा महत्व ही रहा है, लेकिन अगर इस आयोग को किसी पर्वतीय स्थान पर भेज दिया जाये तो उनका दिमाग भी ठंडा रहेगा और जो दूसरे लोग बहा जायेंगे उनका दिमाग भी ठंडा होगा। और अगर ऐसा करना सम्भव न हो तो इस आयोग का किसी केन्द्रीय स्थान पर भेज दिया जाये, जैसा नागपुर है, जो कि राजधानी रह चुका है।

श्री च० का० भट्टाचार्य ( पश्चिम बीनाजपुर ) वाराणसी में भोजना चाहिए।

श्री भक्त दर्शन : वह उचित स्थान नहीं है और जगह की भी कमी है।

एक माननीय सदस्य : स्वालियर

श्री भक्त दर्शन : मेरा किसी स्थान विशेष के बारे में कोई अनुरोध नहीं है।

उपाध्यक्ष महोदय : उनका अनुग्रह तो इसको दिल्ली से हटाने पर है।

श्री भक्त दर्शन : मेरा सुझाव है कि गवर्नमेंट इस बात पर विचार करे कि आया यह उचित है या नहीं कि इसको दिल्ली में रहने दिया जाये। अगर गवर्नमेंट विचार करने के बाद फिर इस निष्कर्ष पर पहुँचती है कि इसको दिल्ली में ही रहना चाहिए, तो मेरा अनुरोध है कि इसके लिए भी एक अच्छा भवन बना दिया जाये जैसा कि सुप्रीम कोर्ट के लिए और कट्रोल एंड आर्बाइटर जनरल के लिए बनाया गया चाहे वह इतना बड़ा न हो जैसा कि सुप्रीम कोर्ट का भवन है ताकि वहाँ पूरी गोपनीयता सिक्री रखी जा सके और जहाँ पर रिक्वाइर्ड प्रादि ठीक तरह से रखे जा सकें इस पर गवर्नमेंट को विचार करना चाहिये।

इस रिपोर्ट में कर्मचान ने भी कहा है और बहुत से पूर्व वक्ताओं ने भी बतलाया है कि उम्मीदवारों का जनरल स्टैंडर्ड गिरता जा

रहा है। चारों तरफ से इस बात का जिक्र किया गया है और यूनिवर्सिटी ग्रान्ट्स कमीशन ने भी इस पर काफी कहा है। लेकिन रिपोर्ट में कोई ऐसा सुझाव नहीं दिया गया है कि कैसे यह स्टैंडर्ड ऊँचा किया जाये। इस बात पर तो उन्होंने जरूर चिन्ता व्यक्त की है कि स्टैंडर्ड गिरता चला जा रहा है लेकिन इसका कोई उपाय नहीं समझाया है कि इसको किस तरह से ऊँचा किया जा सकता है। मेरा भयना यह विचार है कि स्टैंडर्ड गिरने का एक बड़ा भारी कारण यह है कि हमारे बहुत से विश्वविद्यालयों ने हिन्दी को और दूसरी प्रादेशिक भाषाओं को शिक्षा का माध्यम स्वीकार कर लिया है लेकिन केन्द्रीय सरकार की जितनी भी सेवाये हैं उनके लिए परीक्षाये अंग्रेजी के माध्यम से ली जाती हैं। हमारे छात्रों के सामने एक कठिनाई आती है। वह यह है कि वह किसी बात की जानकारी रखते हुए भी अपनी शब्दावली की कमी की वजह से और अपने विचारों को व्यक्त करने की अभिव्यक्ति शक्ति की, पावर आफ एक्सप्रेसन की, कमी की वजह से ठीक प्रकार से प्रश्नों का जवाब नहीं दे पाते। इसमें पहले राजभाषा आयोग ने केन्द्रीय सेवाओं के लिए परीक्षाओं का माध्यम क्या हो इस सम्बन्ध में बड़े विषय रूप से विचार किया और फिर सदन की समिति ने भी इस प्रश्न पर विचार किया। इस संसदीय समिति ने और राजभाषा आयोग ने भी शासन के सामने यह सुझाव रखे हैं कि हम केन्द्रीय सरकार की प्रतियोगिताओं की परीक्षाये हिन्दी और दूसरी प्रादेशिक भाषाओं के माध्यम से रखें। संसदीय समिति के द्वारा जो सुझाव दिये गये हैं उनमें इस शब्दावली का प्रयोग किया गया है।

“English should continue to be the medium of examination and English may be admitted as an alternative medium after some-

time, and both Hindi and English should be available as alternative media at the option of the candidate for as long as is necessary".

इस सम्बन्ध में मैं माननीय मंत्री जी से अनुरोध करना चाहता हूँ कि इस समिति ने गवर्नमेंट के हाथ में छोड़ दिया है, वह निर्णय करे कि यह after some time क्या होगा। यह after some time एक बड़ा छन्द है, यह एक ऐसा लचकीला शब्द है कि इसको कितना ही लम्बा भी किया जा सकता है। हो सकता है कि इसमें दस साल लग जायें या १५ साल लग जायें। मेरा मंत्री जी से अनुरोध है कि जब गवर्नमेंट केन्द्रीय सेवाओं के सम्बन्ध में इस पर विचार करे कि परीक्षाओं का माध्यम क्या हो, तो वह इस बात का ध्यान रखे कि जो छात्र आज विश्वविद्यालयों में हिन्दी या दूसरी प्रादेशिक भाषाओं के माध्यम से शिक्षा प्राप्त कर रहे हैं उनके हितों की रक्षा की जाय। हम देख रहे हैं कि जिन विश्वविद्यालयों में शिक्षा हिन्दी या प्रादेशिक भाषाओं के माध्यम में दी जाती है उनके छात्रों के सामन यह एक बड़ी भ्रष्टाचन है कि किस तरह से केन्द्रीय सेवाओं की प्रतियोगिता परीक्षाओं में सफलता प्राप्त करे। इस लिए मेरा केन्द्रीय सरकार से अनुरोध है कि वह इस सम्बन्ध में जितनी जल्दी हो सके निर्णय कर दे। इस ससदीय समिति की रिपोर्ट के दूसरे पैराग्राफ में यह सुझाव दिया गया है "भाफ्टर इयू नोटिस"। मैं ने पहले भी इस मवाल को उठाया था कि इस की परिभाषा क्या होगी। कितने दिन का नोटिस चाहिए, एक साल का दो साल का। पर यह चीज गवर्नमेंट के हाथ में है। अतः गवर्नमेंट को बड़ी सचाई और तत्परता के साथ इस सिफारिश पर अमल करना चाहिए ताकि जो छात्र हिन्दी या दूसरी प्रादेशिक भाषाओं के माध्यम से शिक्षा प्राप्त कर रहे हैं उनको शिकायत न रहे और उनकी समस्या हल हो जाय।

मैं अधिक समय नहीं लेना चाहता। लेकिन एक खास बात की ओर ध्यान दिलाना चाहता हूँ। इस रिपोर्ट में जो हमारे सशस्त्र सेनाओं के भ्रष्टाचार लिए जाते हैं उनके बारे में भी प्रकाश डाला गया है। लेकिन इस बारे में एक साधारण सा जिक्र कर दिया गया है कि जो लोग लिखित परीक्षा में पास हो जाते हैं जब उनकी शारीरिक परीक्षा होती है उसमें वे भ्रष्टाचार असफल हो जाते हैं। इस ओर कमीशन ने जो ध्यान दिया यह उचित ही है लेकिन इसमें कहा गया है

"The Commission hopes that candidates as well as their parents would themselves weigh carefully the prospect of success and not fritter away their money and energy in the vain pursuit of competing for services for which the candidates are not adequately prepared".

यह बड़ा कठिन है कि यह भाषा पूरी होगी क्योंकि हर पिता चाहता है कि उसका लड़का कर्नल या जनरल हो और वह बड़े से बड़ा पद पाये और लोग उसको सलाम करे। माता पिताओं की यह भावना स्वाभाविक भी है। मैं इस सम्बन्ध में यह सुझाव देना चाहता हूँ कि सरकार और डिफेंस मिनिस्ट्री इस प्रश्न पर विचार करे और इसका हल निकाले। आज यह हो रहा है कि मान लीजिये कि दस हजार लड़के लिखित परीक्षा में बैठे और उनमें से २००० पास हुए और उन दो हजार में से २०० छाटे गये। उन में से बहुत से लोग जो लिखित परीक्षा में बहुत अच्छे निकलते हैं, शारीरिक परीक्षा में असफल हो जाते हैं। मैं सुझाव देना चाहता हूँ कि जितने लोग सशस्त्र सेनाओं की परीक्षाओं में बैठते हैं। उन की शारीरिक परीक्षा पहले लेनी जाये कि भाषा वे इस योग्य भी है या नहीं। मान लीजिये दस हजार व्यक्तियों ने प्रार्थना पत्र दिये और उन में से दो हजार शारीरिक दृष्टि से उपयुक्त निकलते हैं, तो उन्हीं

[श्री भक्त दर्शन]

बो हजार की फिर परीक्षा हो और सब व्यक्तियों की परीक्षा लेने की आवश्यकता नहीं रहेगी। आज कल काम यह है कि पहले लिखित परीक्षा होती है और फिर वे लोग सेलेक्शन बोर्ड के सामने जाते हैं। इस क्रम को बदलने की आवश्यकता है। यह व्यवस्था करनी चाहिये कि जिन का शरीर पुष्ट है, जिन का स्वास्थ्य अच्छा है, वहीं लिखित परीक्षा में जायें। इस प्रकार इस समय जो बेस्टेज होता है, वह खत्म हो जायेगा।

अन्त में मैं आयोग को और गृह-मंत्रालय को धन्यवाद देते हुए एक उलाहना देना चाहता हूँ। जितने मंत्रालय हैं, उन के प्रतिवेदन हम को हिन्दी में भी मिलते हैं। पता नहीं कि कमीशन के प्रतिवेदन का हिन्दी संस्करण क्यों नहीं तैयार किया जाता है। शायद कमीशन का वातावरण ही ऐसा है कि इस रिपोर्ट का हिन्दी अनुवाद तैयार करने की आवश्यकता अनुभव नहीं की जाती है। प्राखिर बड़ा कौन से टैक्नीकल विषय है कि जिन के लिये उपयुक्त शब्द आदि नहीं मिलते हैं। अतः मैं आशा करता हूँ कि कम से कम अगले वर्ष यह व्यवस्था की जायेगी कि अंग्रेजी के साथ साथ रिपोर्ट का हिन्दी संस्करण भी हम लोगों को उपलब्ध हो सके।

श्री आसुर (रत्नगिरि): उपाध्यक्ष महोदय, यूनियन पब्लिक सर्विस कमीशन की रिपोर्ट की चर्चा करने से पहले मैं यह कहना चाहता हूँ कि हमारी सरकार ने उस की सभी सिफारिशों को मान्य कर लिया है, यह बड़ी प्रसन्नता की बात है। मैं फिर से अर्ज करूँगा कि मैं यह आवश्यक समझता हूँ कि हमेशा के लिये यह परिपाटी रख दी जाये कि कमीशन की ओर से दी गई सिफारिशों को भी माना जाये। इस रिपोर्ट में दी गई बातों पर गम्भीरता से विचार करना आवश्यक है और सरकार के द्वारा उन के सम्बन्ध में जल्द से जल्द कदम उठाना भी आवश्यक है।

इस रिपोर्ट में एक जगह यह लिखा गया है

"It was observed in the recruitment that administrative posts still continue to have a special charm for many aspirants to Government service and technical and scientific personnel are no exception to it. Numerous candidates belonging to the technical services or holding technical posts had applied for the Indian Administrative Service (Special Recruitment). The same feature is noticeable in that recruitment to the Industrial Management Pool. Obviously it is not in the public interest that technical and scientific personnel who are needed at present in their own line should feel tempted to go into the administrative line, often at a late stage of their career".

इस विषय पर सरकार को बहुत गम्भीरता से विचार करना चाहिये। इस रिपोर्ट से मालम होता है कि आज हमारे देश में सेकंड प्लान चल रहा है, लेकिन फिर भी टैक्नीकल और सायंटिफिक व्यक्ति अपनी नौकरिया छोड़ कर एडमिनिस्ट्रेटिव सर्विस में जाना चाहते हैं। यह हमारे लिये बड़ी चिन्ता की बात है। यह क्यों हो रहा है? आज हमारे देश में उद्योग बढ़ रहे हैं और कई प्रोजेक्ट्स में काम चल रहे हैं और हम उन के लिये पर्याप्त टैक्नीकल और सायंटिफिक परसोनेल न होने की बात करते हैं। लेकिन दूसरी ओर वे लोग अपनी नौकरिया छोड़ एडमिनिस्ट्रेटिव लाइन में जा रहे हैं। इस का कारण यह है कि टैक्नीकल सर्विस से एडमिनिस्ट्रेटिव सर्विस में पे-स्केल, सुविधायें और प्रोव्हेन्ट्स आदि अच्छे होते हैं। इस लिये यह आवश्यक है कि सायंटिफिक और टैक्नीकल परसोनेल को भी वही तनखाह और सुविधायें देनी चाहियें, जो कि एडमिनिस्ट्रेटिव सर्विस में दी जाती हैं।



इस का अर्थ यह है कि सरकार को ऐसे कथम उठाने चाहियें कि टेक्निकल और सायंटिफिक परसोनेल में एडमिनिस्ट्रेटिव सर्विस में जाने का व्यामोह कम किया जाये। मैं इस बारे में एक उदाहरण देना चाहता हूँ। हम कोई रिसर्च करना चाहते हैं और उस के लिये रले गये व्यक्ति को २५० रुपये तनखाह देते हैं। इस तनखाह में कोई भी अच्छा रिसर्च करने वाला रिसर्च करने के लिये तैयार नहीं होगा। इस लिये रिसर्च बर्क रुक जाता है। इस लिये एडमिनिस्ट्रेटिव सर्विस में जो पे-स्केल आदि है, वे टेक्निकल और सायंटिफिक परसोनेल को देना आवश्यक है।

एक दूसरी चिन्ता की बात यह है कि इस रिपोर्ट में लिखा गया है कि

“Every year, there are a number of posts for which suitable candidates are not found in response to the Commission's methods of competitive recruitment”.

