

in the total number of candidates writing in their mother tongue. Not even 15% of the total number of the candidates write the examinations in their own language and also many do not opt for writing these examinations in Hindi.

Another problem is that after the selection if the officers are posted in different States, it takes time to adopt themselves because of the different language spoken in different areas. The UPSC should look into this problem so that these officers do not find any difficulty in their place of posting as also their services quite useful to the States. Sir, I would also like to mention here that the number of Scheduled Caste and Scheduled Tribe candidates approaching in the examinations has not increased, as was expected. For this, I think something should be done. I expect that with the formation of the new Department and with the guidance of our young and dynamic Prime Minister as also various efforts made by the Minister in charge of Department of Personnel and Administrative Reforms, things will improve.

MR. DEPUTY SPEAKER : Mr. Minister, have you any comments on this ?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL AND TRAINING ADMINISTRATIVE REFORMS AND PUBLIC GRIEVANCES AND PENSION AND IN THE DEPARTMENT OF CULTURE. (SHRI K.P. SINGH DEO): Sir, with your permission and with the permission of the House, since we are considering now the Thirty-second and Thirty-third Reports of the Union Public Service Commission, may I also move the Thirty-fourth Report of the Union Public Service Commission for the consideration of the House so that all the three Reports can be taken and considered together ?

MR. DEPUTY SPEAKER : Has the hon. Minister leave of the House to move the motion ?

SOME HON. MEMBERS : Yes.

MR. DEPUTY SPEAKER : You can now move the motion.

14.34 hrs.

(ii) Motions Re : Thirty-second, thirty-third and thirty-fourth Reports

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL AND TRAINING ADMINISTRATIVE REFORMS AND PUBLIC GRIEVANCES AND PENSION AND IN THE DEPARTMENT OF CULTURE (SHRI K. P. SINGH DEO) : I beg to move :

“That the 34th Report of the Union Public Service Commission for the period from April 1, 1983 to March 31, 1984, laid on the Table of the House on 8th May, 1985 be taken into consideration”.

As you are aware, Sir, the Union Public Service Commission is required under Article 323(1) of the Constitution to present annually to the President a Report on the work done by the Commission. These reports are placed by the Government on the Tables along with a memoranda explaining the reasons in respect of cases, if any, where the advice of the Commission was not accepted by the Government. It is also customary to take up for discussion the report of the Commission, both to highlight the performance of the Commission and to elicit the esteemed views of the Hon. Members on the overall policies on recruitment and management of public services.

As the Hon. Members are aware, the Union Public Service Commission performs a key role in recruitment to higher services and renders independent advice to the Government on a variety of matter concerning public personnel administration and Government gives the utmost consideration to the judgement of the Commission in these matters. In the report under consideration, the Commission has tendered advice on over 13589 cases concerning appointments promotion, disciplinary cases, etc. in all of which Government had accepted the recommendations of the Commission barring three cases.

The hon. Members would be glad to notice from the 34th Report of the Commission that there is a welcome trend in the performance of the candidates belonging to the scheduled castes and the scheduled tribes,

[Shri K. P. Singh Deo]

In the year under report, the candidates belonging to scheduled castes and scheduled tribes continued to be recommended by the Commission by a relaxed standard, provided they were considered fit for appointment to the respective posts. The Commission hoped that these candidates recommended at relaxed standards will come up to the standard of other recruits selected along with them, after receiving additional instructions and in-service training arranged for them by the appointing authorities.

The Commission were able to recommend candidates belonging to scheduled castes and scheduled tribes against all the vacancies reserved for them in the examination requiring general qualifications such as degree of a recognised University or equivalent as in the case of Civil Service examination, Indian Economic Service examination and Assistant's Grade examination. Further, in the case of examinations requiring technical or professional qualifications also, candidates to the full extent of reservation for scheduled castes and scheduled tribes could be recommended in the case of combined Medical Services examination and the Special Class Railway Apprentices examination. The performance of these candidates in respect of other examinations has also shown improvement over the previous year.

I would like to mention that Government have opened a large number of coaching centres in various parts of the country so as to give a pre-examination coaching to scheduled caste and scheduled tribe candidates in order to improve their performance in the examinations conducted by the Union Public Service Commission. There are at present more than 60 coaching centres under operation. Special schemes have also been launched by the Government for opening suitable coaching classes in the various Universities and private institutions. I am glad to inform this House that the full quota of reservation for scheduled castes and scheduled tribes is being fulfilled in the case of higher Civil Services for which recruitment is made through the Civil Service Examinations.

As the hon. Members are aware, the strength of the Commission is one Chairman and 8 Members. The two vacancies of

Members in the Commission were lying vacant for quite a long time. The Government have taken special measures to fill the vacancies and the two now Members have joined recently on 1st of July and 5th July, 1985.

I would also like to say something about the general feeling often expressed in various quarters that recruitment to higher services is largely dominated by the more affluent class of society and that the selection gives undue weightage to superficial veneer of public school education and sophistication. Government have carefully considered this aspect of the matter particularly with regard to the recruitment made to the higher services through the Civil Service Examinations and the following steps have been taken to help candidates with rural background in this regard :

- (i) The paper on English is of Matriculation or equivalent standard and is only qualifying in nature. Marks in this paper are not counted for competitive ranking.
- (ii) An option to answer the subject paper, either in English or in any of the Indian languages included in the Eighth Schedule to the Constitution, has been given to the candidates.
- (iii) Marks allotted for optional papers are higher as compared to the papers in general studies.
- (iv) Lesser weightage has been given to the interview test and as already mentioned by me, candidates can take the interview in any Indian language if they so desire.
- (v) Additional papers of post-graduate level for IAS/IFS, as included in the earlier scheme of IAS etc. examinations, have been dispensed with in the new system of examination.

I may take this opportunity to assure the Members that the various suggestions that they have made in the past while considering the earlier reports of the Commission, have been given the utmost attention and I am sure the discussion on the report now under consideration will be equally fruitful in generating new ideas for improving perso-

nal administration in Government. I need hardly add that the Government as well as the Commission would welcome the suggestions of the House for further improving the procedures of recruitment to Civil Services.

MR. DEPUTY SPEAKER : Motion moved :

"That the Thirty-fourth Report of the Union Public Service Commission for the period from 1st April, 1983 to 31st March, 1984 laid on the Table of the House on 8th May, 1985 be taken into consideration."

SHRI C. MADHAV REDDI (Adilabad) : Sir, I would like to point out that no time has been allotted for the motion being discussed.

