

SHRI SYED SHAHABUDDIN : I introduce the Bill.

15.44 hrs.

CONSTITUTION (AMENDMENT)  
BILL—Contd.

[English]

(Amendment of Article 315)

MR. DEPUTY SPEAKER : Now we take up further consideration. The Bill further to amend the Constitution of India moved by Shri Shantaram Naik on 13th March, 1987, Dr. Rajhans.

[Translation]

DR. G. S. RAJHANS (Jhunjharpur) : Mr. Deputy Speaker, Sir, when I rose to speak on that day, the bell rang. I want to draw your attention towards only two or three points. As my friend Mr. Naik has said that when the persons living in the Union Territories have to come to Delhi to appear in any examination or interview they have to face a lot of inconvenience which could be realised only by those persons who live in those areas. Secondly, so far as Engineers or doctors are concerned, whether they are to be recruited for Goa or for Andaman, only such persons should be recruited who know the local language. Because only those persons, who know the local language and also are aware of the circumstances prevailing there, can serve that area in a better way. Thirdly, a person coming to Delhi has to spend a lot of money unnecessarily to appear in an examination or interview at Delhi and despite his long journey to Delhi, a person residing in or around Delhi is often selected who is lost at a new place, as he is not aware of the local environment. Sir, this is an occasion when I should say two or three things about the U.P.S.C. The policy of the UPSC is very impracticable. All the recruitments in the Central Services, especially in I.A.S. and I.F.S. are urban oriented. The report of UPSC is presented in the House every year. I would request that a study should be conducted to find out the number of persons belonging to the rural areas as also the number of persons belonging to the urban areas and elite class

were selected for central services during the last 10 years.

Mr. Deputy Speaker, Sir, I have said earlier also in this House that an enquiry should be held to find out as to how a son of an I.A.S. officer is selected as I.A.S. officer and sons of I.P.S. officers and I.F.S. officers are selected as I.P.S. officers and I.F.S. officers respectively and the sons of farmers are not selected. It appears that there is here ditary hold on these posts. Here they have created a monopoly because they do join I.A.S.

Sir, I know many such persons who appeared in the examination and being experts were selected for central services. The fact is that when a son of a bureaucrat or an IAS or IFS officer appears before an Interview Board, he is asked about his background and when he says that his father is a Secretary of such and such Department in such and such State, then the mentality of the members of the Interview Board is changed. The members of Interview Board take it that a son of an IAS officer is born to become an IAS officer or to enter Central Services. If by mistake, or by chance, a candidate belonging to a rural area passes the written examination and appears before the interview board, he is asked about the profession of his father, then he replies hesitatingly that his father is a farmer. Then the mentality of the entire Board is changed and it appears to them as to from where this stranger has come here. They ridicule him saying that his father is a farmer and he wants to be an I.A.S. officer and the members of the Board ask such questions which confuse the candidate. I would, therefore, like to ask whether bureaucrats are recruited in the Central Services through examinations to service the people or to govern them. I would say that the name of the Indian Administrative Service should be changed to People's Service. They are to serve the people. Bureaucrats in China serve the people by visiting each and every house and when such a practice is prevalent in other countries, why could it not be adopted in India?

Sir, I would like to submit again that a very strange rule is prevalent in the U.P.S.C. Conducting of examination in Hindi or

regional languages is merely an eye-wash, because interviews are always held in English language. There may be a candidate, who has never seen a railway train in his life time and with a great difficulty he comes to the district headquarters and is otherwise very intelligent, but unfortunately belongs to a poor family and has not got any chance to speak English fluently. When he comes to Delhi to appear in an interview of the UPSC, he is asked questions in English. The poor fellow, though well versed in his subject, cannot properly reply in English language and thus fails to qualify. There is not one, but several such examples.

Would the UPSC adopt a realistic approach in the country? It is not the mistake of UPSC, but it is the mistake of our Government. We have developed a mentality that I.A.S. officers or bureaucrats are there to govern and we all are to be ruled by them. We ourselves have deemed that their status in the society is the highest and the remaining people are inferior to them. It has been proved in a recent instance also that they got the pay scales revised to the highest pay scales very cunningly leaving all others behind.