हमारा देश चारों ओर से बढ रहा है, प्रगति कर रहा है। सरकार का कार्य-क्षेत्र भी बढ रहा है और जैसे-जैसे उस का कार्य-क्षेत्र बढेगा, वैसे वैसे अधिक व्यक्तियों की आवश्यकता होगी। लेकिन रिपोर्ट में स्पष्ट तौर से कहा गया है कि योग्य क्षमता रखने वाले व्यक्ति मिलते नहीं हैं। ३१ मार्च, १९५८ को ३१६ स्थानों के लिये व्यक्तियों की आवश्यकता थी, लेकिन कमीशन ने केवल १०३ व्यक्तियों को चुना और २३२ व्यक्तियों की आवश्यकता है। यह क्या बताता है? हमारे यहाँ कम्प्यूटेंट आदमियों की कमी है, लेकिन मुझे यह बताना आवश्यक है कि हमारे यहाँ कम्प्यूटेंट आदमियों की कमी नहीं है, लेकिन पिछले ग्यारह सालों में हमारी ओर से कम्प्यूटेंट आदमियों का निर्माण करने के लिये कोई ठोस कदम नहीं उठाया गया है। आज हमारा कारोबार उन व्यक्तियों के ऊपर चल रहा है, जिन को ब्रिटिश गवर्नमेंट ने आई० सी० एस० बना कर आल राऊंड शिक्षा दी और अच्छा एडमिनिस्ट्रे-

टर बनाया। इस का मतलब यह है कि हमारी शिक्षा का स्तर गिर गया है। अभी तो दो तीस दिन पहले हमारे शिक्षा मंत्री ने हाउस में बताया कि हमारा स्टैंडर्ड बढ रहा है, हर क्षेत्र में लोग प्रगति कर रहे हैं, सायंटिफिक क्षेत्र में भी प्रगति हो रही है। हम नहीं जानते कि गृह-मंत्रालय ने इस रिपोर्ट की कापी शिक्षा मंत्रालय को भेजी है या नहीं। जो कुछ इस रिपोर्ट में बताया गया है, उस का स्पष्ट अर्थ यह है कि हमारा एजुकेशनल स्टैंडर्ड गिर रहा है, जिस के कारण कम्प्यूटेंट आदमी नहीं मिलते हैं। इस का परिणाम यह है कि आज हमारे देश की डिमांड को पूरा करने के लिये अच्छे आदमी नहीं मिलते हैं। मेरी प्रार्थना है कि देश की प्रगति के लिये कार्यक्षमता और देश भक्ति से भरे व्यक्तियों का निर्माण करना आवश्यक है इस लिये यह आवश्यक है कि देश में अच्छे, बुद्धिमान, कार्यक्षम और कुशल व्यक्तियों को चुन कर उन को अच्छी सर्वांगीण शिक्षा देना का प्रबन्ध किया जाये। अगले पांच दस सालों में देश को कितने आदमियों की आवश्यकता है, इस का विचार कर के उपयुक्त व्यक्तियों के निर्माण करने की व्यवस्था की जाये।

आखिर में एक और बात बताना आवश्यक है। आज देश में अच्छे व्यक्तियों की कमी बताई जाती है, लेकिन हमारे पास ऐसे उदाहरण हैं कि सब दृष्टि से कम्प्यूटेंट और देश की सेवा करने की क्षमता और आकांक्षा रखने वाले व्यक्ति विद्यमान हैं, लेकिन चूक व सत्कार्य दल के विचारों से सहमत नहीं होते हैं, इसलिये उन की इच्छा होते हुए भी उन देशभक्त और कार्यक्षम नौजवानों को सेवा के क्षेत्र में भर्ती होने से रोका जाता है। इस पर विचार किया जाये। जो देशभक्त और राष्ट्रीय विचार के योग्य व्यक्ति हैं, देश की प्रगति करने के लिये उन को सर्विसिज में भरती होने का मौका दिया जाये, भले ही उन के विचार सरकार के विचारों के विरुद्ध हों। ऐसा दिखाई देता है कि सरकार की ओर से ऐसे व्यक्तियों की भरती

[जी भासर]

करते समय पक्षपात किया जाता है, खुले तौर पर नेपोटिज्म का प्रदर्शन किया जाता है। इसलिये वेरा यह नम्रतापूर्वक निवेदन है कि सरकार के अन्य अन्य दफ्तरों के काम करने वाले जो सुयोग्य व्यक्ति हैं, उन को चाहे तो एक मास छाल तक विशेष शिक्षा दे कर उनको नियुक्त करना चाहिये। देश में ऐसे कई सरकारी कर्मचारी हैं, जो कि अपनी क्षमता और योग्यता से देश की सेवा कर सकते हैं उनकी आयु एक दो साल बढ़ जाने से उन को सर्बिस से बर्चित करना उचित नहीं है।

रिपोर्ट के पैराग्राफ २३ में कहा गया है--

"...21 cases of appointment of non-Indians in the service of Government of India."

लेकिन ये नान इंडियन कौन है, वे कौन से स्थानों पर नियुक्त हैं, कौन से देश के हैं, इस का खुलासा नहीं किया गया है। मैं वह प्रार्थना करूंगा कि जो लोग चुन कर लिये गये हैं, वे किस देश के नेशनलज हैं और किन पदों पर काम कर रहे हैं, यह बताना आवश्यक है।

Mr. Deputy-Speaker: Shri Bhattacharyya. He assured me he would be very brief

Shri C. K. Bhattacharyya (West Dinajpur): Yes, Sir.

Mr. Deputy-Speaker, Sir, my friend Shri Bhakt Darshan has just now referred to the need for a change in the angle of vision. That reminded me of a talk I had with a senior civilian officer after power was transferred. I asked him whether he was prepared to act really as the servant of the people and whether he was feeling as such. He said: 'You expect from us exactly the opposite of what we have been trained and used to. The system in which I had served proceeded like this. The orders came from the Viceroy to the Home Member; from

the Home Member to the Home Secretary; from the Home Secretary to the Governor; from the Governor to the Chief Secretary and from the Chief Secretary down to us. That is how we have been used to work. We look up to the orders of the superiors; it is not necessary for us to look below as to what the people are feeling about what we are doing.'

That is exactly the angle of vision which now requires a change. Our Administrative Officers and persons who come forward for accepting administrative service should feel and act really as the servants of the people. While I say this, I should, at the same time, make it quite clear that I want them to be as efficient as the civilians were.

The one merit of the system of services that were set up by the British Government in India—and for the matter of that in the whole of their empire—i.e. the civil service, was that it was one service noted for its efficiency. And, that is what we expect from our civil servants.

In this connection I may mention two names, one of Sir William Vincent, who was an old Home Member. It is said that efficient Home Members like him had scarcely come in India. After that I remember the name of Sir Malcolm S. M. Hailey who had to face an Opposition in this House led by Pandit Motilal Nehru himself and assisted by Pandit Madan Mohan Malaviya on the one hand and by Shri Vithalbai Patel, on the other. Even a man like Hailey felt the impact of the Opposition so much that when he left the Government of India to accept the Governorship of Punjab, in his farewell speech, he made the remarks: 'I am now going to a place where there is no Patel to trouble and where the Pandits are at rest'. That was Mr. Hailey's remark when he left the Government of India.

I say this to show the amount of efficiency that is expected from our

civil servants I do not want them to be bureaucrats like Vincent, Halley or Hallett, but I want them to be as efficient as they were.

The system introduced in the form of civil services in India acted in a peculiar way. It took out the entire cream of the intellect of India and absorbed it into the services. That was how the whole system was run with the help of Indians themselves and that is what Mahatmaji found out and tried to break. He said that this system must not be run with our help and so he introduced the non-cooperation movement.

If you look to our own national movement you will find we have two or three persons who went in for the civil service and who somehow or other came out from there and joined the national service and became the leaders and made names for themselves. I may name Surendranath himself, Subhas Bose and Aurobindo Ghosh. They became leaders. The *Statesman*, commenting on it after Subhas Bose left the civil service, said that "Mr Bose was a loss to the Government of India". That was the *Statesman* editorial when Subhas Bose left government service.

The method of choosing the persons who take up their careers must be such that we get efficient administrators who, at the same time, will be acting and feeling as servants of the people.

Sir, one distressing feature of this Report is that it is mentioned—

"Notwithstanding the deterrent penalties meted out to the defaulters, cases of candidates attempting to seek admission by production of false documents continued to recur in appreciable numbers."

I felt distressed as I read this. We should have the right type of people to serve this country. This thing must come from the habit of the people and from the character of the persons who come to accept service.

One or two things more. There is a statement in the beginning that a very large number of candidates who qualified in the written tests did not pass the tests conducted by the Services Selection Board of the Defence Services and particular mention is made of the Defence Services. Here I am reminded of a talk I had with Gen Cariappa in Calcutta at a Press Conference. I put it to him whether the Selection Board of the Defence Services was not known as the 'Rejection Board'. He admitted that the Board had that particular epithet applied to it but he denied the correctness of it. I must say that we should take care to see that the Selection Board now does not become in fact the Rejection Board for our candidates.

There is one thing in the end. It is stated that in some of these cases the candidates could not be found due to low scales of pay. If that is so, that state can easily be remedied. Why not raise the scale of pay? This thing has been repeated in a number of cases in this particular appendix—appendix No 8. In a number of cases the remark is that the candidates could not be found because of the low scales of pay. I hope the hon. Minister will look to it that the scale of pay is raised at least to a certain stage where the candidates can come up enthusiastically for accepting the services.

Lastly I wish to make one reference to one point. How is it that our senior officers, after retiring from the services, become public critics of the Government? I do not name anybody. But I would ask the hon. Minister to see what defect is there in the services themselves or what defect is there in the mentality of those who are in the services that they become critics of the Government. The moment they are out of the services they begin to criticise. When I read those criticisms I feel how they were able to accommodate themselves to the Government when they were in the services, whom they

[Shri C K. Bhattacharyya]

begin to criticise publicly now. Honestly speaking they should have left the Government long ago. The moment they felt that the Government was acting in a way which was not to their liking or not according to the canons of propriety, they should have left the service. That is all my submission.

**Mr. Deputy-Speaker:** Shri N. R. Munisamy. He will be as sweet and as brief.

**Shri N. R. Munisamy (Vellore).** The motion before this House is very vague, incomplete and ambiguous. The motion reads as follows.

"That this House takes note of the Eighth Report of the Union Public Service Commission, laid on the Table of the Lok Sabha on the 24th November, 1958"

The report is for the period from 1st April 1957 to 31st March 1958. I could not possibly comprehend this motion. I could not make out what the intention is. Are we to take note of the report and not make observations or are we to make only some observations which are contrary to the report?

**Mr. Deputy-Speaker:** He could make his observations without taking note of this motion!

**Shri N. R. Munisamy.** I shall drop that. Let me come to the points. One relieving feature in this report is that in no case has the advice of the Commission been rejected by the Government. I am happy about it, because in the previous reports, when particular cases were brought to the notice of the Government, the Government never accepted them. Even after remitting the case back to the Commission, the Commission never agreed. Unfortunately, the recommendations of the Commission had to be rejected by the Government. But in this report, no such case has arisen.

There are many points which have been traversed by the previous speakers and so let me not repeat them. I can only point out some important aspects because my time is very short. As regards the interviews I should like to say this. I go into the question of procedure and not anything else, because many Members have spoken about it. Many Members have said that the members of the Commission should be regarded as judges and that they must not only do justice but appear to do justice. But I go only into the procedure of the interviews. We are making their work difficult. That is to say, their activities and their discretion are in a way curbed. That arises in this way. Whenever an advertisement is given, and the interview conducted, the representative of the particular Ministry comes in and sits along with the members of the Commission. The members of the Commission put the questions to the candidates and they have to test them. But the representative coming from the particular Ministry has got his own views. More of them than not, his views are carried out and he carries the day. This sort of thing must be banned altogether. Otherwise, the question of partiality, the question of impartiality, fairness, etc., do not arise at all. What happens is, the particular individual who sits with the Commission is only an Under Secretary or a Deputy Secretary, whatever he may be, he may have a particular man in his view. Most often the only person who has already been in the department also files, along with the others, his own application. Other applications are also examined. But fortunately or unfortunately, that candidate has a lead over the other candidates, for the simple reason that the representative of the Ministry goes and presses his case. Of course we have the Members of the Commission there. They are all well-versed, among them are statesmen, scientists and engineers, and other categories of persons are also there. Therefore they are quite equipped to make their own selection.

But the advice given by the representative of the Ministry need not be mandatory and the Members of the Commission need not follow the advice That is all I would say

Many speakers have referred to the members as judges But even on a judgment, we have got the right to go to the appellate court and get the judgment reversed In this case, what happens? The selection made by the Commission stands as it is If the Government do not agree with the selection, what the Government do is, they simply withdraw saying "we are not going to appoint" They do not mention about the case of the particular individual, but they say, "We need not fill up the vacancy" If this is the case, the time spent by the Commission in making the selection and the time spent by the candidates and the others go in vain Therefore, I would say that this habit of introducing a third party in the Selection Board is not quite correct It will create this sort of criticism which has been levelled against the Commission Unfortunately, the Commission has nothing to do with this Unfortunately, they do to some extent yield to the recommendations of the representatives

It is something like trial by jury and trial by assessors At least the judges have got the power to disagree with the jurors and agree with the assessors Here, the Commission unanimously accept the opinion of the representatives sitting with them It is better they give up this habit I find that there is much grievance and hardship being felt by so many candidates in this regard

The other aspect to which I wish to draw the attention of the House is with regard to the recruitment of women to certain services My hon friend has stated that there should be no discrimination Women are chosen for the administrative services also I

do not object in that no discrimination can be shown merely by reason of sex, creed or colour, or caste But still, the Constitution provides that we can make rules and regulations so far as women and children are concerned. Women are pre-eminently suited for the medical services, and there are certain services to which they are more suitable than men But why appoint them in the police department and in the general administrative services and all such services? I say I am not quite happy about it though of course no discrimination is to be shown and they should be treated on equal terms with men in the matter of employment, etc.

Now, instead of having one Commission, we could have the Commission divided into three sections, say, something like this We could have a Scientific and Industrial Service Commission separately Then there will be no question of anybody coming and giving advice or having a panel of jurors and assessors An Engineering Service Commission may also be had Again, a Postal Service Commission may also be created Like that you can have some categories in the Commissions With the expansion in industries and in other fields of activity in the country, with the second Plan and the third Plan, we need a good deal of able persons to man several Commissions With the expanding activities, the methods of recruitments should also change for the better and there could be changes in the welfare State for the betterment of the country So, there may be some categories of the Service Commissions as mentioned already and they could function democratically and not lend themselves to such criticisms as have been made now

As regards the retired military men being recruited to the civil services, my observation is that these military men have got their own method of working, and from beginning to end they had served on the military side So, if they are recruited to the civil

[Shri N. R. Munisamy]

side, the atmosphere and the condition in the civil side do not suit them at all and they still insist upon their wonderful discipline, because they are trained in that way. If a thing gets beyond a particular limit, they get angry, because they have been trained in that way. Therefore, they are most unsuitable to be re-employed in the civil side.

Then I come to the interviews. The Commission should not conduct the interviews in only one place. They must go from place to place, from State to State and conduct the interviews, instead of causing huge losses for the candidates and also on their part by conducting interviews in only one place. Whenever a particular advertisement is given and notifications made, the Government simply withdraw the request. I wish the Government does not do it. The Government must give due notice for the cancellation and the Commission may also do likewise wherever necessary.

There are some other points to be mentioned but I would not like to go on as my time is perhaps over, as you, Sir, are looking to the clock and I also must keep up my promise

16 hrs.