MR. DEPUTY SPEAKER : It is already fixed. For 32nd and 33rd Reports, the time allotted already is three hours. Now that this report has been clubbed, the time will be five hours in all.

MR. DEPUTY SPEAKER : Altogether 5 hours are allotted.

SHRI C. MADHAV REDDI : This type of bunching is not good. I am telling this for future benefit.

MR. DEPUTY SPEAKER : That is why I sought the permission of the House. When you accepted, then only I asked the Minister to move the motion. Shri Choubey.

SHRI NARAYAN CHOUBEY (Midnapore) : Sir, all these three reports which are under discussion can be regarded as a barometer of the conditions in our services. Sir, if you go through these 32nd, 33rd and 34th Reports, you will find a common refrain and a common melancholic tune in all these three reports, regarding delay in notifying recruitment rules. The Union Public Service Commission, in all these reports, is bemoaning that in spite of the instructions issued by the Department of Personnel and Administrative Reforms on August 30, 1969 and again on May 22, 1979, notifying of recruitment rules for various posts and services drawn up in consultation with the Commission, continued to be considerably delayed. If you kindly go through the 32nd and 33rd reports, you will find exactly the same sentences regarding this. Although the Commission is again and again

drawing the attention of the Government towards its performance, the Government—I do not mean the Department of our Minister—but the entire Government is delaying it purposefully. Why are they delaying it? They are delaying it because they have got some of their own persons whom they want to please. You kindly go through the 32nd Report. On page 46 of the report you will find "Delayed References and Irregular Appointments". Two to three pages are written about the appointment of the post of Assistant Engineer (Official Languages), Railway Board. You will find that a person appointed on an *ad hoc* basis in May 1975, continues to remain on *ad hoc* basis. And although the Commission again and again, repeatedly drawn the attention of the Government, the Government allowed him to continue in the same post, without bringing in a new person and without framing the rules. So, this common refrain is continuing for years together in the reports of the Union Public Service Commission that some of the Departments of the Government are not purposefully framing rules to please their people, to please their blue-eyed boys. This should be looked into by the Government so that this type of things do not continue.

In this year, non-acceptance has been very little. But non-acceptance continues to be there and I do not understand why it is so. If you kindly see the disciplinary cases, you will find that the Commission wanted to impose penalty—not very major penalty—on one particular person. The Commission advised in July 1982, the penalty of withholding the increment for a period of two years without cumulative effect be imposed on the officer. This is the Government which was rejoicing that Article 311(2)(c) had been upheld by the Supreme Court. The officers can cut the throats of the common people, without holding any enquiry, *i.e.* due enquiry. But after years and years of enquiry, after all the formalities are followed, some officer is punished; but the Government does not want to accept the Commission's recommendations. In August 1983, the Government passed orders imposing on an officer the penalty of 'Censure'. The penalty was something else. Here, again, I say that some particular officers always draw favour from the Government, and this Commission's report is full of such things. I hope Government will take note of this, and will not

[Shri Narayana Choubey]

treat the Commission's advice with disrespect. They must show due respect to this Commission otherwise, there is no meaning in keeping this Commission.

Now about delayed appointments. Our country is full of unemployed people. This Commission recruits people, but it cannot recruit the number of persons who should be recruited. Only some are recruited.

The 32nd Report says that 3,28,861 persons applied for 5212 posts. This shows the staggering unemployment in this country. The 33rd Report says that 2,74,745 persons applied for 8039 posts. The 34th Report says that 3,04,602 persons applied for 8243 posts. So, you can very well imagine the horrible unemployment problem prevailing in this country. The number of persons placed for recruitment is so meagre. Even this meagre recommendation cannot be put into action, and cannot be implemented by the Government.

On page 200 of the 34th Report it is said :

"The Chief Engineer, Office of the Director, Integrated Fisheries Project, Cochin: Date of recommendation by the Commission: 2-8-1978. Appointment not yet made..."

You will find hundreds of such cases. You can see another case :

"Assistant Lecturer in Engineering and Surveying, Forest Research Institute and Colleges, Dehra Dun : Date of recommendation 7-3-1981."

The man has not yet been given the appointment. This Report is full of such things. Government has not implemented the recommendations. Although the Government notified the posts, examinations took place and all the paraphernalia were over, appointments could still not be made. I do not know the meaning of such cases. In cases where the dear ones of certain important Ministers or important persons continue to work on an *ad hoc* basis, these posts remain vacant; and the persons selected cannot be given appointment.

So, I would request our hon. Minister to give due regard to this Commission. This Commission does not function all too well,

in my opinion. In whatever way it functions, even its recommendation is not accepted. It is a matter of great regret for us.

Here, the question of Scheduled Castes and Scheduled Tribes comes. Of course, the Commission's reports show that certain improvements have been made. Compared to the 32nd and 33rd Reports, certain improvements have been made. Yet, much more is to be done. I am glad that Government is running 60 coaching centres throughout the country for giving proper training to persons belonging to SCs and STs, so that they can compete fairly well. It is also a matter of pleasure that the Commission also is not so rigid as it is towards candidates other than SC and ST ones. That is well and good, but in a vast country like ours, where there are crores and crores of SCs and STs, 60 centres, in my humble opinion, are not enough. I suggest that the number should be increased, in consultation with MPs coming from SCs and STs. I think the number of centres for them should be increased. I would like to know the break-up of these centres—how many of them are in eastern and north-eastern part including West Bengal, because the number of tribes in the north-eastern part compared to other areas, compared to the ratio with the whole population is much more. One of the reasons why this region is backward is because of continuous unemployment problem. I am glad that most of them can speak in English. So, there is no question of imposing on them that they must learn any Indian language. That is a good thing that people from Manipur, Nagaland and Mizoram can take examination only in English. This is a good thing that the Commission has done and I think this should be continued.

I would like to suggest to the hon. Minister to see that the Commission's Reports are accepted. My grudge against the government is that they remain on paper; they are not implemented in time. This does not show proper respect to the Commission. You are constituting commissions and appointing important persons who have got wide knowledge in the matter. If you do not accept their report in time and implement it in time, then it is meaningless to form such commission; then it is an eye-wash.

Although it does not concern this Commission, still I hope he will take note

of it. Recently, a circular has been issued making *Confidential* addressed by the Department of Personnel and Training's (Ministry of Personnel and Training's Letter No. I-11013/7/85-Estt (A) dated 22 May, 1985) mentioning that the Central Government employees cannot approach any MPs for redressal of their grievances.

MR. DEPUTY SPEAKER : It is known to every one. You just quote the contents of it.