Has anybody ever tried to find out as to how bureaucrats, especially I.A.S. officers with only 5 to 7 years' service at district headquarters or in state capitals raise palatial buildings? In Delhi also, retired I.A.S. officers have constructed buildings worth 60 lakhs of rupees in Vasant Vihar and at other places. Will anybody ever do so? No body can do so. A person like me, who speaks in the House would receive a telephonic call in the evening saying that I should be careful while speaking.

I would say that bureaucrats are like demon 'Bhagmasur' which we have created ourselves. That is why they work for our destruction. We indulge in tall talks here. The people think that M.Ps. are their elected representatives and they will speak here for them. But have we ever thought as to what a great injustice is being done to the people by us unknowingly? How many children of the public at large have been provided an opportunity to compete in the U.P.S.C. examinations? It means that a son of the poor would never become an I.A.S.

officer and this Moghul system would continue forcing politicians to dance to their tunes.

You are well aware as to how I.A.S., I.F.S. and I.P.S. officers ridicule the politicians. They do not know that now such persons have entered the politics who are more capable and more efficient than them. It is high time now for the U.P.S.C. to adopt a realistic approach and to select such bureaucrats who serve the people. If it cannot be done then what is the use of having this U.P.S.C.?

Do not know as to what sort of activities the UPSC people indulge in? Last year an employee working in the UPSC appeared in the I.A.S. examination and somehow managed to change his answer book later on and cleared the examination. But later on this scandal came to light, four officers of U.P.S.C. had to go to jail. A lot of hue and cry was raised and they got themselves released on bail with a great difficulty. I would like to say that such persons should not be released on bail. Their right place is jail.

What I mean to say is that the UPSC should be somewhat people oriented. Your syllabus for the UPSC examinations, especially for Central Services is knowledge oriented. I agree that the candidates who appear in the examinations, should have the knowledge of law, Commercial Law, Economics and Sociology but the most important thing is that they should have the knowledge of the history of the freedom movement. As many as 90 per cent students of this generation are ignorant about the history of the freedom movement of India. When such people go to the villages what work will they do there?

I have seen in my Constituency that the Collector of the area requisitioned a Japanese unit generator in the summer because he cannot live without electricity whereas the whole district remains in the dark. Besides attendants are these at the service of the Collector for 24 hours and they help in running the generator. As many as 5 servants look after the children of a collector. The Government says that there is socialism in the country but we see with our own eyes

[Shri G. S. Rajhans]

that the Collector is ruling the people. This situation cannot be tolerated. People are surprised at such a situation. We try to explain this to them but they refuse to hear because examples are before them.

Parents prefer to send their children to the Delhi University and the Jawahar Lal Nehru University for pursuing studies because the students coming out of these institutions mostly complete for the central services. Even a school teacher wants to get his son admitted to the J.N.U. and the Delhi University. But unfortunately he cannot do so. Have you ever thought over it? Of course, a Collector, an Engineer or a person, who has amassed lakhs and crores of rupees by way of bribery, can send his children to the Delhi University and the J.N.U. His children will also not have to face difficulty in getting admission there.

A sum of Rs. 55 lakhs was seized from a Commissioner following a raid at his premises in my constituency. He had amassed this money by way of bribery by doing favour in stalling transfer of some one or by siphoning off money while implementing I.R.D.P. and N.R.E.P. and other programmes. You will come across not only one but hundreds of such cases. I asked a question during the question hour in the morning that senior IPS officers had amassed lakhs of rupees. But the Government did not pay any heed to it. The Government say that IAS and IPS officers are under their control but we find that corruption is rampant everywhere. They are simply looting the people before our very eyes. No action is taken against them. Are they above law? You should streamline the U.P.S.C. before mending those bureaucrats. You regard them as a sacred cow and hesitate to touch them. At no other place corruption is as rampant as there. Only the children of bureaucrats are selected as I.A.S. and I.P.S. officers. It has no place for the children of a farmer. The people of this country is a mute spectator to all these things. Now the time has come where the services should be made people oriented.