श्री० रणबीर सिंह (रोहतक) उपाध्यक्ष महोदय, नेशनल डिफेंस एकेडमी में भरती के तिलतिले में जो ज्यादा लादाद भरती के लिये उम्मीदवारों की बढ़ती जा रही है उस को रोकने की एक ही तरकीब है और नेशनल डिफेंस एकेडमी में और अच्छे प्रादमी भरती हों, उस के लिये भी एक ही तरकीब है कि जो भी वहाँ भरती होना चाहते हैं वे सब पहले जवान भरती हो और कम से कम एक साल तक जवान के तौर पर चाहे धार्मी में, चाहे नेवी में चाहे एयरफोर्स में खर्च करे। उस के बाद उन्हें मौका दिया जाय कि जो इम्तहान में बैठना चाहे वह बैठे। और सेलेक्शन बोर्ड जो हो वह उस के बाद रिजेक्शन बोर्ड नहीं रहेगा

जैसा कि मेरे साथी ने डर जाहिर किया था। इसी तरह से इंडियन एडमिनिस्ट्रेटिव सर्विस...

उपाध्यक्ष महोदय - सेलेक्शन बोर्ड तो हमेशा रिजेक्शन बोर्ड रहेगा साथ में, वरना सेलेक्शन कैसे होगा ?

श्री० रणबीर सिंह : जिस में काबिलियत होगी वह बैठ जायेंगे।

उपाध्यक्ष महोदय - जिसे सेलेक्शन करना है जब तक वह रिजेक्शन नहीं करेगा तब तक सेलेक्शन कैसे करेगा ?

श्री० रणबीर सिंह : इस तरह से प्रीसत रिजेक्शन फर्म हो जायेगा। जहाँ तक इंडियन एडमिनिस्ट्रेटिव सर्विस का तात्लुक है, मैं समझता हूँ कि उस को दो हिस्सों में तकसीम करना चाहिये, और जितनी जल्दी हम उसे कर दें उतना ही अच्छा है देश के लिये। एक तो वह साहब जिन को दफ्तरो में बैठ कर काम करना है और एक वह साथी जिन को जिलों में जा कर जिलाधीश या एडमिनिस्ट्रेशन का काम करना होता है। मैं मानता हूँ कि एक प्रादमी अच्छी नोटिंग एंड ड्राफ्टिंग कर सकता है और वह जो किताबी इम्तहान हो उस में भागे प्रा सकता है। लेकिन एडमिनिस्ट्रेशन के लिये यह जरूरी नहीं कि जो अच्छी नोटिंग एंड ड्राफ्टिंग जानता हो वह जिलाधीश अच्छा बन सकेगा या एडमिनिस्ट्रेशन चला सकेगा। मैं समझता हूँ कि परसेनेलिटटी टेस्ट उन के लिये तो जरूरी है जिन को दरअस्त एडमिनिस्ट्रेशन चलाना है। लेकिन फर्ज कीजिये किसी को दफ्तरो में प्रा कर काम करना है, मैं समझता हूँ कि उनके लिये यह जरूरी नहीं है। जिन को एडमिनिस्ट्रेशन चलाना है उन के लिये परसेनेलिटटी टेस्ट ठीक है। क्योंकि अगर उन का यह टेस्ट नहीं होगा तो हो सकता है कि वे बहुत अच्छे लिखने वाले हो, लेकिन जो दूसरे मसले सामने प्राते हैं उन के लिये क्या करेंगे। कहीं पर खत्याग्रह चला करता है, कहीं दूसरी चीज चलती रहती है। मुझे अपने पंजाब

का तजुर्बा है, हर दूसरे तीसरे महीने किसी न किसी तरह की धावाज उठाने लगती है। उन पर काबू पाने के लिये भच्छी नोटिंग धीर इन्फिटिंग क्लब नहीं आ सकती। उस को भच्छा ऐड-मिनिस्ट्रटर होना चाहिये भले ही वह भच्छा लिखने वाला न हो। कई दफा हालत ऐसी आ जाती है कि गोली चलाने की जरूरत पड सकती है, जिस आदमी को ऐडमिनिस्ट्रेशन चलाना है अगर वह यह सोचे कि गोली नहीं चलानी है भले ही उस के ब चलाने से एक के बजाय १०० आदमियों के मरने का खतरा हो तो फिर किस तरह से काम चल सकता है। अब कभी इस तरह का खतरा हो जाय तो गोली चलाना जरूरी हो जाता है। इस के लिए ऐडमिनिस्ट्रटर के दिल में हीसला होना चाहिये। जैसा भेरे भाई श्री बनर्जी ने कहा कि वह इसी डर में फस जायेगा कि कहीं खुद मुझे ही न लोग गिरा दें। इस लिये यह जरूरी है कि ऐडमिनिस्ट्रटर के दिल में हीसला हो। इस के अलावा उस की पर्सनेलिटी ऐसी होनी चाहिये जो कि लोगों पर असर करे। मैं समझता हू कि अगर किसी ऐडमिनिस्ट्रटिव सविस का आदमी दफतर में काम करता हो भले ही उस की पर्सनेलिटी की परवाह न की जाय लेकिन जिस को जिलाधीन बनना है उस के लिये यह टेस्ट जरूर रहना चाहिये। मैं श्री भक्त दशान जी से सहमत हू कि आज हमारे दफतरो में काम करने का उम्मीदवारों का स्तर गिर रहा है। असल बात यह है कि आज हम पढाई के तरीके को देखें तो उसी से इस का पता चल जायेगा। और पढाई को जाने दीजिये, कल की अंग्रेजी की बहस के बाद मैं ने पाच, सात बच्चों से बात चीत की। यहा की बहस से उन की समझ में यह आया कि अब अंग्रेजी के लिए इस देश में स्थान नहीं है। अंग्रेजी के लिये आज से नहीं, दस बारह साल के हम कोशिस कर रहे हैं, कास्टिट्यूट असेम्बली के दिनों में हमने बडा बहस मुबाहसा किया और उस के बाद तय किया कि अंग्रेजी के लिये हमारे यहा स्थान नहीं है। आज बारह साल बीत गये। दो साल बाद वह

विद्यार्थी रैजुएट हो जायेंगे जो उस वकत पर प्रथम श्रेणी में प्रविष्ट हुए थे। ऐसे वकत में जिन के दिमाग में एक अन्दाजा था, एक खयाल था कि अंग्रेजी के लिये कोई स्थान नहीं है, आज भी उन को पता नहीं है कि देश में अंग्रेजी का कोई स्थान है कि नहीं या काफी स्थान है। भन्सर जो तरीका काबिलियत को नापने का है वह यह है कि अंग्रेजी के ज्ञान से उसे नापा जाता है। इन लिये भच्छा होगा कि जितनी अच्छी हो सके हिन्दी भा जो इलाकाई भाषायें हैं उन में इम्तहानों का जारी करे। क्योंकि दरअसल आज जो भरती हो रही है वह आज के लिये नहीं हो रही है। आखिर अंग्रेजी को तो जाना ही है। बारह साल हो गये हैं, और पाच साल बाद, सात साल बाद, आठ या नौ साल के बाद अंग्रेजी को यहा से जाना है। आज जो निर्फ अंग्रेजी के अच्छे लिखने वाले हैं उन का ही स्तर भच्छा माना जाय तो यह जरूरी नहीं है कि आने वाले देश के लिये वह कोई बहुत अच्छे ऐडमिनिस्ट्रटर या कर्मचारी मानित हो सकें।

मुझे एक और अर्थ आया से करनी है। इंडियन एडमिनिस्ट्रटिव सविस और दूसरी सविसिज के बारे में लिखा गया है कि वे गलत खबरे देते हैं। यह एक बड़ी अजीब बात है कि जो लोग इंडियन एडमिनिस्ट्रटिव सविस में भरती होने के उम्मीदवार हुए ग्राम तौर पर उन लोगों ने यह खिपाने की कोशिस की कि वे सरकारी नौकर हैं। मैं समझता हू कि अगर कोई भी शक गलत बयानी करता है तो वह बहुत गलत चीज है। उन आदमियों के साथ क्या किया जाय यह देखना तो होम मिनिस्ट्री का काम है लेकिन हम को मोचना चाहिये कि इस से क्या नतीजे निकल सकते हैं? उसकी एक वजह यह हो सकती है कि शायद उन नौजवान क्लर्क्स आदि सरकारी नौकरो को उनके मुहकमे वाले इस आई० ए० ए० के इम्तिहान में आसानी से ऐन्ट्राई करने की इच्छा न वेते होंगे और इसलिए वे इस बात की कोशिस करते हैं कि हम यह बाहिर भ

## [श्री० रणवीर सिंह]

होने कि हम सरकारी नौकर हैं। इसलिए यह जो आपत्ति आती है वह इसलिए आती है कि उन पर कुछ पाबन्धियाँ हैं और उन को हटाया जाना चाहिये।

अब इसी तरह एन० डी० ए० के सिलसिले में जो ऐज की बात है, अब मुझे पता नहीं कि आया उस में कोई सुधार हो सकता है या नहीं।

अब यह जो इंडस्ट्रियल पूल की बात है और उस को लेकर जो हमारे भाई लोग टीका टिप्पणी करते हैं और देश का निजाम चलाने वालों पर भविष्यवासी करते हैं तो उन से मैं कहूँगा कि ऐसा भविष्यवासी करने की कोई गुंजाइश नहीं है। दुनिया में अभी कुछ दिन पहले तक कोई आदमी यह मानता नहीं था कि डिक्टेटोरशिप के बगैर कोई समाजवाद आ भी सकता है और इस बात को भी नहीं मानता था कि जो आदमी काम चलाने वाले हैं वह पता नहीं किस खयाल के हो और वह भरती होंगे और वह भ्रष्ट होकर इस देश के अन्दर समाजवाद को लायेंगे भी या नहीं। इस देश के अन्दर दोनों ही खयाल के लोग हैं और अभीब किस्म के तजुबे हो रहे हैं लेकिन मैं समझता हूँ कि कुछ न कुछ हम को थोड़ा बहुत जैसे कई दफे देखा गया है जो एक लोचतान होती है और हमारे देश की नीति कुछ और होती है और जो हमारे हाकिम हैं उन के मन का खयाल कुछ दूसरा है तो मैं यह तो नहीं चाहता कि जो कांग्रेस पार्टी के हों उन्हें इन में भरती किया जाय लेकिन एक बात में जरूर चाहता हूँ कि पब्लिक सर्विस कमिशन चाहे वह यूनिवर्सल का हो सकता स्टेटम का उन्हें भरती करते वक़्त यह देखना चाहिये कि आया यह उम्मीदवार दिमागी तौर पर समाजवाद के हक में है, पब्लिक सैक्टर के बढ़ाने के हक में या प्राइवेट सैक्टर के बढ़ाने के हक में है।

**Shri Balkrishna Wamnik** (Bhandara—Reserved—Sch. Castes): Mr. Deputy-Speaker, Sir, I am very sorry

that this report does not appear to me satisfactory as regards the appointment of the scheduled castes and scheduled tribes. On page 6 of this report, it is stated:

“The total number of Scheduled Caste and Scheduled Tribe candidates so far appointed to the various Services through these examinations—examinations for recruitment to IAS, etc.—is 13 Scheduled Castes and 2 Scheduled Tribes to the Indian Administrative Service, 1 Scheduled Caste candidate to the Indian Foreign Service and 18 Scheduled Caste candidates and 1 Scheduled Tribe candidate to the Central Services.”

This is not a very satisfactory figure. I think there could have been much improvement if more real efforts were put in to increase the intake of the Scheduled Castes to the services.

When we go through the report of the Estimates Committee, we find that in Class I permanent service, the representation of Scheduled Castes is only 0.6 per cent and in temporary service Class I, it is only 0.8 per cent. This is a very sorry figure. The Estimates Committee have also stated in their report that there is something wrong somewhere while making the recruitment of Scheduled Castes to these posts. It has also been stated that for IAS special recruitment, there was a test and 26 Scheduled Caste and 5 Scheduled Tribe candidates were selected for the interview.

In addition, the Commission in their discretion selected 133 Scheduled Castes candidates and 34 Scheduled Tribes candidates although they had failed to attain the requisite standard in the written test. That is all right. But when we see as to how many Scheduled Castes and Scheduled Tribes candidates were appointed after all this, the number is not very satisfactory. Only seven candidates



belonging to the Scheduled Castes and three belonging to the Scheduled Tribes were appointed to the Indian Administrative Service. This is the case

I may go to the length of saying that sometimes the UPSC recommend Scheduled Castes candidates but while making the appointments those candidates are not appointed. We can give so many instances

**Shri Datar:** That is an inaccurate statement

**Shri Balkrishna Wasnik:** Sometimes it has been so

**Shri Datar:** No Let the hon Member not talk vaguely

**Shri Balkrishna Wasnik:** I may go to the length of quoting one instance and that is the appointment of the Assistant Commissioner for the Scheduled Castes. The hon Minister must be knowing the reasons as to why when there were some five or six Scheduled Castes selected candidates they had not been appointed to this post and they have been kept vacant up till now. I do not know the reason and the justification for not appointing one from among so many Scheduled Castes candidates. I think as many as five or six people are there and the number of posts is also the same. The hon Minister might be knowing the reason because he is in charge of the same portfolio. This is the thing

The Constitution has given very wide powers to the Government to act in this matter. I may quote clause (4) of article 320 of the Constitution which deals with the Public Service Commission. This clause says.

"Nothing in clause (3) shall require a Public Service Commission to be consulted as respects the manner in which any provision referred to in clause (4) of article 16 may be made or as respects the manner in which effect may be given to the provisions of article 335"

Now, we go to article 335. It reads:

"The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State"

This is a very wide power that has been given to the Government while making appointments and while fulfilling the reservation for the Scheduled Castes and Scheduled Tribes. The Government can go to the extent of ignoring the UPSC and make appointments. I do not know as to what the Government have done in this matter. The Government have not gone to this extent but, as I have stated, the Government have not even appointed this kind of people who have been recommended by the UPSC.

This has been confirmed by one of the hon Deputy Ministers, who is in the Central Government. I do not want to tell his name, but this is a fact. This thing has come out and I would like the hon Minister to look into this matter and see that whatever defects are there in making appointments of Scheduled Castes and in increasing the intake of the Scheduled Castes in the services are removed.

**Shri Datar:** Mr Deputy-Speaker, Sir, I am obliged to the hon Speaker as also to you for having laid down the correct criteria in respect of the criticism that has to be offered on the floor of this House whenever the Report of UPSC is under consideration. UPSC, as you are aware, is a very important statutory body. It has been created by the Constitution for the purpose of seeing to it that the methods of recruitment are quite correctly followed and that selections are made not by the Executive but by the UPSC themselves. Therefore it is the duty of all of us to see to it that the high pedestal on which the

[Shri Datar]

UPSC has been placed is maintained and no insinuation is offered about the manner in which they carry on their work.