SHRI NARAYAN CHOUBEY : They have elected us to redress their grievances. How can they issue a circular like this ? The subject is : CCs (Conduct) Rules, 1964—Instructions with reference to Rule 20. On page 2 of this circular, (i) reads as follows :

"A Government employee violating the aforesaid provisions of the Conduct Rules for the first time after the issue of these instructions should be advised by the appropriate disciplinary authority..."

If he cannot approach the MPs for redressal of his grievances then what is the use of having this Parliament ? A *baniya* can approach me to move the government for his case; an industrialist can approach me for setting up his factory; a smuggler can approach me, but a Central Government employee cannot approach me, and if he does it, he should be taken to task. So, on page 2 (i) reads as under :

"A Government employee violating the aforesaid provisions of the Conduct Rules for the first time after the issue of these instructions should be advised by the appropriate disciplinary authority, to desist from approaching Members of State Legislatures to further his interest..."

So, first of all, he will be called to the office and warned, please don't approach any MP.

SHRI RAM PYARE PANIKA : This is against the fundamental principles.

SHRI NARAYAN CHOUBEY : Then again on page 2, (ii) and (iii) read as under :

"If a Government employee is found guilty of violating the aforesaid provisions of the Conduct Rules, a second time despite the issue of advice on

the earlier occasion, a written warning should be issued to him..."

(iii) "If a Government employee is found guilty of violating the aforesaid provisions of the Conduct Rules, despite the issue of warning to him, disciplinary action should be initiated against him by the appropriate disciplinary authority under the provision of CCS (CCA) Rules, 1965."

This will be done because the integrity and the safety of the country is in danger if a man approaches any MP for redressal of his grievances. I request through you the Minister and the Ministry concerned to kindly withdraw this circular, and let the government let by young Prime Minister going towards 21st century not treat them just as the Roman Empire used to treat their slaves.

SHRI LALIT MAKEN (South Delhi) : I think whatever he is saying is absolutely correct. (*Interruptions*) They have every right to take up their cases.

SHRI NARAYAN CHOUBEY : I beg leave of you and hope that the hon. Minister will go into all the facts mentioned by me and give a proper reply.

MR. DEPUTY SPEAKER : I hope the Minister will take note of it.

SHRI SHANTARAM NAIK (Panaji) : Mr. Deputy Speaker, Sir, I had no occasion to go through the Thirty-fourth Report of Union Public Service Commission as it was not available. However, I went through the earlier reports, the thirty-second and the thirty-third reports to see the details that have been enumerated in the said reports. Yet, it appears that some sort of a customary ritual has been followed in the preparation of the report, which should not have been the case.

The authority of the Union Public Service Commission is derived through Article 315 of the Constitution which says :

"Subject to the provisions of this article, there shall be a Public Service Commission for the Union and a Public Service Commission for each State."

[Shri Shantaram Naik]

And thereafter the subsequent responsibility for placing the report before the House is derived from Article 323 (1) which says :

"It shall be the duty of the Union Commission to present annually to the President a report as to the work done by the Commission and on receipt of such report the President shall cause a copy thereof together with a memorandum explaining, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before each House of Parliament."

Therefore, this is a very important matter of concern and all the seriousness at our command shall be given to this report.

The Union Public Service Commission is a body which is equivalent to any of our judicial bodies, and therefore as the judiciary creates confidence in the people's minds, so also the Union Public Service Commission has to create confidence amongst the people. It has, therefore, to be seen whether this confidence has so far been created by the Union Public Service Commission among the common people. I respectfully submit that I do not find any confidence to that extent has so far been created. And the UPSC ought to have itself examined this aspect, whether they have created this confidence and they should have mentioned in their report as to what is their experience with respect to the confidence they have created in the people, and what are the lacunae which they have come across. They should have also examined what are the steps they have to take to cure those defects. I think this has not been done. It should have been done, according to my submission, especially because the object of the Union Public Service Commission, which has been given in the Thirty-third Report, is as follows :

"One of the major concerns of the Commission is to ensure that their recruitment policies and selection practices are socially relevant, and technically reliable, in consonance with the constitutional provisions and the articles of the Commission."

Therefore, the term 'socially relevant' in the objectives of the Union Public Service Commission is very much relevant and

therefore the UPSC has to go in that line. Now, as far as my territory namely, the Union Territory of Goa, Daman and Diu is concerned, being a Union Territory, we do not have a State Public Service Commission and therefore it is the Union Public Service Commission which rules our territory. But this aspect of social relevancy has not been considered at all with respect to the recruitments made for the Union Territory. I found that several candidates were there who knew the Union Territory of Goa well and were working in the Territory, and who have rendered faithful service to the territory, but one day we found that they were not found suitable by the Union Public Service Commission. A person or an officer which the Government finds to be an effective officer or whom the people consider to be an effective officer, is a zero in the eyes of the Union Public Service Commission, and he is not selected.

15.00 hrs.

[SHRI VAKKOM PURUSHOTTAMAN
in the Chair]

Here we do not understand as to what are the criteria and whether these criteria which are there, are effective. In the case, for example, they found that they were not effective.

Secondly, it is the special responsibility of the Union Public Service Commission with respect to Union territories because they do not have the State Public Service Commission. The responsibility is more if candidates from that territory appear before the UPSC for a post in the Union territory. Those candidates have to be considered on a preferential way. If in a remote rural place in Goa a doctor is to be selected, the UPSC selects a doctor who does not know the regional language in spite of the fact that certain candidates from Goa appeared before it. Therefore, in the remote rural areas of Goa the doctor selected, say from Bihar or UP goes there. He does not understand the language. When he does not understand the language, how will he treat the patients? It is here that social relevancy comes into picture. Here anyone may charge me of having some sort of regional approach, but that is not so. If the regional needs are not satisfied, then the bad things of regionalism give birth. Even Mrs. Gandhi said that

regionalism is bad but people in the regions should get jobs nearer their homes. In the sense that a person from Goa has not to go to Maharashtra or UP. As far as possible, he should get job with in his territory. As far as possible, the people should get this facility which even the UPSC has to consider.