With these words, I support the Bill.

[English]

\*SHRI A. C. SHANMUGAM (Vellore): Hon'ble Deputy Speaker, Sir, I rise to welcome the Bill seeking to amend article 315 of the Constitution brought forward by Shri Shantaram Naik. This is an epoch making measure. This Bill provides for establishment of public service commissions in Union territories. This is a welcome measure.

16 00 hrs.

The residents of Pondicherry are handicapped as far as competing in all India service exams is concerned. They have to come to Madras to sit for the examinations. I, therefore, request the Government to set up a separate public service commission in Pondicherry. A centre for conducting UPSC exams must also be established in Pondicherry. Establishment of a High Court in Pondicherry is also imperative, particularly when litigation costs are rising. A Bench of Madras High Court may also be established in Madurai. I request the Government to grant statehood to Pondicherry as the Hon'ble Prime Minister was kind enough to do in the case of Mizoram and Arunachal Pradesh.

As far as All-India service recruitment is concerned, a few States are dominating in this regard. The benefits are not equally flowing to all the States. I, at this juncture, draw the attention of the Hon'ble Minister to the regional imbalances in the recruitment to all India services. I, hence, suggest that the vacancies in all India services may be apportioned among the States. Suppose, there are 1000 vacancies, certain vacancies must be earmarked to Tamil Nadu and certain number for Uttar Pradesh and like that, a State-wise quota must be fixed. This, I hope, would remedy the regional imbalances in the recruitment to all India Services. I am also sad to note that representation of Tamil Nadu in IAS and other all India services is declining. My suggestion may also remedy.

In the same manner, all the 24 States in India must have equal representation on the Board of members of UPSC. The Board may consist of one member from each State and

\*The speech was originally delivered in Tamil.

the Central Government may have 7 or 10 of its nominees. This would give UPSC an all India colour.

16.03 hrs.

[SHRI SOMNATH RATH *In the Chair*]

Sir, I am constrained to refer to certain scandals in the selection of candidates to all India services. Recently, one Under-Secretary was restrained from undergoing the necessary training in Masoorie after he was selected for IAS on the charge that he indulged in some malpractices in his selection to that cadre. How the malpractice came to the notice of the Government is one question. How he is being allowed to continue to function as Under Secretary is yet another question. IAS is an apex service and malpractices of this nature must be seriously looked into. Those indulging in malpractices must be severely dealt with. The Under Secretary involved in the scandal must be removed from service. Such malpractices in UPSC and other Public service commissions must be prevented at all costs. Government should take all possible steps in this regard. I suggest to the Government to computerise all selection procedures to obviate corruption.

Nearly 50 per cent of our population are women. They must be given adequate representation in all India services and other service commission examinations. Vacancies must be earmarked exclusively for women candidates in all India service examinations.

As our Hon'ble Member who spoke just before me pointed out, the number of candidates selected from rural areas for IAS and other service is very low, not even 10 per cent of the total number of candidates selected. Mostly candidates are coming from urban areas are selected since they have all basic facilities like library, colleges etc., in cities especially in capital cities. The people in the rural areas suffer a deprivation on this count. Therefore, some concessions in evaluation must be provided to people hailing from rural areas so that they could also get selected to all India services. Suitable amendments to the existing laws or rules must be proposed by the Government in this behalf.

To ensure effective evaluation standards, the Government must prefer to appoint educational administrators like retired vice-chancellors and like others as members of various public service commissions instead of retired IAS and IFS personnel.

An Indian Cost Accounts Service was formed by the Government in 1982. However, no direct recruitment to that service has been made so far. Vacancies in that service are being filled with persons belonging to IAS and IA and AS. The Cost Accounts Service is supposed to play a vital role in the economic development of our country by planning cost-efficient production in all sectors. I, therefore, request that immediate steps should be taken to fill the vacancies in Cost Accounts Service by direct recruitment.

I learn that IES examinations have not been conducted for the past one year. The IES also have an equal role, I could say a pivotal role, in the development of our economy, and, therefore, vacancies must be filled expeditiously.

Further, Sir, facilities to write public service examinations in all regional languages must be provided so as to assure equal opportunity to all in India.