I am extremely sorry that my hon. friend, Shri Mathur, made certain remarks which were, in the first place, far from correct and, secondly, which lacked to a large extent the established elements of propriety. He brought in certain matters. May I point out, as I shall progress further on that the very premises on which he made these observations were entirely wrong and unfounded. The UPSC have been carrying on their work very well and the Government are taking the greatest precaution in appointing proper people. It is the President's prerogative to appoint people so far as such appointments are concerned. May I point out here that under the Constitution certain very high standards have been laid down in this regard. It is stated in article 316 that they shall be appointed by the President, so far as the UPSC is concerned and by the Governors so far as the Public Service Commissions in the States are concerned. There is an important proviso to it. Because these are Service Commissions, those who know the conditions of service and those who have a large measure of administrative experience to their credit have to be appointed. Therefore in the proviso—I am quoting only the relevant portions—it has been stated:

“Provided that as nearly as may be one-half of the members of every Public Service Commission shall be persons who at the dates of their respective appointments have held office for at least ten years either under the Government of India or under the Government of a State.....”

Therefore, this particular standard has to be maintained.

In addition, what is to be done, so far as the services are concerned, is that there have to be non-official members also. So far as such members are concerned, they ought to be eminent persons in public life. They ought to have large experience of public life and it is these persons who constitute the Union Public Service Commission here. Every care and precaution is taken to see that persons who possess the highest qualifications—I am not merely referring to technical qualifications but to the highest qualifications—either of service under Government or of service of the public are appointed. While making appointments, we never take into account the question of the particular community to which he belongs because all of us are anxious that here the best have to be appointed. The honourable member who was appointed and to whom my hon. friend made a reference, was appointed not because he belonged to a particular community but because he had the highest administrative experience and great integrity to his credit.

Therefore, I would deprecate, as you have rightly done, any criticism of the manner in which the Public Service Commission are carrying on their work. They have been doing excellent work and therefore all of us should refrain from criticism and should not bring in either innuendoes or insinuations merely because in a particular case, as the hon. Member has suggested, certain members of a particular community found a place, not on account of the particular Chairman. There are two bodies, as I shall be pointing out. These two bodies have to do the whole question of consideration.

In this respect may I invite your attention to the rules and regulations for the all-India Services. Suppose an officer of the State Services has to be considered for appointment to the IAS. What the hon. Member meant

by way of promotion was the appointment of a State Service officer to the IAS or the IPS as the case may be. In such cases under the rules that we have made about appointments by promotion the word 'promotion' has to be considered in its particular significance here, namely, promotion from the State Service to the all-India Service. It has been made clear in rule 4, conditions of eligibility for promotion. There is first a committee—a preliminary committee you can call it—which has to work and how it has to work has been pointed out here.

"Each committee shall meet at intervals ordinarily not exceeding one year and consider the cases of all substantive members of the Civil Service Regulations"

You may kindly understand that the expression 'all' has been particularly put in. My hon friend complained that there were some persons at the top and some persons at the bottom—he said something like seventy or eighty. But all those who are eligible, who become eligible, have got to be considered, because the expression "all" has been used—all substantive Members of the State services who on the first day of January of that year had completed not less than eight years of service, they have to be considered.

After the list has been prepared, that has been referred to in paragraph 5, the committee shall prepare a list of such members of the State Civil Service as satisfy the conditions specified in Regulation 4 and are held by the committee to be suitable for promotion to the service. Therefore this is the first committee that goes into the whole question and then the selection for inclusion in such a list shall be based on merit,—that is a very important consideration that has to be taken into account—and suitability in all respects with due regard to seniority—not with complete regard to seniority. Let all of us under-

stand that merit is the outstanding or overriding factor and thereafter, Sir, the Commission, the UPSC itself has to be consulted.

The list prepared in accordance with regulation 5 shall then be forwarded to the Commission by the State Government and certain documents have to be forwarded. The Commission shall consider the list prepared by the committee along with other documents and then approve the list unless they find any change is necessary. So the list is finally approved by the Commission itself. Thus you will find proper safeguards provided in our Rules. Twice the work is done and ultimately we have got the seal of approval of the Union Public Service Commission itself, except when they consider that certain changes are necessary. Even in the preparation of the preliminary list a member of the UPSC is associated. With due deference to my hon friend, I should say he was absolutely wrong.

**Shri Narayanankutty Menon:** On a point of order, Sir. The criticism itself was ruled out of order. Is the hon Minister correct in replying to it?

**Shri Datar:** As the Speaker said it is on record. He was sorry that the record was besmirched with such criticism. That is why I have to put the contrary side before the House. I am not going too much into the details. I am merely pointing out to my hon friend that he should not base his criticism on certain reports which he receives and which are likely to be incorrect. Let him understand this.

**Shri Harish Chandra Mathur:** Which of the facts that I have stated is wrong?

**Shri Datar:** He made a number of statements—I would not say allegations. He ought to have referred all these things to me. I would have certainly gone into the whole question of recruitment from Rajasthan about which he complained. These are not

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matters where one can offer criticism, unless the criticism is corroborated by evidence. That is the reason why I deprecate such criticism. It is likely that the hon. Member may have received such information, but that information has got to be checked up, has got to be corroborated and if there was anything wrong he could have brought it to my notice. May I assure the House and also the hon. Member in particular, that we have taken full care to see that nothing wrong has been done or is allowed to be perpetuated. This is all that I have to say so far as this question is concerned.

**Shri Harish Chandra Mathur:** General observations apart, I had stated a number of facts certain people being called for interviews, others not being so called. Can the hon. Minister say that any of the single facts that I had stated was wrong?

**Mr. Deputy-Speaker:** If the hon. Member had only brought it to his notice, he would have got all of them checked up.

**Shri Datar:** I am not in a position to reply off-hand. He has stated that they were called within twenty-four hours. I must have an opportunity to see whether it was so.

**Shri Harish Chandra Mathur:** It is perfectly correct. He cannot say they are wrong. He may say he will examine them.

**Mr. Deputy-Speaker:** He has said there is every likelihood of their being wrong.

**Shri Datar:** I have used the word carefully, let him understand. We should set certain high standards, because as the hon. Member has rightly stated we have to maintain, in the first place, the prestige and the dignity of this high body. Secondly we have also to see that the morale of

our services is not affected. If for example, such allegations without proper verification are made and if ultimately they are found to be not true, then the allegations go on the record, not the corrections. That is the reason why I would implore my hon. friend. He is an earnest worker and I desire that a man of his earnestness ought not to be beguiled into saying something which may not be correct. We should not allow the great principles for which the Union Public Service Commission has been established to be brought down even indirectly by such innuendoes and insinuations.

Then, Sir, some other points were made. With regard to these points I was surprised that this debate upon the UPSC has been converted into a general debate on the services. We are answerable to Parliament and on a number of occasions and even during this session in the debate on the Home Ministry's demands a number of points about the services were raised. But here may I submit to you in all humility that we are considering the report of the UPSC and their criticisms or their observations in general so far as they have a bearing on the services in broad aspects. All the same, as certain points have been mentioned I shall try to reply to them, as briefly as possible.

In the first place, I must say that the UPSC had stated that there was greater temptation for the IAS than for the other services, including even the IFS and the technical and other services. In that respect, the UPSC has stated that the conditions of service should be improved. I have got the various scales of pay and may I point out that the scales of pay that are offered, either under the Industrial Management Pool or to technical or technological personnel are not in any way as good, if not better in certain cases, than what is given to the Indian Administrative Service.

So far as the IAS is concerned, the junior grade is Rs 350 to Rs 950; the

senior grade is Rs. 800 to Rs. 1,800 with a few select posts, what is known as the super-time scale posts, but they are not many. So far as the IPS is concerned, the junior grade is Rs. 350 to Rs. 850 and the senior grade is Rs. 600 to Rs. 1,150. Generally these are the same pay scales so far as the Central Services are concerned, with certain modifications, modifications in the direction of lower scales of pay, not higher scales of pay. May I point out, to make it clear, that in the Industrial Management pool there are seven grades, the pay of the highest grade being Rs. 2,750. Very few of the IAS can reach this figure.

**Shri Harish Chandra Mathur:** An IAS man can go up to Rs. 3,000

**Shri Datar:** Very few.

**Shri Harish Chandra Mathur:** Here also very few.

**Shri Datar:** That is why I am anticipating his arguments. There are only a few super-time-scale posts. Now the number of I.A.S. officers, if I mistake not, is about 1,500—I am giving the figure roughly. Out of 1,500 hardly ten or fifteen can go above Rs. 1,800 into the super-time scale.

**Shri Harish Chandra Mathur:** Even in one State, Rajasthan State, there are at least ten persons in the super-time scale. All the Commissioners, all the Members of the Revenue Board are such persons. There are at least ten persons.

**Shri Braj Raj Singh:** Every Joint Secretary to the Government of India is drawing more than Rs. 2,000.

**Shri Datar:** There are I.C.S. officers who are governed by other rules. My hon. friend was referring to I.A.S. Their number is bound to be very small.

Even in respect of other grades the position is like this: Grade II is

Rs. 2,500; Grade III Rs. 2,000 to Rs. 2,250; Grade IV Rs. 1,600 to Rs. 2,000; Grade V Rs. 1,360 to Rs. 1,600; Grade VI Rs. 1,000 to Rs. 1,400; Grade VII Rs. 600 to Rs. 1,000. It is only in the lower grade where we have not got such high scales of pay as in the others.

So, if these are taken into account, it is very difficult to say that there is any scope for improvement so far as these pay scales are concerned.

May I also point out that these pay scales that we offer are fairly good? It is difficult to raise the pay scales, though I cannot say anything at this stage, because the Central Pay Commission are considering the whole question. I was therefore agreeably surprised when certain hon. Members suggested that the pay scales should be improved. On the other hand, there are views expressed on the floor of the House that the pay scales are very high, especially at the top. So we have to take into account both the opposing views, and I am confident that the Central Pay Commission will consider all the questions, the economic conditions of India as also the need for giving reasonable scales of pay to our officers. Therefore I would not

**Pandit J. P. Jyotishi (Sagar):** May we know the number of the officers of different cadres in the different States?

**Shri Datar:** I have pointed out the main scales.

**Pandit J. P. Jyotishi:** What is the number of the officers in the super-time scale in the different States?

**Shri Datar:** I have not got the numbers here. I am dealing with the question of principle, not with the question of particular personalities. In any case, we have got here, almost for the first time, the view expressed by some of the hon. Members opposite that the pay scales should be raised so as to attract good people so far as

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certain specified type of services are concerned. Anyway it is for the Central Pay Commission. I shall content myself with saying that in respect of all such technical services, non-administrative services, we are giving fairly good scales of pay

The next point that was raised was about personality test. Some hon. Member suggested that personality test should go away altogether. Another hon. Member rightly suggested that the manner in which the rule has been now amended is quite good and some sort of a personality test is absolutely essential. My hon. friend Shri Braj Raj Singh stated that there ought to be no personality test at all. The personality test has been kept only in certain cases where you must understand what personality the particular person has. Because, take, for example, the Indian Administrative Service. These people will be going into the districts, and they will have to control the administration; they will have to handle the whole district. You know, Sir, in some districts the population is very high, as in Bihar. The population of a district in one case, I found, was about 35 lakhs. And unless the officer, especially an officer like the District Superintendent of Police or the District Magistrate, has a personality—he has to act on the spur of the moment, he cannot afford to be inhuman, he cannot afford to be weak—mere mastery over intellectual subjects will not be sufficient at all. Therefore, the Government desire that some sort of a personality test is essential to know how the man will develop, whether he will be in a position to carry out his work, especially in the districts, in the manner in which it has to be carried on. I am pointing out only one instance, but occasionally a number of questions arise where a matter has to be disposed of very quickly, in a human manner, and also in such a way that the

interests or the requirements of administration are duly satisfied.

On a number of occasions they have to take decisions, as we are now a welfare state, there is, what you may call, a gradation of the exercise of discretion at various stages, and these discretions have to be used properly. For that purpose you require a man with a personality. Here, when the candidate appears before the Union Public Service Commission they have to see whether he has the promise of a personality or, if you will kindly excuse my using that word, the make-up of a personality.

Shri Braj Raj Singh: I have no wish to interrupt the hon. Minister. But may I ask him whether he would suggest that there should be a personality test for the Ministers also, because Ministers have to control the whole country, a far wider area than that under a District Magistrate?

Mr. Deputy-Speaker: The Minister might suggest that there ought to be personality tests for the Members of Parliament as well!

Shri Harish Chandra Mathur: The electorate conducts our personality tests.

Shri Datar: And may I submit that we are at the mercy of the hon. Members every moment of our life? Therefore, even the personality of a Minister is developed, thanks to our position. Every day we are under fire.

Mr. Deputy-Speaker: I was rather going to say that there is a personality test held by the voters when we get ourselves elected—and Ministers included.

Shri Narayanankutty Menon: That test is only for the membership.

Mr. Deputy-Speaker: That is sufficient.

**Shri Datar:** We are undergoing the personality test every day here and we hope we are faring fairly well!

**Some Hon Members:** No, no

**Shri Datar.** I am not speaking personally

**Mr Deputy-Speaker:** So long as they continue, we can assume that they are faring very well!

**Shri Datar** The difficulty about personality test was that if these particular marks obtained in the personality test or the interview test itself had to be a particular minimum number of marks, and if a candidate were to fail in the personality test while getting a higher number of marks in the other tests, according to the earlier rules—which have now been superseded—he would not pass the examination at all. Now that has been removed, and what has been done is that the marks received in the other papers and at the personality test are pooled together, and if a man passes, naturally he is taken. My hon friend asked a question as to how these people who came in on account of this relaxed rule have been faring. It is too early to say how they have been faring. On the whole may I point out that the new entrants to the IAS and the IPS are doing fairly well, because we are getting the pick of the nation, the most brilliant students in the whole of India are drawn to these services and therefore we are getting the best. In addition to the particular knowledge that they have obtained or the university degrees they have taken, there is a larger field of their outlook, they must possess a general knowledge, they must possess a personality. That is the reason why all these considerations are taken into account. It is not possible for me at this stage to say, because no assessment can be made within the short period of two or three years, but all the same I am hoping that they would fare very well.

**Shri Tangamani:** May I know whether there are any criteria laid down about personality, like height or weight, or his interest in sports or the NCC?

**Shri Datar:** I understand the hon Member. It is very difficult to lay down a test as to what constitutes personality. But the hon Member is surely aware of the different elements that together go to make up a personality.