As far as the performance of the candidates selected by the UPSC is concerned, UPSC in its 33rd Report says that performance of 99.26 per cent of the candidates was found to be satisfactory, 0.32 per cent unsatisfactory and 0.42 per cent mixed character. There is no criteria to know how these figures have been arrived at and what is the assessment made of these people to say so. Well, we see everywhere that Government servants are not working satisfactorily. The bureaucracy is working unsatisfactorily of course, we are all responsible for that. But this sort of satisfaction no one has found so far. Only the UPSC has found it. We know that several files are kept pending in several Government offices because of certain officers who have been selected by UPSC. Has a check been made by the UPSC how they are functioning with respect to the disposal of matters and how their treatment to the people is? Has an assessment on this line been made? I do not think so. I would also request the UPSC to keep a track of those persons whom they have not selected and see if and when they are selected elsewhere how they perform there. Have you compared a person who has not been selected? If you find from enquiries that person is working better than a candidate selected by you, then you have got some sort of material to decide. I know it is very difficult to trace a person who is working elsewhere and to find what is he doing there, etc. But these are the only things which will really give an idea of the correctness of the assessment made by the UPSC.

As far as the reforms mentioned in the report are concerned, UPSC says that they are holding objective tests, etc. And that is on the only reference they have made. In the modern-day world one can find several new techniques to assess the talent of candidates for the purpose of selection. Here, I would like to suggest something to the U.P.S.C. I do not know whether it directly comes under the jurisdiction of the

U.P.S.C. Act or not. Today, Supreme Court or any other court lays down the percentage of reservation. The question is whether it is 30 per cent, or 40 per cent, or 70 per cent, whether it is for Scheduled Castes or for non-Scheduled Castes, who should fix this percentage. Is it to be fixed by the courts of law, or is it to be fixed by the Parliament or is it to be fixed by the State Legislature? But we find today, in the course of interpretation of certain Constitutional provisions that a fixed percentage is put by the courts and, therefore, it appears that we have given power to the courts of law for laying down rules and regulations which, in fact, is our realm of power. Here, I would advise the UPSC that as and when such decisions come, at least some sort of law on those changed lines should be enacted so that ultimately the power comes to those who are to exercise that power.

Secondly, with regard to the Confidential Reports, the Union Public Service Commission or any other agency which recruits people in service, have to see the Confidential Reports of those who are working, but till today except with respect to the IAS, IPS or other Central Services' officers, we do not have a statute to govern the Confidential Reports or the Character Rolls of those officers. These are very delicate things on which we deny promotions to some and allow promotions to others. It affects their rights. Therefore, where it affects the right of the government servants, such things must be clearly laid down so that no sort of injustice is done to them. But what we are doing today is we issue circulars as to how the Confidential Report should be written. Only circulars and guidelines are issued as to what should be done. Are these things to be governed by circulars and guidelines? In this country we have got laws on every minor aspect. I do not think there is any field now left where we do not have a statute. This being an important matter, I think some statutory enactment should be made in regard to Confidential Reports also. Wherever it is within the powers of the Central Government it should be enacted by the Central Government and wherever it is within the powers of the State Government, it should be done by the State Government. The UPSC should play a role in suggesting what should be done. I do not think any effective role

[Shri Shantarm Naik]

has been played by the Union Public Service Commission in this regard.

With respect to the Union Territory of Goa, Daman and Diu, I would suggest that an amendment be made to the Constitution. A Union Territory cannot be treated separately from a State. If a State has got the right to have its own public service commission, namely, the State Public Service Commission, if the Centre has got the right to have its own Union Public Service Commission, why should a Union Territory, which is a part and parcel of this country, not have a right to have its own public service commission? It may be called a Union Territory Public Service Commission or some sort of a selection board or something like that, but it should be an independent body so that the practical needs of the Union Territory are looked after.

Lastly, I would like to mention that for the last one and a half year, no recruitments could be made in my Union Territory of Goa, Daman and Diu, whether it is by UPSC or by any other agency, because there is a ban on recruitments. Financial advisers of the Government, the economists of the Government have advised it as an economic measure. Various theories are advanced to justify this ban. But in my Territory I see that schools cannot be opened where there is a need for the same in a village, because of the ban; a doctor cannot be sent because there is a ban, a judge cannot be appointed despite thousands of pending cases because there is a ban. Do we mean to have this sort of effect of an order of ban which has been imposed on the advice of economists? Economists themselves should see to it, otherwise this order should clearly lay down its objectives. I can understand that where there is excess staff, government money should not be wasted by appointing more persons, but where there is need, it should be looked after. Therefore, I request you to consider the suggestions given by me and lift the ban as early as possible.

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Mr. Chairman, Sir, it has been customary to discuss the report presented by the Union Public Service Commission in this House. The Union Public Service Commission, as you know, is a constitutional body and its functions have been enumerated in Article 320 of the Constitution. This

body commands respect and confidence of people all over the country.

Under an article of the Constitution this body which has come into being is required to hold examinations, publish results and recommend candidates for appointment by the Government to several high posts and also to other Central Secretariat services. The intention behind this is that this body is independent in its judgment. This organisation, which is a highly respected organisation, is supposed to be independent of any control of the Government or of any other organisation or individual and it has to do its job without fear or favour. In short, its main functions are to recruit suitable candidates for appointment in various Ministries, Departments of the Government of India, consider the question of departmental promotions, deputations and tender advice to the Government on matters relating to personnel administration.

As indicated by the hon. Minister under Article 323 of the Constitution this Commission submits its Annual Report to the President and it is placed in this House for discussion in order to highlight its performance and elicit opinion and invite suggestions for its further improvement in its working. I am sorry to observe, as this discussion is customary, the Reports also in their presentation have become customary. They are very formal in their drafting. Even the contents of the reports which we come across, are almost some what the same year after year—Chapterwise, point-wise, subject-wise and there is no newness in the Reports. Every year the Report is drafted somewhat on the same line as they were in the previous years. Accordingly it has just become a formality. The UPSC should be advised by the Minister concerned that henceforth it should depart from this practice it is following at present.

As you know, Sir, the UPSC plays a key role in the matter of recruitment, because our administrators, IAS Officers, IPS Officers, who are the cream of the society, are recruited by this body. In fact, all our policies and programmes, be it anti-poverty programmes or other developmental schemes, are being implemented through them. Therefore, much depends on the sincerity and efficiency of these officers who are being

recommended by the UPSC. They play a key role. The allegation that is being levelled here against the Government is that utmost consideration or due consideration which should be given to the reports or the recommendations of the Union Public Service Commission and the States' Service Commissions in States, is not being given. That is not correct. I would humbly bring to the notice of the august House that this is evident from what the hon. Minister pointed out earlier in the course of his introductory remarks. It is mentioned in the 34th Report that 13,589 recommendations were made. Advices were given. Large number of cases were referred to by the UPSC to the Government in the shape of recommendations. Now, barring only 3 cases all the recommendations or advice were accepted by the Government of India. What a tribute to the Government of India! Sir, only 3 cases could not be accepted. What is the percentage of non-acceptance out of 13,589 cases referred to? You can very easily understand it. Only 3 cases could not be accepted; for that also sufficient reasons are there why the Government of India could not accept those 3 cases. Similarly, in the 32nd report the cases referred to are 10,071. In the subsequent year, in the 33rd report, 12,936 recommendations were made. Barring 4 all were accepted. So, naturally, the allegation that the Government of India is not giving due consideration or respectful consideration to UPSC's recommendations, is not at all correct; it is not tenable.