Promotion of regional languages must be the prime aim of the Government of India and this should be reflected in the conduct of all India service examinations too. Till now, a candidate can write UPSC exams in English or in Hindi. Candidates should be allowed to write all papers in their regional languages.

Next, Sir, about the holdings of IAS and IFS posts by more than one member in a family. In some families, grand father is an IAS officer, his son and grandson are also IAS officers. In some other families, 4 to 5 members in each family are IAS officers. This smacks of dynastic perpetuation of IAS posts. Government must, as a minimum, prescribe that more than one or two member in a family cannot become IAS officer. Such dynastic holding of all India posts deprives the others of their opportunities.

[Shri A. C. Shanmugam]

Government should also minimise the delay in the processing and announcement of results of all examinations. The delay gives added advantage, from the point of view of time, to perpetrators of malpractices.

I have so many times pointed out that Government should stop appointing IAS and administrative cadre personnel to man public sector companies. Government should formulate a healthy policy of appointing only technocrats to man Government companies. This would increase productivity and thereby profits.

[Translation]

SHRI GIRDHARI LAL VYAS (Bhilwara) : Mr. Chairman, Sir, the Constitution Amendment Bill brought forward by Shri Shantaram Naik includes only one provision and that is for establishment of separate Public Service Commissions in Union territories. The reason is that mostly the candidates hailing from big cities compete successfully in the examination conducted by the Union Public Service Commission whereas those belonging to the rural areas either fail to qualify the examinations or only a few qualify. Separate Public Service Commissions should therefore be constituted for different Union territories. This will benefit the people. This is the main aim of this Bill.

It is true that mostly candidates from Delhi or other big cities like Madras, Bombay and Calcutta compete U.P.S.C. examinations successfully. The number of successful candidates from the villages is very few because better facilities are available in big cities. The students study in the reputed public schools and thus get good education in cities. The students of the rural areas study in such schools where neither books nor exercise books are available. Even blackboards are not there in these schools. The students of villages after finishing their education aspire only to become a patwari or a teacher or a clerk. The Hon. Minister of state in the Ministry of Home Affairs belongs to a village. He should make some improvement in this situation. This is very necessary.

But these I.A.S. and I.P.S. Officers will not allow their powers to be curtailed so easily. As has been stated, these officers have amassed properties worth lakhs of rupees. But no action is taken against these Officers. The federation and association of these IAS and ICS Officers are so strong that no one dare to take action against them. Even if our Prime Minister wanted to take action against them, he would fail. Their association is very strong. In Rajasthan, a senior Officer was suspended on a charge of corruption and the Rajasthan Government wrote to the Centre to dismiss him but the Centre did not dare to take action against him and he is still there on his post. He has indulged in corruption and amassed properties worth lakhs of rupees. Their association is as strong as any union of workers in the Public Sector where even the Managing Director cannot take action against the office bearers of the union. He has to accept their demands. This is the situation which the IAS and ICS officers have created. They do not pay any heed to the State Government. Wherever they are posted, they try to rule thereby ignoring the directives of the Government.

These officers have created such a peculiar situation. It is very necessary to control them. Our Prime Minister is endeavouring to do something in this direction. Training and refresher courses have been arranged for them so that they can be motivated to serve the people. Our youthful Prime Minister is taking steps in this respect. The Cabinet should cooperate with him in his effort and the Members of Parliament should also strengthen his hands to enable him to exercise some control on them. This will make the IAS Officers to behave. Only then the administration of the country will run smoothly. The hereditary hold on posts of I.A.S. Officers should go now. I have seen a number of such families where if one member of a family becomes an I.A.S. officer or I.P.S. officer, all the members of that family become I.A.S. officers or I.P.S. officers, they deprive other people of an opportunity to become I.A.S. officers. This is the situation prevalent in regard to such services. At present, high officers are appointed to serve as members of the UPSC. This system should change. People's representatives of integrity should be appointed to serve as members of the UPSC so that