**Shri C K. Bhattacharyya** I believe a personality test is something like a love at first sight.

**Mr Deputy-Speaker:** Which everybody experiences and none can describe!

**Shri Narayanankutty Menon:** And which always leads to disappointments also.

**An Hon Member** Not always.

**Shri Datar.** In some cases dis-appointments are bound to be there. May I point out that the UPSC pay the utmost care? I myself have seen the way in which they carry on. It is not true to say that within five minutes, they finish the whole thing. They put various questions with a view to test the general knowledge in particular, and general knowledge, to a large extent as you are aware, is more important than even technical and special knowledge. Thereafter, what they do is, they ask those—this is one of the methods—candidates to speak on a subject extempore, given just then. The whole Commission watches his performance, they sit together and in the course of a day, hardly 8 or 10 people are examined. Let us be fair to the UPSC. They do their utmost to see to it that personality test is not merely, as some hon Members stated, a rejection test. It is not a rejection test at all. It is and has to be a fairly stiff test. They are anxious to know how the man would develop properly. That is the reason why we tried this new experiment of pooling together all the

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marks Let us see how they do A wider outlook, may I point out again, in addition to intellectual equipment, is absolutely essential General knowledge of the affairs of the country and affairs of the world is absolutely essential because, as I stated, the man has to be in charge of a million or millions of people and he has to carry out various important items of work

Then, it was contended that the Government were appointing people and keeping them as temporary for years together That is not a correct statement of fact Sometimes, Government have to appoint temporary persons where the departments themselves are temporary In that case you cannot complain that they should be made permanent Secondly, with regard to temporary persons who are there for long, we have made certain rules according to which they attain what is called quasi-permanency after three years of satisfactory service May I also point out that the Finance Ministry have passed orders two or three years ago according to which, in certain categories of cases, about 80 per cent of the temporary personnel were confirmed These factors have to be taken into account Do the hon Members desire that all the temporary persons should be retrenched?

Shri Harish Chandra Mathur. No, Sir

Shri Datar: If they are not retrenched, how can we provide for them permanently? The authorised strength of the various grades is fixed Sometimes it is increased But, you cannot increase it to the extent of absorbing all the temporary persons If the hon Member desires, we shall issue orders of retrenchment

Some Hon. Members: No, no

Shri Datar. That is what we are not doing We are trying to give them good conditions of service We are retaining them in service with a view to see the possibility of absorbing

them as largely as possible. We have recently made a rule and that rule was also placed before the House, according to which Ministries and departments are not allowed to create temporary posts without previous permission Secondly, in all cases where a temporary post is likely to last beyond a year, the Union Public Service Commission's consent has to be obtained If, for example, in a particular case, today, a Ministry or department believes that a post is temporary, but if it comes to the conclusion say, within 3 or 6 months, that the post is likely to become permanent, immediately, the Commission's advice has got to be sought This is one of the rules which hon Members have not referred to We have actually made a rule and we are anxious that the position of temporary servants is improved as much as possible With a view to place them on the way to confirmation, we have what is known as the RTE, Regular Temporary Establishment of Assistants and some other services There also, the moment they come in, they can be confirmed according as vacancies arise In one case, I know about 5 years ago, we had a Regular Temporary Establishment All of them have been confirmed Then, we are forming the second Regular Temporary Establishment

Shri Harish Chandra Mathur May I seek a clarification? If the hon Member looks at the statistics which are provided, he will find from one Ministry to another Ministry, the number of temporary staff including gazetted staff ranges from 30 per cent to 60 per cent As many as 30 per cent of the whole cadre of the Ministry of Commerce and Industry is temporary In this expanding economy, does he expect that there would be any occasion to retrench any of these people?

Shri Datar: Let the hon Member understand our position The services of these temporary persons can be dispensed with in the alternative in



any eventuality which the hon. Member does not accept. Can we confirm all these persons?

**Shri Harish Chandra Mathur:** Why not?

**Shri Datar:** It is not so easy as the hon. Member thinks. In fact, we are charged with blame for expanding our services. That is not correct also. We can confirm only a prescribed number. We do not desire also to retrench all temporary persons. The condition may not be satisfactory; but the condition is absolutely realistic. If we have kept them, it is in their own interest. That factor should also be noted by the hon. Members who were critical in this respect. They may note that unless the Government took, as they are doing, a human outlook, many of them would have been retrenched long long ago.

**Shri Harish Chandra Mathur:** Kindly get it examined. That is all what I say.

**Shri Datar:** My hon. friend wanted to know why we did not give the break-up of the various personnel that we required for the Industrial Management pool. There are only certain Ministries which come into the picture. We asked them if they can give today their total requirements in the different grades and if it were possible, their requirements in each of these grades. They found it difficult. That is the reason why we have got the list before us and happily for us, though they found it difficult, —I sympathise with the U.P.S.C.'s difficulty; it was there—they have found it possible to make their recommendations as per various grades separately. That is what they have done. We are trying to absorb as many of them as possible. As we have stated once, we are immediately appointing 75 persons. We shall be appointing as and when the need arises. I am confident that all these persons will be taken as early as possible.

**Shri Harish Chandra Mathur:** The point that I raised was, under this notification, under clause 6, you were supposed to do this. You have not done it. I wanted to know whether you propose to do it now.

**Shri Datar:** What we shall be doing is this. Various recommendations per grade have been given. The Ministries and the Government industrial undertakings have a large field of choice. Different officers have been mentioned against different grades. While accepting the recommendations of the U.P.S.C., these officers will be placed in charge of suitable or appropriate appointments so far as their recommendations in the particular grades are concerned.

Some hon. friends needlessly brought in the "steel frame". We were steel in the old days. Especially, so far as the criticism is concerned, there is no steel frame now at all. It is a frame. It is and has to be a frame.

**Shri Braj Raj Singh:** Has it become a golden frame?

Some Hon. Members: Wooden frame.

**Shri Datar:** It is a frame which is amicable, in the first instance, to democratic influences. Let hon. Members understand quite correctly, it has got to be subject to the question of maintaining the highest efficiency so far as Government work is concerned. Therefore, I would implore hon. Members to shed the old critical habit that all of us had, myself not excluded. We were often using all these expressions. May I assure the hon. Member that it is not a rigid frame, much less a steel frame?

**Shri Harish Chandra Mathur:** It is a plastic frame.

**Shri Datar:** What I desire to state is that it is not proper to make such statements. After all, in carrying out our schemes or in implementing our schemes, we have to depend upon

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Government servants and Government employees. Therefore, it does not look well to make such observations. Whenever there are any such instances, surely, they can be brought before Government, and Government will take proper action, but to go on criticising all the officers together as a steel-frame and complaining that they are not carrying on their work is not proper and is not in the healthy interests of the nation also.

Then, my hon. friend Shri Harish Chandra Mathur suggested that there should be a judge on the UPSC. So far as this work is concerned, it is a work where the problems of the services have to be taken into account; and generally, a judge might not be necessary at all. During the last ten years or so, one judge was appointed. But there are certain difficulties also. One of the difficulties is that there are certain disabilities attached to the post of a member of the U.P.S.C. or the State Public Service Commission. He cannot accept any service under Government after he retires. Therefore, that aspect of the question should also be taken into account. When judicial posts are to be filled, in the practice that is generally followed is this. I know the practice in Bombay particularly. Where judicial officers like civil judges or magistrates were to be appointed, then an honourable judge of the High Court presided over a meeting consisting of the Public Service Commission Members. Therefore, whenever their services are required, they can be availed of.

Whenever there are certain points which are beyond the common purview and where technical knowledge is necessary, the UPSC associate with themselves persons who are called associate members; their opinion is not binding on the UPSC, but they can bring to bear on the selection or otherwise of a particular candidate what can be called technical knowledge, technical experience, and also administrative experience. It is only

for these purposes that our officers are associated with the UPSC's work.

Some hon. Members, without possibly meaning it, have suggested that a Government officer who is associated with the UPSC exercises his influence effectively over the other members of the UPSC. That is not correct. It is unfair to the UPSC; it is unfair to our officers also.

Shri Narayanankutty Menon: It is quite natural.

Shri Datar: In this report, it has been pointed out who the persons were who were associated with the UPSC on the Personality Test Board. I would request the hon. Members to kindly look at appendix V. There are a number of appendices, and they give very valuable information. If only hon. Members had looked into them, perhaps, a large measure of the criticism that has been made would have been spared. Apart from appendix V, I would request hon. Members to read appendix VIII also where a list of posts for which suitable candidate could not be found as a result of advertisement and interview, has been given.

Even now, it is true that on the one hand, we have unemployment, so far as the ordinary posts are concerned, but so far as specified posts are concerned, so far as the technical posts are concerned, even now, we have to admit the fact that we do not get suitable persons. In this list, the UPSC have mentioned as many as 74 very important, though technical, posts. In a number of cases, even in spite of notification or advertisement, we did not get proper persons at all. That is the difficulty that we experience. That is the reason why in certain cases, the UPSC, with our concurrence, have agreed to consider the cases of others also, namely, those who have not applied at all. That is the reason why we are anxious to take in our own nationals who are in foreign countries. That is the reason

why their list is being prepared. Often-times, whenever applications come, whenever a member of the UPSC goes abroad, he interviews the candidates there, he finds out all the facts, he notes down his own impressions about the personality of the candidates, and after he returns to India, the whole matter is considered by the board as a whole. Therefore, there is no question of any arbitrariness about any such appointment. These interviews are held abroad, because those persons are not available here; and it would not be fair to those persons to be called here at their cost; it would be very costly to us also to give all their passage and other costs. That is the reason why in some cases, we follow this practice.

**Shri Harish Chandra Mathur:** Only one single member does it.

**Shri Datar:** It is true that one member does it, but then it is considered here. Generally, the Chairman of the UPSC also goes abroad.

Then, the hon. Member from Kerala made certain remarks which were not fair. He stated that generally there was an impression that his State was not getting a fair deal. May I point out here that if there is any examination, and if there are any services which give a fair deal, it is these All India Services, and the Central services of the Government of India which give a fair deal to all depending upon the merits of the persons. No other consideration is taken into account.

My young friend sitting behind me was extremely unfair so far as the Scheduled Castes were concerned. We have laid it down in our own rules that in respect of Scheduled Castes, the standards have been relaxed.

**Shri Narayanankutty Menon:** The point raised was this I did not impute any motive to the Public Service Commission or say that anything unfair was done. First of all, my point was that no examination by the UPSC was conducted within the Kerala State; that, in turn, led to a

lot of inconvenience to the candidates, because they could not go to the examination centres; and secondly, the advertisements by the UPSC are never publicised in any paper which is from the Kerala State.

**Shri Datar:** This is not correct. In fact, I myself have done it in one case.

May I point out that in this particular case, so far as the advertisements of the UPSC were concerned, formerly they were only in English? Then, I received a representation, and in consultation with the Ministry of Information and Broadcasting, we first made a rule that about five or six newspapers in regional languages should also receive these advertisements.

**Shri Kodiyam:** It was published only in one newspaper.

**Shri Datar:** Let the hon. Member allow me to point out that one of the widely circulated papers was one of the first that we took into account, so far as Kerala is concerned. It was *Manorama* or something like that. I forget the exact name.

**Shri Narasimhan (Krishnagiri):** One paper is quite adequate.

**Shri Datar:** That is what we have already done, and mind you, we chose only five out of fourteen languages. But we gave preference to this particular paper and to the Kerala State long ago, not just now, but about four years ago. As regards the centres for examination, the number of candidates also has to be adequate. You cannot hold an examination where the number is four or where the number is very small. The number has to be fairly adequate.

**Shri Narayanankutty Menon:** Can the hon. Minister say that in any particular case, adequate number of candidates have not applied from the Kerala State, and, therefore, no examination was conducted there?

**Shri Datar:** I have stated that the number has fallen short of what can be considered as the required number. We are trying to bring it down wherever it is possible; and if the number of candidates from Kerala has increased, certainly, I shall tell the hon. Member that we shall consider the question of opening a centre there. But if the number is small, then, for some time, the hon. Member will kindly wait.

Then, a general question was raised, —and the UPSC also have rightly pointed it out—about the falling standards. This question was raised by the UPSC in their previous report also. We have taken up the matter with the Education Ministry; and the Education Ministry have to consider the question, in consultation with the State Governments who are in charge of education and also with the various universities.

Therefore, this is a question that has to be considered immediately, and is being considered by the authorities concerned, and we shall be happy if the standards are raised as early as possible.

Some big questions were brought in about Hindi and others. We have got the report of the Parliamentary Committee and also of the Commission, and the House will consider their recommendations as early as possible.

16 hrs.

**श्री विभूति मिश्र (बगहा) :** मैं यह कहना चाहता हूँ कि जो लोग आई० ए० एस० में जाते हैं वह जतना परिश्रम अब नहीं करते जितना कि पहले अफसर लोग किया करते थे।

**Shri Datar:** That is not correct. It is absolutely unfair to our IAS officers. In fact, I may tell the hon. Member that I have seen the very good work that is being carried on by our IAS officers in different districts. May I point out in all humility that I have visited more districts than my hon. friend in all the States? I find that our officers are working well, not

only so far as the administrative side is concerned; now they have to look after the developmental side also and they have to work also in full co-operation with the public at large.

**श्री विभूति मिश्र :** जब मिनिस्टर साहब बहाँ नहीं रहते उस वक़्त भी वह इसी तरह काम करें तो उन के लिए यह कहा जा सकता है।

**Shri Datar:** That is what I have tried to find out. I have tried to find out how they work, and in this case we are anxious that the standards are gradually increased, and thereby even the members of the Harijan community will have larger opportunities. They cannot say that their number is so small. The number has to increase by a gradual, what you can call, development of standards in those communities. Unfortunately, the Harijans and others have taken to education very late, and I would request the hon. Member not to press for the appointment of a person only because he is a Harijan. We have relaxed standards, but we cannot completely dispense with standards, because, after all, greater efficiency is now necessary, and we have relaxed standards only to the extent that it can be done consistent with efficient administration. And their number is gradually increasing.

My hon. friend is entirely wrong because only the other day in the debate on the Commissioner's Report I pointed out to this House that we have requested the Allahabad University to coach about 100 students from the Scheduled Castes and Scheduled Tribes, and we are bearing the cost of, I believe, about Rs. 75,000 or more. That is the constructive way in which the Harijans and the Scheduled Castes and Scheduled Tribes can come up. You cannot go on giving protection all along. We do give protection to the extent that is necessary, but we have to take into account the larger interests of the nation, which is trying to be a Welfare State, and therefore greater efficiency is

absolutely essential, and therefore it would be specious, it would not be correct, it would not be healthy to say that the number is not there. These posts cannot be distributed by way of patronage. Class I or Grade I posts are highly important posts. But the number is rising. I would point out one circumstance so far as the IAS Special Recruitment was concerned. First after the written test, the UPSC selected a certain number of members from the Scheduled Castes and Scheduled Tribes. I think the number was 30.

**Shri Balkrishna Wasnik:** Only 7

**Shri Datar:** I am speaking of selection.

**Shri Balkrishna Wasnik:** 26

**Shri Datar:** 26. They first selected 26. Then we requested the UPSC that if possible a larger number of Scheduled Castes and Scheduled Tribes candidates should be called. So they selected more than 100, in addition to the 26. What I am pointing out is that these 7 candidates from the Harijans and 3 or 4 from Scheduled Tribes were recommended after interviewing all. They were from the original number of 26 and not from the larger number.

We ought to maintain a minimum standard. I would implore hon. Members who are Harijans to understand our difficulties. We fully sympathise with their desire to have as large a representation as possible. But there are certain difficulties in our way, especially during the last two or three years, the number has been increasing very much. That is a factor which should be taken into account. 7 out of 102 is not certainly bad and their number, I am quite sure, will further increase when they receive the training that we are offering them.

**Shri B. K. Gaikwad (Nasik):** On a point of information. The hon.

Minister, while giving information, has said that 26 candidates were selected. If so, why only 7 were selected?