The other allegation is that *ad hocism* in some departments some offices is gradually and increasingly being resorted to and that in this process they are trying to avoid UPSC or ignore UPSC. *Ad hocism* sometimes is necessary in some cases. But, naturally, it cannot be a regular phenomenon. Since this *Ad hocism* is receiving criticisms, the Government of India should try to avoid this as far as possible and keep this *ad hocism* to the barest minimum. It cannot be eradicated 100%. Sometimes some exigencies may happen. Some under seen circumstances may happen and they do happen. Naturally they cannot indefinitely wait for the UPSC to go in for recruitment in their own usual way which will delay the entire process and thereby result in irreparable loss to the system or to the

organisation or to the cause. But whenever there is any case of *ad hoc* appointments, my suggestion to the Minister will be that such cases should at least have the approval of the concerned Minister, if not the Cabinet approval. It is better if the Cabinet is seized of the problem and the Cabinet itself okays such *ad hoc* recruitment because this is the main attack from the other side. There are two attacks against the Government from the other side with regard to the functioning of the U.P.S.C. One is that *ad hocism* is increasingly resorted to, to keep U.P.S.C. out of the picture, and once some people are recruited on an *ad hoc* basis, some years after there is a plea to absorb them permanently in such posts. That is also not far from truth. About the other attack that the recommendations are also not given proper weightage, I have also contradicted it earlier.

Delay is another factor which worries everybody—delay in holding examinations and delay also in publishing the results—and we find fault with the UPSC while we talk of delay in respect of conducting examinations and publication of results. In this connection, I will invite the attention of the august House through you, Sir, to page 20 of the Thirty-fourth Report wherein it has been stated :

"The written examination was held in November 1983 and 9354 candidates actually appeared. On the results of the written part of the examination, 1705 candidates (including 278 belonging to Scheduled Castes and 152 belonging to Scheduled Tribes) qualified for the Personality Test. The interviews of the candidates, who qualified for the Personality Test, have commenced from March 26, 1984. The final results are expected to be announced towards the end of May 1984."

That means, for the examinations for recruitment to posts held in November 1983, the results were not out till this Report went to the press. Inordinate delay is occurring in publishing the results of the examinations. Sir, you know how painful is the situation in the employment sector in our country. About five crore educated youths are on the rolls of the Employment Exchanges, they are anxiously waiting to get some sort of jobs, to get into Government

[Shri Sriballav Panigrahi]

service. And when that is the situation, to make such inordinate delay in conducting examinations and also publishing results is something which is not proper and not excusable also. So, on this count there is a lot of scope for improvement in the functioning of the U.P.S.C. But one thing is heartening that is we all express our anxiety, we all express our concern about the neglect towards poorer sections or SC/ST community, and it is heartening that the performance of such candidates belonging to such communities is very much improving and all the posts reserved for them are being filled up by such candidates only. Here also, the number of Scheduled Castes candidates had risen from 1057 in 1963 to 11,722 in 1983. So, during the two decades the number multiplied, this has gone up almost 15 times. Naturally, it is gratifying that no more the posts meant for SC/ST candidates are being filled up by general candidates and those posts are going to them only.

But, Sir, I will again draw the attention of the House through you to the delay in offering appointment to successful candidates which is also on the increase, is also being further delayed. Delay is also on the increase. I would invite your attention to paragraphs 19 and 20 of all the three reports—32nd, 33rd and 34th. They are of the same language. This is the chapter on Delay occurs to appointment of candidates recommended by the Commission. That has been echoed in the subsequent two reports, namely, 33rd and 34th reports. Cases where offers of appointment of candidates recommended by the Commission on the basis of examination and selections/were delayed by the Ministries, Departments etc. and they continue to occur, during the year under report. You will find the same wording in the other two reports also. The reason intimated to the Commission for delay in offering appointment in these cases was that verification of character and antecedents of these candidates was not completed. This is the ground given in the subsequent two reports also. So, Sir, this is a serious matter. Why is there so much of delay in the matter of verification of character and antecedents? It is not such a big task or time consuming task which should take a longer period. Sometimes it happens that

by the time, all formalities are completed and the offer of appointment is made, the successful candidates are employed somewhere also. So, labour and expenditure involved in the process of recruitment that becomes infructuous. Therefore, this should be taken into consideration.

Now, I will come to another important aspect about the training or the mode of recruitment of these officers. There is also delay in the confirmation of officers in their posts. Delay in confirmation of officers also leads to frustration and dissatisfaction among officers. About recruitment, training procedure etc., in all the reports, there is a chapter relating to examination reforms. But what sort of reforms that they are introducing are not known. The same language is also used in all the reports, viz., some objective test and something like that. Sometimes, of course, the Minister has given some indications that some relaxation has been made in respect of language or the language of the local area or their own language has been introduced or they have been allowed to appear before the interview board also in their own language and something like that. That is welcome in one sense. But there is also some disadvantage from the other sense. India being a vast country, no single principle, it applied uniformly, would yield result. Somewhere it would lead to advantage to some extent and from certain point of view, it may lead to disadvantage to certain extent. Anyway, we are happy to note that such test or recruitment policy is becoming more and more rural oriented and more facilities are being given to rural talented students to appear before such tests and examinations and qualify for higher tests conducted by the Government of India for recruitment in the different Ministries and Departments.

Sir, we have committed two blunders.

Ever since independence, utmost care should have been taken or utmost consideration should have been given to reforms of two types, administrative and educational. This is what our first Prime Minister Shri Jawaharlal Nehru, the architect of modern India observed once. Although late, we are also thinking now of administrative reforms and the hon. Minister incharge is present here. This should be considered now and proper

training and proper recruitment methods should be thought of.