they take care of the youths of rural areas properly. The schools in rural areas are in a very bad shape although the students are talented. The drawback is that the village children cannot speak English fluently and they do not have manners like that of children of cities. Taking all these points into consideration some system should be evolved. India is predominantly an agricultural country. 80 per cent of the population lives in villages. The country is poor. Even in cities, out of 20 per cent 15 per cent population is poor. There is no representative of the poor in the UPSC. High officers have become members of the U.P.S.C. They say that as they have been granted autonomy so no one can interfere in their affairs. Then why not give them all the powers and let them harass us. There is need to change this system so that some improvement is brought about and the structure of the UPSC is changed. This will enable the children of poor people to occupy high positions and thereby contribute their mite in strengthening the country. The age limit for I.A.S. and I.P.S. has been reduced from 28 years to 26 years. In rural areas, a child goes to a school at the age of 6 or 7 years and when he passes M.A., his age crosses 26 years. Thus the rural people are put to a disadvantage, whereas age limit for other technical services has been kept at 28 years. It has been said that for technical education, it takes more years. But it is not a right approach for the persons belonging to rural areas. The age limit of 28 years must be restored so that rural people can get more representation in these services.

Similarly, examination should be held in other languages also. It has been seen that generally English language is used in the examinations and other languages are not used. There are many languages like Tamil, Oriya, Malayalam, Hindi and Bangla etc. which are spoken in our country. Examinations and interviews should be held in their mother tongue so that the persons who are not expert or who can not speak English fluently are also able to prove their excellence through their own language. There are many persons who are well versed in regional languages. They should feel that as they have acquired knowledge in their mother tongue, they would also succeed in the examination. It will be possible only when

all the languages are recognised and examinations are held in these languages.

I would also like to submit that though the Ministry of Finance has been conducting raids at offices and residences of rich people, engineers, doctors, income-tax officers and others, but no raid has so far been conducted at the residence of any I.A.S. or I.P.S. officers, though these officers are making a lot of money. The reason for this is that the Ministry of Home Affairs provides protection to these officials. The Police Department as well as the I.A.S. officers are under the control of the Ministry of Home Affairs and that is why the Ministry of Home Affairs does not allow any action to be taken against these people, though they are more corrupt in comparison to other people. But as they have powers and rights with them no action is taken against them. Their Association is very strong and they think that despite their blunders, no action can be taken against them. I would like to submit that whenever any officer is found guilty or any complaint is received against him or when any State Government writes about his misdeeds or misconduct stern action should be taken against him. Unless this is done, there can be no improvement in the administration. If the Ministry or the Hon. Home Minister is pressurised by the Association of these officers and no action is taken against them, then these Officers will be encouraged to indulge in further misdeeds and ignore any Government in India. Therefore, there is a need to streamline the entire system. I think that necessary steps will be taken in this direction and the situation will improve.

So far as the object of this Bill is concerned, I think that though Public Service Commission is already there in every State in the country to select officers etc. for their respective States, yet there is a need to bring about improvement in their functioning. We see that whenever doctors, engineers, lecturers or any officers for administrative or judicial posts are to be selected, question papers are leaked out by the officials working there. The persons who examine the answer books and also the members of Interview Board show favouritism. Even the meritlists of candidates are changed. There is disorder everywhere. All these things should be

[Shri Girdhari Lal Vyas]