**Shri Datar:** For interview, my dear friend.

**Shri B. K. Gaikwad:** I have not finished.

**Mr Deputy-Speaker:** Here in the House all are hon. friends, not 'dear' friends.

**Shri B. K. Gaikwad:** Hundreds of candidates from Scheduled Castes were selected for interview and out of them, 26, if I mistake not, were selected by the UPSC.

**Shri Datar:** No, no. That is not correct, that is absolutely wrong. What was done was this. I shall make the whole position clear. There were about 20,000 candidates in all. Out of them, they selected, I believe, about 1,000 after a written test for interview. In this first list, there were about 26 Harijans—I am giving the number of Harijans and Scheduled Tribes together. Then it was felt that a larger number of Scheduled Castes and Scheduled Tribes from among those who had appeared at the examination and who had not come within the relaxed standard should also be given an opportunity to appear for the interview. So 26 was the first number out of 1,000 or so. Then 100 more were added for the purpose of interview. The selection was not for the purpose of appointment at all, only for the purpose of interview. It was at our request that the UPSC called 100 more. The actual persons who were recommended by the UPSC in their list were from the first '26' list, not from the '100' list.

**Shri B. K. Gaikwad:** On a point of information. There is this complaint we have repeated not once but several times. So my request is .

**Shri Datar:** The hon. Member is making a speech.

Shri B. K. Gaikwad: No, no I just want to make a proposal which will be acceptable even to the hon. Minister. When the hon. Minister of Home Affairs was Chief Minister of U.P., I am told he had instructed the Public Service Commission there to maintain two separate lists, one of Scheduled Castes and Scheduled Tribes and the other of general candidates. May I request the hon. Minister to instruct the UPSC to maintain such similar lists? That is my proposal. If it is accepted by the hon. Minister, he can do it.

Mr. Deputy-Speaker: The hon. Minister yields so easily that I cannot interfere.

Shri Datar: I want to be kind to my friends, they are my friends. That is my softness, I agree. I shall not be soft.

Shri Balkrishna Wasnik: One clarification in this matter, Sir.

Shri Datar: I shall not yield.

Mr. Deputy-Speaker: Order, order, the hon. Members shall have to be content now. The hon. Minister has said he would not yield. Therefore, no other hon. Member should stand.

Shri Narayanankutty Menon: I thought he had finished his speech and sat down.

Shri Datar: I sat down out of deference to hon. Members, not because I had finished.

Shri Narayanankutty Menon: To hon. Shri Gaikwad.

Shri Datar: I shall bring to a close what I have to say. I am very glad that we have got a report. The report cannot be burdened with more details because we know what they are doing and there are a number of matters which have to be left exclusively to them.

We have to trust them fully and implicitly and, therefore, I am obliged

to the Members of the U.P.S.C. for the labour they have spent, for the conscientiousness with which they have carried on their work.

I am glad that almost all the Members of this House except a few—and that too in certain details—have expressed their appreciation of the very fine manner in which the U.P.S.C. are carrying on their work.

Shri Narayanankutty Menon: One point, Sir.

Mr. Deputy-Speaker: No questions; he has finished.

The question is—

“That this House takes note of the Eighth Report of the Union Public Service Commission, laid on the Table of the Lok Sabha on the 24th November, 1958.”

*The motion was adopted.*

16 12 hrs

#### MOTION RE CENTRAL CIVIL SERVICES (CONDUCT) RULES

Mr. Deputy-Speaker: Now, we take up the consideration of motions relating to modification of the Central Civil Services (Conduct) Rules, 1955 (as amended up to 3-3-59) laid on the Table on the 13th March 1959.

The Minister of State in the Ministry of Home Affairs (Shri Datar): May I point out, Sir, that this was not a motion for consideration of modifications etc. What I thought and had also written to the hon. Speaker was that this was a discussion for half an hour and that this is not the place where they can bring in amendments. I have no objection to the matter being considered and I shall try to reply also to some of them. But the limited scope of this discussion should be understood.

Mr. Deputy-Speaker: This has been decided by the Committee on Subordi-

nate Legislation The Committee considered that, once such rules are laid on the Table of the House, the House is seized of the matter and it has the inherent power to recommend such modifications in those rules as it likes irrespective of the fact whether the enabling Act stipulates that the rule shall be subject to modifications by the House or not Whether there is that stipulation or not, when they are laid on the Table, this House has the inherent right to modify them

But, there is one thing It is not in the ordinary course that these modifications are made when the rules are laid down These rules are made by the President and these are the recommendations that are to be made by this House so that Government may consider them and make modifications This is the wish of Parliament and, perhaps, they would pay deference to them and make those modifications accordingly

There is one other thing I was told that Shri Banerjee had agreed, when the Speaker had taken objection to it that there was no time,—and we may call it a gentleman's agreement—that it may be given half an hour in which observations could be made

Shri Braj Raj Singh (Ferozabad) : There is no question of Shri Banerjee agreeing The House is seized of these rules

Mr Deputy-Speaker: If there is no question, then this was not to be on the agenda for today After it had been agreed, it was decided that it should be put on the agenda Otherwise, this was not going to find a place here in today's business After this assurance had been given—on that understanding alone—this had been put on the Order Paper today

Shri Narayanankutty Menon (Mukandapuram) Now, it is 4 15 and the rest of the business is the continuance of the discussion on the Report

of the Sanskrit Commission. As the hon. Speaker pointed out the other day there are about 12 more hon. Members to speak on that and it is not likely that the discussion on the Report will be finalised today Therefore, my suggestion is that so far as these rules are concerned, it is a matter which agitates the minds of millions of people, and some time should be allowed for the discussion of these rules

Mr. Deputy-Speaker: If the House agrees that the discussion of the report of the Sanskrit Commission may be postponed to the next session, I have no objection to allotting 45 minutes instead of 30 minutes for this item of business But we should finish by 5 o'clock

Shri Narayanankutty Menon: What the hon Minister said was that he had agreed only to a half-an-hour discussion and that the scope of the whole discussion is quite limited That is quite out of place

Mr Deputy-Speaker: I am not talking of what the Minister said I am talking as to how we agreed on putting this item on the Order Paper

Shri Narayanankutty Menon: He cannot say that the scope of discussion of this item is so limited

Mr Deputy-Speaker: I am not taking that into account

Shri Narayanankutty Menon: My suggestion is that about an hour may be given for the discussion, and the further debate on the Sanskrit Commission Report may be held in the next session

Mr. Deputy-Speaker: Is it the desire of the House that the discussion on the Sanskrit Commission Report be continued in the next session?

Shri Supakar (Sambalpur) The Speaker the other day said that the Sanskrit Commission Report should be disposed of in this session in order to enable the Government to take a decision

**Mr. Deputy-Speaker:** Is some resolution to be passed there? Only the views had to be expressed, and I think we have taken much more time than we had intended and those views have been expressed. If the Government wanted to have the views of the Members of the House, that has been done. So, without going further we can close it just now. I was rather solicitous to the hon. Members who still desired to speak. If it be the intention that we close it, we can close the discussion straightaway and proceed with the present motion.

**Several Hon. Members:** Yes.

**Mr. Deputy-Speaker:** Then, the discussion of the report of the Sanskrit Commission will be continued in the next session.

**Shri Harish Chandra Mathur:** 45 minutes could be given for the motions on the Central Civil Services (Conduct) Rules.

**Shri C. R. Pattabhi Raman (Kumbakonam):** I should like to say a few words. I do not wish to intrude but I would say this much. These rules have been placed before the House. I have seen the note and the rules with regard to delegated legislation, and the Speaker's inherent powers. But I do feel this. If an amendment to these rules is considered now, will it not be legislation by the back-door method? I feel that here is a case of the rules being placed on the Table of the House. As far as I know, if certain amendments are accepted, then, it will be legislation; it may be subordinate legislation or delegated legislation. Nonetheless, it is legislation *proprio vigore*, by the back-door.

**Dr. Sushila Nayar (Jhansi):** How is it back-door legislation? The House is deciding.

**Mr. Deputy-Speaker:** There is nothing that is back-door. This legislation is not by the back-door. The Government has thought it necessary already to frame these rules and they

ought to be placed on the Table. As soon as they are framed they come into force and they are given effect to. They have the effect immediately they are framed and notified. Afterwards, after some time, if Parliament makes any modifications, they are to be inserted in the rules and the rules are accordingly modified though it may be done long afterwards and though some time has elapsed. Here, if the Parliament arrives at certain conclusions, those recommendations would be made to the Government. It would be for the Government then to take them into account. So, there is nothing that is irregular or anything of the sort.

**Shri Narayanankutty Menon:** What is the time for this item?

**Mr. Deputy-Speaker:** Up to 5 o'clock. On the last day, we should not sit beyond 5 o'clock!

**Shri S. M. Banerjee (Kanpur):** Mr. Deputy-Speaker, Sir, I was extremely happy when I read in the newspapers that the Central Civil Services (Conduct) Rules of 1955 were so amended as to give certain concessions to the Central Government employees or to exempt Central Government employees from various sections which were considered by the Central Government employees as bad. On 13-3-1958, these rules were placed on the Table of the House in reply to a starred question. The question was whether Government propose to amend the conduct rules for the industrial employees working under the Central Government. When I read the amended rules, I found that certain sections which were introduced during the time of the threatened strike in 1957 by the P. & T. employees, viz., rules 4A and 4B, were not removed.

I will come to my amendments later on. First of all, I wish to point out that, in 1952, an assurance was given by the then Home Minister,



Dr. Katju, in this very House on 23rd June, 1952 He said in reply to unstarred question No 231, that

"Government are considering revision of the Government Servants' Conduct Rules to bring them in consonance with the provisions of the Constitution of India"

This assurance was given in 1952 by Dr Katju, but in 1955 these rules were brought I personally feel—and that is the feeling of the Central Government employees in this country—that their trade union rights and democratic rights have been mortgaged in the Home Ministry Exemptions have been given to a section of employees, viz, employees working in ports and docks, defence installations except training establishments, public works establishments in so far as they relate to work-charged staff, irrigation and electric power establishments, mines and factories as defined under the Factories Act and field units of the CTO I have a feeling that these people have been exempted from 4A and 4B, but still the P & T employees and other Central Government employees working in the Secretariat, survey department, civil aviation Auditor-General's office—nearly more than 10 lakhs of employees are still today facing these obnoxious sections known as 4A and 4B

Mr. Deputy-Speaker. The hon Member is more anxious about his speech and I am anxious if he is moving his amendments Is he moving all his five amendments?

Shri S. M. Banerjee: Yes

I beg to move

This House recommends that in sub-rule (2) of rule 1 of the Central Civil Services (Conduct) Rules, 1955 (as amended upto 3-3-59), laid on the Table on the 13th March, 1959, in

reply to Starred Question No 1223, for the second proviso and Explanation the following proviso be substituted, namely,—

"Provided further that rules 3A, 9, Explanation to sub-rule (2) of rule 10, rule 11, sub-rule (2) of rule 12, rule 13, sub-rules (1), (2) and (3) of rule 15, rules 16, 17 and 18 shall not apply to any Government servant drawing a pay of Rs 500/- or less per mensem and holding a non-gazetted post in any of the establishments, other than railway establishments, owned or managed by the Government"

This House recommends that in the Central Civil Services (Conduct) Rules, 1955 (as amended upto 3-3-59), laid on the Table on the 13th March, 1959, in reply to Starred Question No 1223 rule 4(A) be deleted

This House recommends that in the Central Civil Services (Conduct) Rules, 1955 (as amended upto 3-3-59) laid on the Table on the 13th March, 1959, in reply to Starred Question No 1223, rule 4(B) be deleted

This House recommends that in the Central Civil Services (Conduct) Rules, 1955 (as amended upto 3-3-59) laid on the Table on the 13th March, 1959, in reply to Starred Question No 1223, the following proviso be added to sub-rule (1) of rule 5, namely —

"Provided that no such sanction shall be required in the case of a Government servant, who is an office-bearer of a trade union or service association of such Government servants, with regard to any publication of such trade union or service association"

This House recommends that in the Central Civil Services (Conduct) Rules, 1955 (as amended upto 3-3-59) laid on the Table on the 13th March, 1959, in reply to Starred Question No 1223, in the proviso to clause (1)

[Shri S. M. Banerjee]

of rule 6, after "trade union" the words "or service association" be inserted.

The other day, we were told in this House that no employee has suffered due to the inclusion of rules 4A and 4B in 1957. I want to read before this House what is the total number of Government employees who have become victims of rule 4A banning strike and demonstrations. I have got a list of the number of Government servants charge-sheeted for violation of rule 4A, the number of Government servants who were punished and the nature of punishment awarded. The total number of Government employees charge-sheeted for violation of rule 4A is 941. The number of Government employees punished is 207. Punishments awarded are: warned 3, censured 173, increment withheld 19, pay reduced 6, compulsorily retired 1 and removed from service 2; the total is 207. More cases are under the consideration of the Government.

Shri Ram Shankar Lal (Domaria Ganj): Of all the employees.

Shri S. M. Banerjee: You will have more. Why bother?

The number of posts and telegraphs people working under the Director General of Posts and Telegraphs is 827. Out of these 941 employees, who have been charge-sheeted for violation of rule 4(A) the number of Posts and Telegraphs employees is 827. You can imagine as to why today Central Government employees are condemning this 4(A) and 4(B).

During the threatened postal strike, an ordinance was brought. That was withdrawn. The Essential Services Bill was brought but it was not placed before the other House and it was allowed to lapse. I do not know why rules 4(A) and 4(B) were not withdrawn, when the Central Government employees always wanted to settle their grievances peacefully and

constitutionally. The second proviso to sub-rule (2) of rule 1 says:

"Provided further that rules 3A, 4A, 4B, 9.....following establishments....."

The establishments are mentioned. My amendment is that this should be extended to all Central Government employees including Posts and Telegraphs, Civil Aviation, Survey Department and the Secretariat people. It should be extended to all. All persons who are drawing Rs. 500/- or less per month should be exempted, because this discrimination is of the worst type. I feel that Government employees are responsible people. They realise their responsibility towards the nation. They have behaved in an excellent way and have helped the Government in every sphere of their work. There is no reason why it should not be withdrawn.

The figures which I have quoted will reveal that more cases are pending consideration. There will be more charge-sheets. There will be more of censuring and some people may lose their jobs. In the Auditor-General's establishment a young man of 28 or 29 years of age has been asked to retire compulsorily because of this infringement, that is, violation of rule 4(A).

Then rule 4(B) says that nobody can join a particular union unless it seeks recognition within six months of its registration. Recognition is not statutory in this country. Recognition is a matter of discretion. Whether it is in the public sector or in the private sector owners can easily say that they will not recognise a particular union.

Recently, in the month of April, recognition rules have been issued by the Government of India. That too is a debatable matter. It is a disputed one and requires reconsideration. There are unions which have not been recognised. For instance, I will men-

tion that there is a union in Dehra Dun under the Survey of India. For the last ten years it has been referring its case to the Government of India. Still it has not been recognised. The Naval Dockyard Worker Union in Bombay has been going to the Ministry several times for recognition, but it has not been recognised. So, my submission is that it is against article 19 of the Constitution. We must have a union of our own choice.