Unless the Officers at the higher level, the District Magistrate, the Police Superintendent and other high officers, develop some humane consideration for the poor people, things cannot improve at the rural level. However high hopes we may entertain in this House, they will be of no use because there will be no proper implementation of the schemes. Therefore, to make the high-level officers conscious of the social needs, there should be reforms in the methods of recruitment and training. The high-level, that top-ranking officers feel that they are born to govern this country. They forget that they are the servants of the people. They get their earnings out of the earnings of poor labourers in the field who do not get two square meals a day and it is these poor people who contribute to the Exchequer. These high-level officers should be given such training which would make them understand their duties. Things are not going on well. That is why, there is lot of discussion about them in Parliament. It is because of this attitude of the high-level officers, that poor people hesitate to go to them and to put forth their grievances before them. So, something radical has to be done to bring necessary reforms in the matter of recruitment and also in imparting proper training to those officers.

As I said earlier, India being a vast country, 37 or 40 examination centres are not sufficient for holding examinations to such high-level All India posts. When we have more than 100 Universities functioning in the country, what is the harm if every University is made an examination centre for this purpose? In Orissa, with 3 crore population, we have only one examination centre in Ravenshaw College at Cuttack. Naturally, the number of examination centres should be increased and also making reservation of posts to Scheduled Castes and Scheduled Tribes will not serve the purpose. That is one of the ways of helping them. But talent is something that cannot be decentralised. Those who are talented people will, of course, be absorbed and their talent also will have to be utilised for national purposes and for the service of the country. Why is there criticism that the children of IAS and IPS

Officers have better advantage to get into the services? It is because of environment, because of circumstances, because of opportunities made available to them. But our efforts should be to see that such an atmosphere is created in different places. We can do that by having more and more training centres in the backward and rural areas inhabited by Adivasis and other poor people and by giving them all facilities.

With these words, I conclude and give my support to these Reports. It should be the endeavour of both the Commission and the Government of India to go in for radical reforms both in recruitment methods and also in the training of officers on whose performance many things depend, on whose performance the successful implementation of many of our programmes depend.

SHRI E. AYYAPU REDDY (Kurnool) : Mr. Chairman, Sir, I would make a suggestion at the outset that, along with the Report, it will be useful if the Government also gives an explanatory note because a number of criticisms are there in the Report by implication and they require explanation from the Government.

For instance, I would refer to para 20 of the Thirty-fourth Report. In para 20 it has been pointed out that there has been a lot of delay in making the appointments according to the recommendations of the Public Service Commission. In some cases they were not even appointed. From page 200 to page 248 of the Report, 48 pages contain a number of cases where appointments were delayed and also appointments were not made at all. It covers almost all the Departments, and the worst sinner appears to be the Department of Public Health and Medicine. I may point out to you that, in some cases, no appointment has been made so far. It is really a very horrifying state of affairs because the person who has been recruited may not be knowing whether he will get his appointment or not. For example, a recommendation was made on 2-8-1978, but no appointment has been made as yet. A recommendation was made on 6-2-1980, but no appointment has been made as yet. Junior Aircraft Maintenance Engineer, Directorate of Agricultural Aviation—for five posts recommendations were made in 1982-83, but appointments have

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not yet been made. It really goes to 48 pages and about 430 categories of cases have been cited. Not less than 500 to 600 persons who have been recommended by the Public Service Commission have not yet been appointed and are awaiting appointments, and some of them from 1978. This is really a sorry state of affairs. For example, a person who knows that he has been selected will be awaiting his appointment, he will not know what he has to do. Suppose he wants to settle down in life and get married, he will not know whether he will get the appointment or not and he will not be able to decide about his marriage. My suggestion is that, after the Service Commission makes the recommendation that he has been selected, the appointment order must follow within six months. If there is any further delay, then the Government must pay him damages to the tune of Rs. 5,000 at least for each case. If a person has to appear in an examination held by the Public Service Commission, naturally he has to study for that, devote his time, attention and energy. He spends his time, appears in the competitive examination, passes in that and gets selected. But then he has to wait for months together for getting his appointment order. It must be deemed to be a concluded contract when once an advertisement is published calling for applications for recruitment, you ask him to sit in the examination. When he sits for the examination and gets selected, it must be deemed to be a concluded contract with the Government of India and if there is any further delay he is certainly entitled to damages. That is the legal position. In most of the cases these unfortunate candidates are not in a position to go to the court of law and ask for damages against the Government. But it must be made a rule of law that where you advertise and call for applications and when a candidate sits for the examination and comes out successfully, he must get his appointment within six months, failing which the Department must pay not less than Rs. 5000 by way of damages. If he accepts the damages, very well, he will be free to go and seek some other job. Sir, with regard to the methodology of recruitment, in the 33rd Report, there is a very refreshing note. In Para 8 they have said like this :

“Examination Reforms : One of the major concern of the Commission is

to ensure that their recruitment policies and selection practices are socially relevant and technically reliable in consonance with the Constitutional provisions and the requirement of the Government. Towards this end, they keep in touch with development in the field of Examination Reforms both within the country and outside. Significant changes have been made during the past decade in the technology of testing. New norms and techniques of assessment have been worked out. Mechanised system of scoring and data processing have been developed and new methods of score interpretation have been evolved. During the year under review the Commission continued to enhance the validity and reliability of the test conducted by them.”

Unfortunately, when it comes to the 34th Report, *i.e.*, the latest Report, the Commission is not in a position to say that they are going forward with this examination reforms. This is what the Commission says :

“The Commission have been carrying on with the task of examination reforms as a continuous process. During the Year under report, a workshop was organised on objective type test construction in the field of Medical Sciences and 40 experts drawn from all parts of the country participated in the programme.”

But they have not given out as to what has happened to their objective test. The other day the Minister for Education said that we have to bring a lot of reforms in our university education and educational system. According to him and I respectfully agree with his opinion that our present examination system is one of testing memory. A person who is able to by-heart and produce it *makhi-to-makhi* scores the first mark. What is the other alternative to this wrong examination? That is a moot point and a number of researches are going on this aspect. Whatever it may be, it has to be agreed that so long as the present system of examination continues, it is the urban elite that scores marks and not the rural people. If we really examine the results of IAS examination, we will find that 95% of the candidates are from the urban elite. If we take the statistics given in this Report in regard to universities, Delhi stands first. Out of every five candi-

dates appearing from Delhi, one is getting selected. Next comes Madras University, out of every six candidates coming from this university, one gets selected. Therefore, this shows that the concentration is on the urban elite. They are able to score marks and get into the services and then they are becoming the bureaucratic rulers of this country.

MR. CHAIRMAN : Without knowing the rural structure and without having any rural base.

SHRI E. AYYAPU REDDY : Yes Sir, I have been suggesting that we must think of some other method of recruitment on an experimental basis at least. I may quote an instance which I personally know. The Government of Andhra Pradesh called for recruitment of Deputy Superintendents of Police. The minimum qualification for applying for this post was graduation. Certain quota was allotted for candidates who had done military service. One candidate who was not a graduate but who had returned from military service applied. He stood first in the examination also. In the general quota also he stood first. But when he was offered and asked to take up the job, his conscience pricked him. He found that he was not a graduate on the day when he had applied and, therefore, he refrained from going and accepting the job. The Police people were searching for the candidate who stood first, such a brilliant candidate who stood first and were wondering why he did not come and take up the job. Investigation showed that the candidate was not a graduate and he had wrongly given the certificate of another candidate who was a graduate. Ultimately they charge-sheeted him. Meanwhile he privately stood for the University MA Examination and stood first and obtained Gold Medal also. Then this gentleman came to me to defend him because he was being prosecuted before the Munsiff Magistrate in Hyderabad City. I was very much surprised how this candidate with such a brilliant record did not join. It was because he appeared without being a Graduate. Straightaway I asked him to admit his guilt and plead for mercy. The Munsiff Magistrate was pleased to condone his guilt and just convicted him but admonished him and let him off with a warning. But the very same man is to-day running a school for training candidates for IAS examination.

What I wanted to say is that we are insisting upon Graduation being the minimum

qualification for appearing for IAS, IPS and other All India Examinations, I do not know why we should insist on this. I am also quoting another case. Once a candidate applied for being appointed as a Lower Division Clerk in the Secretariat at Madras. He directly made an application to the His Excellency the Governor of Madras. In those days the minimum qualification was a First class BA for being appointed to the Secretariat. The Governor called this man and said, 'Look here, under the rules I will not be able to appoint you as a Clerk. But I may think of appointing you as a Member of my Executive Council because no qualifications are necessary for being a Member of the Executive Council.' Similarly also for a Minister. So something is radically wrong with our method of recruitment and we have to have a second look. Many a time I have been thinking that the MPS are democratically elected. But what do we see in our constituency? It is the Collector, it is the DSP, it is the bureaucrat who is ruling us. Many a time I wonder whether India is a democracy or a bureaucracy because the bureaucrat is so powerful here. He has the security of service. He is here today and tomorrow he is elsewhere and day after tomorrow he is somewhere-else. Therefore, it is high time that we think of evolving an administrative organisation which is really democratic in its character. With this bureaucratic set up our democracy will really be a farce.

Therefore, let us think of some other methodology by which we can have the real say. Our kisans have been saying, a number of times our kisans have been saying, 'Somehow or other get my son a job as a peon in the bank. Who should such an honourable man like you seek a job of a peon?' They are the privileged class. Now the bureaucrats have become a privileged class in India without any shadow of doubt. We have got a number of champions here. Mr. Lalit Maken is one of the greatest champions of our bureaucracy. He says that he fights for them. I have also been appearing for a number of Government officers and people who have been dismissed or suspended. I would like to say that the most under-privileged class is the peasants, the workers and the labourers. Supposing today the prices of groundnut, rice or anything falls down is the peasant given an oppor-

[Shri E. Ayyapu Reddy]

tunity to make a representation but the Government servant must be given an opportunity not once but twice according to Article 307 before anything has to be done with him. So, India is divided into two classes—privileged class and under-privileged class. This section of under-privileged class will not get any opportunity to get their representation heard. The only thing is that because we have got ourselves elected with their votes we make representation on their behalf in this House.

Sir, we have inherited this administrative system from Imperial people and the same system is continuing. I want to say that some sort of responsibility be fixed. Today crores of rupees are going down the drain every year. The Auditor General points it out and the Public Accounts Committee goes into it but it is really pitiable that we are not in a position to identify the bureaucrat who is responsible for this huge loss. Nobody is bothered about it. Most of the fund which is allocated to various schemes remains unutilised or mis-used. All these things are, unfortunately, not being detected and the white-collared gentry is not being hauled up.

Lastly, with regard to recruitment in respect of scheduled castes and scheduled tribes, the charts and figure that are shown here are encouraging but in medical and engineering services they are not able to come to the mark. The recruitment is far below the reserve quota. Something has to be done on this aspect. They have to be given special training in these subjects. Sixty centres are not enough. More centres are necessary. It must be the special responsibility of the Government to give special training to all these under-privileged who want to appear for these examinations. With these words I conclude.

SHRI A. CHARLES (Trivandrum) : Mr. Deputy Speaker, Sir, the UPSC and the State Public Service Commissions are discharging a sacred function which they have derived under the constitution of India. Article 16 of the Constitution guarantees equality of opportunity for all citizens in matters relating to appointment or appointment to any office under the State.

A close perusal of the reports of UPSC for the years 1981-82 and 1982-83 would show that by and large the UPSC has been

successful in discharging this sacred function in a fair and just manner. However, the Report has revealed that the UPSC is responsible only for the selection of candidates to the different posts in State-service and a few posts in the Subordinate services. A number of posts in the Subordinate services and almost all the posts in the last grade service are outside the purview of the UPSC. In am told that these appointments are made by the Departments at their whims and fancies. Of course, there is a procedure to call for a panel of names from the Employment Exchange. But there are no definite rules and the candidates selected to the various categories have no service rules. They are simply at the mercy of the departments.

Sir, in a nation like that of ours where employment opportunity is very much limited and where a large section of the people still remain unemployed and recruitments to Government service remains the main avenue for employment, it is unfair to leave this responsibility to the departments. Undoubtedly the main function of the Public Service Commission is to select the right persons for the right job. But to ensure equality of opportunity guaranteed by Article 16 of the Constitution is equally or more important. I would therefore suggest that the Government should seriously consider the possibility of making the recruitment to all posts under the different Departments including those in the last grade service through the P.S.C. It may not be possible to discharge a large volume of work within the existing machinery. But we have to equip the machinery to meet the situation.