Article 19, Right to Freedom, lays down

"All citizens shall have the right to freedom of speech and expression; to assemble peacefully and without arms, to form associations or unions."

Here, rule 4(B) compels the employees to join a particular union which may not be of their own choice. Why I am raising this question is because this is against the spirit of the Constitution. It should be withdrawn. This has resulted in the recognition of only those unions, which are the line of some people, or which are formed by the Government sponsored Indian National Trade Union Congress. But other unions are not recognised and I know how recognitions are withdrawn. When I was a government employee and in 1956 I was discharged from service, the next day I was declared by the then Defence Minister as *persona non grata*. I was not allowed to enter any place in defence land. I was not allowed to organise meetings, though my union was a recognised union.

An hon. Member: So you entered Lok Sabha!

Shri S. M. Banerjee: The recognition of my union was withdrawn, because they wanted me to be excluded from the union office-bearership. The union took a decision not to do so. They said you may discharge Mr. Banerjee, but we cannot discharge him. The net result was that recognition was withdrawn. The day I was

elected to Lok Sabha I became *persona grata* and recognition was given to my union. Can you treat trade union and fundamental rights of workers who are the essential services of this country in this manner? This is too bad.

My fourth amendment suggests the addition of this proviso—

"Provided that no such sanction shall be required in the case of a Government servant, who is an office-bearer of a trade union or service association of such Government servants, with regard to any publication of such trade union or service association."

You cannot give any news to newspaper, you cannot issue statements, you cannot write in a periodical. Of course, the word "trade union" is there. I want associations also to be included and I hope that this will be done.

So, all my amendments can be accepted if we really believe in democratic rights and there is no scope for fear. I can assure the hon. Minister and this House that a Central Government employee who is responsible for the success of the Second and Third Five Year Plans will not do anything which might harm our national Government. There have not been instances of this type. So, I would request the hon. Minister to kindly consider this matter and not reject it merely because he once imposed these Rules on the Central Government employees.

When this discussion came I knew the fate of my amendments. But I am one of those who believe that human nature changes. I know the nature or attitude of the Home Ministry has changed and I am sure it will view the entire things in a changed light. I know they will accept this amendment.

Another point I wish to mention

Mr. Deputy-Speaker: He should try to conclude now.

Shri S. M. Bapurjee: I will take only two or three more minutes. Even the Royal Commission on Labour remarked as follows three decades back:

"In our view the weakest point of the Indian provision is that while it restricts the powers of the workers in the public utility services to coerce their employers, it gives in return no assurance that their grievances will receive a hearing."

I have no time; otherwise I would have quoted that in many countries the civil servants have got more rights and privileges. I fully realise that the Central Government employees and other Government employees, whether in State Service or local self-governing bodies must have their rights and obligations. I do not want that they should only fight for their rights. I am equally conscious of their responsibilities to the country. Now there are about 59 lakhs of employees, about 18 lakhs in Central Government, 21 lakhs State Government employees and about 20 lakhs local self-government bodies employees. I am afraid if the report of the Pay Commission is delayed long, there will be demonstrations, peaceful demonstrations and the list of charge-sheeted people may increase, because Rule 4A says clearly that you cannot do anything. What are the wordings?

"No Government servant shall participate in any demonstration or resort, to any form of strike in connection with any matter pertaining to his conditions of service."

What should they do, Sir? I do not say that they should always do it, but sometimes they have to demonstrate. And if they demonstrate for their genuine grievances, nobody is going to see whether the grievance is genuine or not; they will be charge-sheeted.

With these words I make a fervent appeal to the hon. Minister kindly to accept these amendments, so that the Central Government employees may feel that whatever the Government or the national leaders who are in power talk in public they also practise in Parliament and office. It will give courage and conviction to these people and they will have much confidence, because this 4A, 4B and other rules will not be there. I hope the hon. Minister will kindly consider this sympathetically, realising that the Central Government employees are their loyal employees and they want this country to prosper, and the prosperity of the country will depend on the goodwill of those employees.

Mr. Deputy-Speaker: I have got ten minutes. Two Members can speak within those ten minutes.

Shri C. K. Bhattacharyya (West Dinajpur): May I have only two minutes? I wish to make only one observation.

Mr. Deputy-Speaker: I am sorry, it will not be possible for me. He has not sponsored any amendment Shri Vittal Rao

Shri T. B. Vittal Rao (Khammam): Sir, these rules are of very great importance as they concern and affect nearly five to six lakhs of civil service employees in non-gazetted posts under the Central Government. Only the other day I was reading a small review prepared by the Ministry of Labour and Employment on the working of trade unions in India. In that review it was stated that the trade union organisation ratio in our country is very low and very unsatisfactory. There are some industries where the trade union ratio is 62 to 64 per cent, but many of them do not have more than 30 per cent. These Central Civil Services (Conduct) Rules that have been amended do not at all encourage the formation of trade unions. The Second Five Year Plan

has clearly laid down that trade unions should be encouraged and allowed to grow and be strengthened if the country has to advance. But these Rules prevent the healthy growth of trade unionism. These rules, 4A and 4B, are very obnoxious. They are against the spirit of the Constitution. They cannot be justified. So many times the Government have taken action against the employees. There are several cases in which the High Courts and the Supreme Court have declared that the dismissal was illegal. Such rules are framed that no person can demonstrate when a grievance has been turned down. When a person has approached all channels of redressal and exhausted them and yet the grievance is not redressed, and then if he makes a small demonstration he is liable to be proceeded with under rule 4A.

We have seen in the country, two years ago, Government was very adamant; in spite of several requests, in spite of several representations made for the appointment of a Second Pay Commission, they did not yield. Only when a strike notice was given by the National Federation of P. & T. employees and several Central Government employees, the Government moved and appointed the Second Pay Commission. This is the thing. Unless and until the employees take to the last resort after exhausting all channels and avenues of reasonable representation, nothing moves. What is that last resort? Strike. It has been recognised everywhere. It has been recognised by every trade union. It has been recognised in every genuine trade union. You deny this right to 5 or 6 lakhs of people. The Railways are exempted. They constitute 11 lakhs. Under what right, under what rule is this refused? Therefore, I request the hon. Minister to reconsider. Of course, they have considered and modified these rules to some extent. It was there for already one year or nearly two years, and modification, has been made. But

the modification has to go still further.

I refer to rule 4 (B) under which no government employee can become a member of a union for which there is no recognition or recognition is refused or withdrawn. As was pointed out by my friend, this cuts at the very provisions of the Trade Union Act. A member can join a union of his choice. This is what we want. How can, simply because recognition is refused or withdrawn, it be said that he should cease to be a member of that union? I do not know whether the hon. Minister has read the debate that took place when the Trade Union Amending Bill was passed in this House. Unfortunately, that has not been enforced. We provided for statutory recognition of all unions or associations. In the absence of such a legislation, in the absence of enforcement of that, I do not know why he should refuse or he should say that so and so should become member of a recognised union. We have seen on several occasions, on mere flimsy grounds, recognitions have been withdrawn. There have been instances which have just now been cited. A particular member has been democratically elected by the members of the association as an office-bearer. They say that recognition will not be granted to that union so long as that person is an office-bearer of that union. These are the conditions. I would like the hon. Home Minister to bring forward legislation or bring forward any rule providing for compulsory recognition. Let there be a democratic provision. Then, I will accept, that that union which has been chosen or the association which has got democratically the highest number of votes be recognised. I will have no quarrel. Then, we can say, that people should become members of that particular union, even though it abridges democratic rights.

There should be no conditions for issuing of statements by the office-bearers of a trade union or organisation. They write for redressal of

[Shri T. B. Vittal Rao]

their grievances in some of their magazines. Government can take action if these rules are there. It is a legitimate right to run a journal or a magazine wherein you can state your difficulties. When these difficulties which they are experiencing are brought to the notice of officers through magazines, they have taken note of these things and actually tried to redress them. There have been instances. Yet, an office-bearer of an association which has been duly registered under the Trade Union Act cannot issue a statement. This means to say that we will have to give up all our rights. Already, democratic rights have been given up. Further, we will have to give up even trade union rights. Therefore, I again earnestly appeal to the hon. Minister to see that these things are modified as suggested in our amendments.

**Shri C. K. Bhattacharyya:** Mr. Deputy-Speaker, I simply want to point out, what appears to me, to be a gross inconsistency in these rules. By rule 1, it is provided that rule 18 shall not apply to any government servant drawing a pay of Rs. 500 or less. This rule 18 is about bigamous marriages. It is said that no government servant who has a wife living can contract another marriage without obtaining the permission of the Government. Does the Home Minister intend that the lesser the pay, the more the freedom to contract bigamous marriages? That would be the effect of this rule.

**Mr. Deputy-Speaker:** Perhaps, that is the intention.

**Shri C. K. Bhattacharyya:** That is what I want him to make clear, and that is the rule to which I want his attention to be drawn. It appears to me grossly inconsistent. I do not raise the question of discrimination. Government servants with a salary of Rs. 500 or less will be free to contract bigamous marriages and Government servants with higher pay

will be denied bigamous marriages. I do not raise the question of discrimination. It appears to be inconsistent.

**Shri Sadhan Gupta:** The lesser pay is a deterrent.

**Shri Tangamani:** May I take only ten minutes before you call the hon. Minister?

**Mr. Deputy-Speaker:** I have not got ten minutes. I told the hon. Member that altogether, I had only ten minutes and that he had been exhausted.

**Shri Tangamani:** I shall take only five minutes.

**Mr. Deputy-Speaker:** But the difficulty will be that we cannot adjourn at five o'clock, because fifteen minutes are required by the hon. Minister.

**Shri Tangamani (Madurai):** I shall only mention the points briefly.

First of all, I want to congratulate the Ministry for reacting to the movement and also the demands of the Central Government employees. So, on 3rd March, 1959, they came forward with an amendment, and they have sought to exclude certain employees in ports, docks, wharves or jetties, defence installations except training establishments, public works establishments, in so far as they relate to work-charged staff and so on. But after their having excluded certain sections of workers, I want to know why some other sections have not been excluded, for example, in the Posts and Telegraphs Department, in the Civil Aviation Department, in the Survey of India, in the CPWD and certain other departments. I shall be very grateful to the hon. Minister if he can tell us the reason why these sections of the employees have not been excluded. I can understand security services or police or military being included. But when we have excluded a certain section of the employees, what is the special reason for not excluding the categories of

employees that I have mentioned That is the first point that I would like to know from the hon. Minister.

My second point is in regard to rule 4-A and rule 4-B, which have been elaborately dealt with by Shri T B Vittal Rao and also Shri S M Banerjee This House has discussed this matter in great detail on the resolution moved by Shri P S Daulta.

My third point is this Although there have been observations by the various High Courts that Government should not be too sensitive in regard to criticism by their employees especially whenever it concerns their terms of employment, I do not know why the very harmless amendment which is sought to be included, namely amendment No 5 to rule No 6 is not going to be accepted I would like to know the reason why the hon Minister is not going to accept this amendment

My fourth point is that freedom was given to people to speak on the radio or write in the press, but now certain extra restrictions are put on those people Why should this be so? Has such a practice been adopted in countries like the Commonwealth countries, such as Britain, Australia or Canada or even in a country like France? What is the practice there so far as the Central Government employees are concerned, like the Posts and Telegraphs Department employees or the Civil Aviation Department employees or the CPWD employees? Do they have these types of rules governing their conditions of service? From my knowledge, I can say that no such thing governs them So, unless there is any special reason, there is absolutely no justification for denying them this right

I would just refer to one last point with your indulgence The hon. Minister of Transport and Communications, when the Demands were being discussed, was pleased to say that normal trade union activities would

not be curtailed in the name of rule 4-A To that extent, we are grateful to him.

In conclusion, I would again request that the rules may be suitably modified, and if certain employees are not excluded, special reasons may be given, and the House taken into confidence.

Mr. Deputy-Speaker: Is Shri C R Pattabhi Raman particular about speaking?

Shri C R. Pattabhi Raman: I just wish to say one or two things I am glad that Shri T B Vittal Rao has been fair enough to say that a number of exemptions have been granted as required, for employees in the ports, docks, wharves or jetties, in defence installations except training establishments, public works establishments and so on I shall not enumerate the whole list, but there are seven items given here And the various industrial or near-industrial units, and even factories which may be connected with the Posts and Telegraphs Department may perhaps come under these exemptions So, these rules cover only the white-collared workers of Government What is it that he has got, on the other hand, in his favour? A reference was made to article 19 I will refer to it presently, and I will be very brief He has got article 311 of the Constitution by which he has to be given notice, and there is a regular paraphernalia Many a Government servant has approached the courts and has been able to strike down many orders against him either suspending him or dismissing him or in any way punishing him

Shri S. M., Banerjee: May I point out for his information that though the defence employees have been exempted, I hope he knows it, no advantage can be taken of article 311 by Defence employees because of article 310? All cases have been rejected by the High Courts

16.51 hrs. .

[MR SPEAKER in the Chair]

Mr. Speaker: Yes, he may go on

Shri C. E. Pattabhi Raman: I have already referred to article 311. With regard to Shri Banerjee's point, I will not labour it now. If there is any marginal case and doubt about it, it is for him to agitate it before the courts of the land. I wish there is more recourse taken to the courts of the land. Frankly, that is not a debatable point at all. And then Defence installations are out of it.

Shri Narayanankutty Memon: I wish to point out that Government is resorting to the terms of the contract where by giving one month's notice, the services of the employee can be terminated. So, in any case of misconduct under this, by mentioning the misconduct, the other provision under the terms of the employment is used, and the courts have held that even though misconduct is mentioned in the chargesheet, if the Government takes recourse to the particular course of giving one month's notice under the terms of the contract, they are unable to interfere. That is the genuine difficulty.

Shri C. E. Pattabhi Raman: Then he will not come under article 311. There is a clear dichotomy. Is he a Government servant with the advantage and sanction of article 311 behind him or not? The misconduct the hon. Member is referring to is in respect of cases of industrial units where the other remedy is open to Government. They are exempted as it is.

Apart from that, they are entitled to pension, and are sui generis. No orderly Government is possible if the right to form associations is given to them.

Actually what is article 19? When my hon. friend was reading article 19, he was only reading the main article. He read article 19(1) (c)

about the right to form associations, but it is subject to article 19(4) which says

"Nothing in sub-clause (c) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevents the State from making any law imposing, in the interests of public order or morality, reasonable restrictions on the exercise of the right conferred by the said sub-clause."

So, it is subject to reasonable restrictions and there are quite a number of decisions with regard to the right to form associations. Therefore, people who really come under the rule are those enumerated here, really the white collar workers who have got all the benefits not only of pension and the various other Government benefits, but also of article 311 of the Constitution.