Sir, in a Kerala magazine, 'Malayalam Manorama, a shocking photograph of a young lady who is a graduate and who is undergoing B.Ed. course, has appeared and she was recruited as a part-time sweeper in one of the city Corporations. The picture shows the young lady sweeping the road with a long broom stick. The report says that the lady could get only that appointment, So, even the post of a part-time sweeper in this country is now very important because it gives at least a sense of security. Sir there should be some machinery to make recruitment to all these posts in a just and fair manner. After recruitment to these posts, they are simply at the mercy of the department. Some of the workers who are working in the Posts and Telegraph Department in

Trivandrum—most of them are women—came and met me. They have been recruited some 15 or 16 years ago but they are still getting only Rs. 10.20 per day. It is very shocking to know that they have not get any kind of leave. They have no maternity leave, no casual leave even and no medical leave. Even on the General Election day, they were not given leave to caste their votes. The Government of India has issued a very clear direction that every worker should be given leave with wages on the day of election for exercising his or her franchise. These unfortunate persons who have put in more than 16 years of service in the department have not been given even one day's leave with wage to caste their votes. This is the state of affairs in the country.

Sir, the Kerala Public Service Commission has district offices in the Revenue District Headquarters dealing with the recruitments of posts in the last grade service and other district-wise posts. One of the Members of the Commission will go to the districts and he conduct interviews and finally make selection. I would strongly plead with the Government of India that they should consider possibility of starting regional offices under the Public Service the Commission to make recruitments to these posts *i.e.* even to the last grade post in every State. If the Government of India consider that it is a top big a responsibility they can at least have a regional recruitment office under the Public Service Commission so that few states coming under this region can be covered by this region. This should be possible under the framwork of the Constitution because there is no bar for start ng regional offices under the Public Service Commission. The Constitution only says that the shall be one Public Service Commission. So, I would request the hon. Minister to consider seriously the question of opening regional office in different regions.

16.00 hrs.

Sir, at present persons selected in the lowest category of posts are left uncared for. They belong to the weaker section, the lower strate of the society. We always speak for minorities and the weaker sections. But, in effect, what are we doing fot the several lakhs of our people throughout the country in the lowest category.

Coming to the Reports, the Report under reference says that there is no increase in the quantum of work turned out by the Union Public Service Commission during these years. It is seen that during the year 1982-83, suitable candidates were not available for recruitment in respect of 243 categories of posts. I would like to know whether any serious efforts were made by the Union Public Service Commission to find out suitable candidates in respect of these 243 posts. The report is silent on this. They simply say that candidates were not available. What were the reasons? Is it because of want of some qualifications? Or will they like to relax qualifications to some extent? Did they re-advertise that?

MR. CHAIRMAN : Why don't you say that you are saying all this on the basis of Year experience, because you yourself have been a Member of the Public Service Commission?

SHRI A. CHARLES : Sir, if is out of experience. I am making these suggestions. As I said, I am dealing only with one report, the Thirty-Second Report. The subsequent two Reports are simply repetition of the previous reports. There is no substantial improvement in any matter. Even some of the sentences are repeated. Very painfully the Commission says that the Government have not been helpful in certain aspects.

On page 33 of the report, the Commission have mentioned about the recruitments cancelled. These are a number of posts, for which the Departments had sent their requisitions. After the posts had been advertised, examinations and interviews conducted, the Departments had cancelled their requisitions. This was after the Commission had done a lot of work, and the candidates had also spent good amount. The Commission has said :

"The Commission would like to reiterate the advice given by them to the appointing authorities that in the interest of credibility of Government and the Commission as well as to avoid undue hardship to prospective candidates, the Government should continue their endeavour to further minimise, if not totally eliminate, cancellation of any recruitment once notified by the Commission."

[Shri A. Charles]

I would request the Minister to make enquiries, why these requisitions are cancelled after the process of selection is over.

Then, there are a number of delayed appointments. One of my hon. friend has already pointed this out. I would not, therefore, go into that in detail, but it is shocking to note that in the case of a number of selections made as early as 1978, appointments have not been given to the candidates so far. The reason is that verification of character and antecedents of the candidates was pending. It is most unfortunate.

MR. CHAIRMAN : The Home Minister has to make a statement. You may please continue your speech after the statement.

16.05 hrs.

STATEMENT *Re* : ANTI-RESERVATION
AGITATION AND COMMUNAL
INCIDENTS IN GUJARAT

[English]

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN) : As the House is already aware, an agreement was reached on 18th July, 1985 between the Akhil Gujarat Vali Mahamandal and Akhil Gujarat Navrachna Samiti on the one hand, and the State Government of Gujarat on the other hand, as a result of which the five month old anti-reservation agitation in Gujarat was withdrawn by these organisations. Earlier, after the induction of the new Government in Gujarat on 6th July, 1985, State Government had taken series of measures to defuse the situation in Gujarat. As a result of the State Government's initiative, the above mentioned agreement was arrived at.

2. As the House is aware, the agitation started from the middle of February 1985 on a peaceful note. By the end of April, this agitation took a complex turn with caste and communal factors completely overshadowing the stir. Since the beginning of the agitation till 23rd July, a total of 237 persons have lost their lives so far including 93 in Police/Army firing. Of these 201 persons were killed in communal or communally related incidents. Nearly 1801 persons have been injured in over 1230 violent incidents

connected with the anti-reservation/communal agitation. The main concentration of the agitation, however, remained confined to the urban sectors like Ahmedabad, Baroda, Surat and pockets of Kaira and Mehsana districts. Upto the end of May 1985, in Ahmedabad alone, Rs. 58 lakhs have been spent on relief and rehabilitation measures.

3. While during the months of May and June, the anti-reservation agitation had been intensified and 'Jail Bharo Andolan' and 'No Tax campaigns' were announced, there was no let up in the incidents of mob violence by the communal and caste forces which got intertwined with anti-reservation stir. Police had to intervene with heavy hand to control the disturbances with frequent bursting of teargas shells.

4. The new Ministry which took over on July 6, initiated some fresh steps towards negotiated settlement with the agitation leaders as also with the striking employees. Simultaneously, the schools throughout the State were opened on July 7 and holding of the postponed Secondary and Higher examinations for the last academic year was also announced. In view of the easing of the situation, the State Government also decided to withdraw the Arms w.e.f. 16th July from Ahmedabad and Baroda. Favour additional companies of C.R.P.F. were inducted to take over the law and order duties from the Army in Ahmedabad and Baroda.

5. On July 18, the leaders of Vali Mahamandal and Navrachana Samiti reached a settlement with the Cabinet Sub-Committee of the Gujarat Government. It was agreed that :

- (i) 18% enhanced reservation quota would not be implemented under any circumstances till a national consensus is reached;
- (ii) The existing 10% quota for B.Cs due to expire in March 1988 would be reviewed by a Commission consisting of one sitting and 2 retired High Court Judges by 1987; and
- (iii) A Judicial Commission would enquire into the violence and other disturbances in the State since February 1985 and submit its report within a period of 6 months.