Shri Datar: I would point out in the first instance that article 19 has no application, because under article 19, Government can lay down certain restrictions, and so far as Government servants in general are concerned, the House will find that even in respect of the recent orders there are a number of restrictions to which a Government servant can be subjected without violating the provisions of the Constitution. In so far as a person becomes a Government servant he renders himself liable to the Central Civil Services (Conduct) Rules, and therefore these rules have to be taken into account as valid restrictions under article 19. Even now, from the first, we have got certain rules which show that it is not open to a government servant to do certain things which he would otherwise have done as a private citizen under the Constitution. Now, on account of certain recent events, to which I need not make a reference, when there were certain threatened strikes which would have threatened the whole administrative machinery, it was considered proper, in the interest of the nation, that the right



to such a strike should be taken away from a government servant Rule 4(A), which has been introduced, reads

"No government servant shall participate in any demonstration or resort to any form of strike in connection with any matter pertaining to his conditions of service"

Therefore, this was considered absolutely essential

Under Rule 4(B), restrictions have been laid down regarding the joining by government servants of associations that have not been recognised May I point out that there is a certain degree of difference between a government servant and a government servant? Broadly, all government servants can be divided into two categories One category would be the civilian employees of Government. They are in various departments of Government Generally, these civilian employees are governed by a set of rules They may be in the administrative services, they may be working in supervisory posts in managerial posts All these can be clubbed together and treated as a category of civilian employees There is also another category There are as you are aware, certain other employees who come within the definition of industrial labour

When this Rule was first made, it was put in the Central Civil Services (Conduct) Rules, and the question arose as to whether this rule normally might not apply to civilians, though the Civil Services (Conduct) Rules might apply to all the government services of the two categories The question arose whether this rule about restrictions in so far as joining non-recognised associations or taking part in strikes was concerned should apply to industrial labour as well

Now, as you are aware, we have got labour legislation and under that legislation, industrial labour, even under Government, are subject to

different restrictions Therefore, the whole question was considered after 4(A) and 4(B) were introduced in the Central Civil Services (Conduct) Rules, whether these restrictions should be made applicable to industrial employees as well

Then the question was considered various Ministries concerned were also consulted As I have pointed out, instead of making these rules applicable to all the members of the industrial employees, Government took a decision that there should be a certain exemption in respect of certain categories of employees, though, normally, they would be industrial employees That is the reason why a certain exemption was made The rule, as it has now been made, carries a proviso exempting certain categories of employees from the operation of these two rules in particular, and others also with which we are not directly concerned The hon Members who have moved amendments made a reference principally to these two rules, 4(A) and 4(B)

The new amended Central Civil Services (Conduct) Rules state that they would generally apply to government servants So far as railway servants are concerned they are governed by their own set of rules, though generally they are on a par and quite in consonance with the rules that we have made so far as the other central services are concerned

Then it was further provided

"Provided further that rules 3A, 4A, 4B shall not apply to any government servant drawing a pay of Rs 500 or less per mensem and holding a non-gazetted post in any of the following establishments, "

So, Shri Vittal Rao appreciates the position to a partial extent What he wants is that inasmuch as we have exempted certain categories of services or establishments from the operation of these rules, therefore,

[Shri Datar]

according to him, all the government servants wherever they are, ought to be completely exempted. That is his stand.

I would point out here that this particular exemption was made by way of concession—it should be understood very clearly—to the members or the employees of certain establishments, though to a certain extent they were like the industrial labour also. It was considered that it may not be necessary to have these rules enforced against the members or the employees of these establishments. That has been made very clear—ports, docks, wharves or jetties; defence installations except training establishments; public works establishments, in so far as they relate to work-charged staff.

Then, we have iv, v, vi and vii. Seven categories of establishments have been exempted. What the hon. Member desires is that inasmuch as Government have exempted 7 categories of establishments, why not exempt all categories

I would point out that this question has been very fairly considered and Government have gone to the utmost limits in giving exemptions. Government are anxious that essential services are essentially carried out. Government have to take a decision and find out a point up to which they can go and beyond which they cannot go.

I would invite the attention of the House to rule 6. There is, however, rule 4B, wherein we have stated that an employee cannot be a member of an association or trade union unless it has been properly recognised. Let the House understand that in rule 6 also we have introduced a proviso by which it is open to a member of such an association to have a *bona fide* expression of views. I would read that portion:

"Provided that in the case of any Government servant included in

any category of Government servants specified in the second proviso to sub-rule (2) of rule 1, nothing contained in this clause shall apply to *bona fide* expression of views by him as an office-bearer of a trade union of such Government servants for the purpose of safeguarding the service conditions of such Government servants or for securing an improvement therein;"

Thus, on the one hand, the right to join or participate in demonstration has been taken away in respect of certain categories of services—the right not to join an unrecognised association is also there, on the other.

It has been pointed out that Government are anxious not to take away or to deny to the members of the unions their right to express in a *bona fide* manner their own grievances. It would not be proper to read 4A and 4B without reading the proviso to rule 6. So, that is sufficient guarantee.

So far as non-exempted establishments are concerned, it would be open to them to give expression to their *bona fide* views so far as their own conditions or the improvement of their conditions is concerned. Under these circumstances, I am afraid it is not possible to accept the further amendments because, as I have said, these rules could have been made applicable to all the classes of servants, either the civilian employees or the civil side, industrial labour, etc., but Government have gone to a large extent in giving exemption to the members of certain services and I would request hon. Members not to press this particular matter.

Shri Narayanankutty Menon: There is one difficulty regarding rule 18 which prohibits....

Shri Datar: About rule 18, the matter is very simple.

**Shri Narayanankutty Menon:** Rule 18 prohibits that the Government employees shall not have two wives living except in the case of the Muslims. The law prohibits having two wives—whether *de jure* or *de facto* wives.

**Shri Datar:** There is no *de facto* wife at all.

**Mr. Speaker:** The hon. Minister need not answer it. I do not know whether the hon. Member is a bachelor or is a married person.

**Shri Narayanankutty Menon:** The difficulty is, the law prohibits any person having two wives in cases where.

**Mr. Speaker:** I am not able to see the point. What is *de facto* wife apart from *de jure* wife?

**Shri Narayanankutty Menon:** One case occurred as far as the Ministry of Transport and Communications was concerned. A woman sent a petition and said that she was the wife of a particular person, particular individual. Therefore, on that basis, action was taken and the particular man was dismissed. That is why I pointed out to him.

**Mr. Speaker:** There is no question of *de facto* wife.

**Shri S. M. Banerjee:** During the British rule, the Britishers framed these rules. Originally they had no 4(A) and 4(B). So, I want to know why instead of amending or modifying those rules, they have brought in this? During the British times there were no more strikes than during the present time.

**Shri Datar:** The rules have to be made in accordance with the conditions prevailing. In some respects, conditions are worse now (*Interruptions*).

**Mr. Speaker:** Order, order.

**Shri C. K. Bhattacharyya:** Could not the hon. Minister say something on this question as to why when making rules against bigamy applicable to one section of the Government servants, they were not made applicable to another section? That is, Government servants drawing a pay above Rs 500 are prevented from bigamy while Government servants drawing pay below Rs 500 are allowed the pleasure of bigamy.

**Shri C. D. Pande (Naini Tal):** It is not a pleasure.

**Shri Narayanankutty Menon:** About *de facto* wife, I say it is on genuine grounds, because the law prohibits having two wives, except in the case of Muslims. In a case where a simple petition has been forwarded by some woman, action has been taken, and the person concerned cannot have recourse to a court of law. That is why I said that I wanted to have a clarification. How is action taken by the hon. Minister?

**Mr. Speaker:** It is only a question of evidence as to whether really it is *de jure*. After coverture for so many years, there is the presumption in favour of marriage.

**Shri Narayanankutty Menon:** That is not done (*Laughter*).

**Mr. Speaker:** The hon. Member who is not a lawyer laughs at it. Are any of these motions pressed?

**Shri S. M. Banerjee:** They may be put to voice vote.

*The motions were put and negatived.*

17.10 hrs.

#### MESSAGES FROM RAJYA SABHA

**Secretary:** Sir, I have to report the following messages received from the Secretary of Rajya Sabha—

- (1) In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am

[Secretary]

directed to return herewith the Appropriation (No. 3) Bill, 1959, which was passed by the Lok Sabha at its sitting held on the 6th May, 1959, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.'

- (2) 'In according with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Railways) No. 3 Bill, 1959, which was passed by the Lok Sabha at its sitting held on the 6th May, 1959, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.'

Mr. Speaker: I am exceedingly thankful to all the hon. Members for their active co-operation. We have got on very smoothly during the whole session. A number of things came up which were highly controversial, and all of us kept ourselves cool. I hope and trust that all hon. Members will come back, hale and refreshed and strong... .

Shri C. D. Fande (Naini Tal): And so also you, Sir.

Mr. Speaker: .....during the inter-session, with a view to do much greater work than what we have done and impress upon the public that Parliament is the guardian of the rights and liberties of the public.

The House will stand adjourned  
*sine die*

17.12 hrs.

The Lok Sabha then adjourned  
*sine die*.

[Saturday, May 9, 1959/Vaisakha 19, 1881 (Saka)]

	COLUMNS		COLUMNS
<b>OBITUARY REFERENCE</b>	16023	<b>MESSAGES FROM RAJYA SABHA—Contd.</b>	
The Speaker made a reference to the passing away of Dr. Keshavlal Vithaldas Thakkar who was a member of the Provisional Parliament.		(2) State Bank of India (Subsidiary Banks) Bill.	
Thereafter Members stood in silence for a minute as a mark of respect.		(3) Banking Companies (Amendment) Bill.	
		(4) Companies (Amendment) Bill to Joint Committees.	
<b>PAPERS LAID ON THE TABLE</b>	16023—25	(17) Secretary reported two messages from Rajya Sabha that Rajya Sabha had no recommendations to make to Lok Sabha in regard to the following Bills passed by Lok Sabha on the 6th May, 1959 :	
The following papers were laid on the Table :		(1) The Appropriation (No. 3) Bill, 1959.	
(1) A copy of Notification No. G.S.R. 521 dated the 2nd May, 1959 under sub-section (3) of Section 641 of the Companies Act, 1956, making certain alteration to the regulations contained in Table A of Schedule I to the Act.		(2) The Appropriation (Railways) No. 3 Bill, 1959	
(2) A copy of Notification No. G.S.R. 48 dated the 17th January, 1959, under sub-section (3) of Section 24 of the High Court Judges (Conditions of Service) Act, 1954 making certain further amendments to the High Court Judges Travelling Allowance Rules, 1956.		<b>REPORT OF PUBLIC ACCOUNTS COMMITTEE PRESENTED</b>	16029
(3) A copy of the statement regarding investigations into forged passports		Eighteenth Report was presented.	
(4) The Minutes of the sittings (Eleventh to Thirteenth) of the Committee on Government Assurances held during the Seventh Session		<b>CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE</b>	16029—38
		Shri S. M. Banerjee called the attention of the Minister of Food and Agriculture to the abnormal rise in the prices of sugar in Uttar Pradesh and the steps taken by Government in regard thereto.	
		The Deputy Minister of Food and Agriculture (Shri A. M. Thomas) made a statement in regard thereto.	
<b>MESSAGES FROM RAJYA SABHA</b>	16025—29, 16196—98	<b>STATEMENT BY MINISTER</b>	16038—39
(1) Secretary reported messages from Rajya Sabha that Rajya Sabha concurred with the motions to refer the following Bills :		The Deputy Minister of Labour (Shri Abid Ali) made a statement regarding laying on the Table of Notifications extending the Employees' Provident Funds Act, 1952, to road motor transport establishments.	
(1) State Bank of India (Amendment) Bill			

**QUESTION OF PRIVILEGE**

The Speaker withheld his consent to the question of privilege sought to be raised by Shri Frank Anthony on the 7th May, 1959, regarding certain remarks reported to have been made against him by a member of Lok Sabha in connection with the Resolution moved by him (Shri Frank Anthony) on the 24th April, 1959 for the inclusion of English in the Eighth Schedule of the Constitution.

**COLUMNS**

16040-42

**MOTION RE: EIGHTH REPORT OF U.P.S.C.**

Further discussion on the motion re: Eighth Report of U.P.S.C. concluded. The motion was adopted.

**MOTIONS RE: CENTRAL CIVIL SERVICES (CONDUCT) RULES**

Five motions re: modification of the Central Civil Services (Conduct) Rules, 1955, were moved by Shri S. M. Banerjee. The Minister of State in the Ministry of Home Affairs (Shri Datar) replied to the Debate and all the motions were negatived. Lok Sabha adjourned *sine die*.

**COLUMNS**

16039,  
16042-16170

16170-96

## RESUME

1634

## OF THE SEVENTH SESSION OF SECOND LOK SABHA

1. Period of the Session	9th February to 9th May, 1959 (90 days).	9. Government Motions :—	
2. Number of Sittings	65	(i) Moved	3
3. Total Number of Sitting hours.	427 hrs. 28 mts.	(ii) Adopted	3
4. Number of Divisions held	13	10. Private Members' Motions :—	
5. Government Bills :—		(i) Received	86
(i) Pending at the commencement of the session	10	(ii) Admitted	18
(ii) Introduced	21	(iii) Moved	5
(iii) Laid on the Table as passed by Rajya Sabha	2	11. Motions re: Modifications to Rules :—	
(iv) Referred to Select Committees	Nil	(i) Received	5
(v) Referred to Joint Committees	5	(ii) Admitted	5
(vi) Reported by Select Committees		(iii) Moved	5
(vii) Reported by Joint Committee	1	12. Discussions held on Motions of Urgent Public Importance	2
(viii) Passed	24	13. Half-an-hour Discussions held	6
(ix) Returned by Rajya Sabha without any recommendation	11	14. Number of Matters of Urgent Public Importance to which attention of Minister was called and statements were made or laid by Minister	19
(x) Returned by Rajya Sabha with amendments	2	15. Adjournment Motions :—	
(x) Pending at the end of the Session	11	(i) Received	38
6. Private Members' Bills :—		(ii) Admitted	1
(i) Pending at the commencement of the session	85	(iii) Consent withheld by Speaker	37
(ii) Introduced	15	16. Questions asked :—	
(iii) Withdrawn	4	(i) Starred	2310
(iv) Pending at the end of the session	92	(ii) Unstarred (Including Starred Questions converted as Unstarred Questions)	4281
7. Government Resolutions :—		(iii) Short Notice Questions	33
(i) Moved	1	17. Reports of Parliamentary Committees Presented :—	
(ii) Adopted	1	(i) Business Advisory Committee	5
8. Private Members' Resolutions :—		(ii) Committee of Privileges	2 (8th and 9th)
(i) Received	1015	(iii) Committee on Absence of Members from the Sittings of the House	3
(ii) Adopted	1 (as amended)	(iv) Committee on Petitions	1 (Sixth)
(iii) Included in the List of Business	43	(v) Committee on Private Members' Bills and Resolutions.	12 (Thirteenth to Forty-fifth).
(iv) Withdrawn	2	(vi) Committee on Subordinate Legislation.	1 (Fifth)
(v) Negatived	3	(vii) Rules Committee	Nil
		(viii) General Purposes Committee	Nil

**PLS.40.XXKL65.59.**

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