beyond doubt and people should have confidence in P.S.Cs. and they should have the feeling that P.S.Cs. would do justice to them. But the situation today is the other way round. The situation in P.S.Cs. in Bihar, Rajasthan, Uttar Pradesh, Orissa and Madhya Pradesh etc., is even worse than that of the U.P.S.C. People in every State have lost their faith in P.S.Cs. and they have the feeling that the people there are corrupt and prepared to do anything by accepting money. Therefore, the spirit behind the Bill moved by Shri Naik is good. He wants that there should be a separate Public Service Commission for every Union Territory so that the people of that particular region are also selected and he is right also because when candidates are selected in Delhi, the people of Delhi are selected and the candidates from Goa, Pondicherry, Andaman and Nicobar or Lakshadweep are not selected and thus people from other regions are deprived of an opportunity for being selected. Though the spirit behind the Bill is good, but the situation in all the P.S.Cs. of the country is even worse than that of the U.P.S.C. Something should, therefore, be done so that a feeling of confidence is developed in the people. People should have the feeling that justice is done by P.S.Cs and selections are fair and the interests of minorities, Scheduled Castes and Scheduled Tribes, backward classes and the poor are protected. The inculcation of this feeling of confidence is most essential. All of you would be one with me that making a show is very essential in today's world. It should appear to the people that Government ensures justice, P.S.Cs. ensure justice and it should appear to one and all that justice is being done every where. Unless this is done, people would not have confidence in you. Therefore, while accepting this Bill, we should make such an arrangement that honest people are taken in all the P.S.Cs., who should command the confidence of the people. No body should have any chance of any complaint. The manner in which the party and the Hon. Prime Minister are working is creating a feeling of confidence among the people towards the Government. All these measures are very necessary to strengthen this feeling of confidence. Therefore, able and dedicated persons be taken in P.S.Cs. who may extend their active contribution in strengthening India, and develop-

ment of India. With these words, I support this Bill.

SHRI VIRDHI CHANDER JAIN (Barmer) : Mr, Chairman, Sir, Shri Shantaram Naik has introduced a Constitution (Amendment) Bill. I support this Bill which seeks to amend Article 315 of the Constitution. There are 24 States and 7 Union Territories in our country. We have very recently granted statehood to Arunachal Pradesh and Mizoram, which has been very much welcomed by the people of the country. First of all, I would like to know as to what was the necessity of enacting the Government of Union Territories Act of 1963. This provision should have been made in the Constitution itself. Therefore, the present amendment has been brought forward with the same purpose. The explanation should have been provided under Article 315. Even now we should make it a part and parcel of the Constitution.

Sir, Secondly, Shri Shantaram Naik has stated in his speech that a step-motherly treatment is being meted out to the Union Territories. If it is so, it is not good. We had thought that Union Territories like Chandigarh, Pondicherry and Goa were being treated properly. There is a history behind the taking over of Goa and it is a tourist Centre of the country which attracts a large number of tourists. Steps should be taken for its proper development. Goa is also trying to achieve Statehood and in our view it should be granted. It would be a good step if it is done. When Arunachal Pradesh and Mizoram have been granted Statehood, Goa, Daman and Diu should also be granted Statehood.

Sir, I would also like to submit that the name by which the Indian Administrative Service is known is not proper. The officers belonging to this service think that they are there to run the administration. Earlier this service was known as the Indian Civil Service. It was better than the present nomenclature. The present name creates a feeling of pride among I.A.S. officers. The name given to the Indian Police service is all right. Therefore, the name of I.A.S. should be changed. It is because of the nomenclature of this Service which creates of feeling among

them that they are there to govern the country. As a result, they have become very powerful. They get united in such a manner that it becomes very difficult to take any action against them. I would, therefore, like to know the number of I.A.S. officers who were arrested during the last three years as also the number of officers among them against departmental enquiry was held and action taken. I know to some cases Government accommodation has been got vacated, but no other action has been taken by the Central Government. This means that an I.A.S. officer will be fully protected. The State Governments cannot take any action against them as they are not at all capable to do so. In all matters, they come to the Central Government. In the Central Government, IAS officers are at the helm of affairs, who protect them and in this way they get protection.

In districts, Collectors are posted. The directions are that the persons appointed as Collectors should have 12 years experience of different posts but it has been observed that the IAS officers with 3 years' experience have been appointed as Collectors. Several such persons have been posted as Collectors in the border areas. In the event of Indo-Pak War, such inexperienced persons will not be able to fulfill their responsibility.

Similar situation exists in Pali district in so far as posting of the Collector is concerned. This is the main reason for the bad law and order situation there. A Collector of a district should be capable and efficient. If they lack capability law and order cannot be maintained there. You can put pressure in this regard. You can instruct that for this service a minimum experience of so many years is a must. In Karnataka this arrangement has already been enforced. Why this cannot be done in other States. You should ensure such an arrangement. Very efficient and honest persons should be posted as Collectors in the district headquarters.

Earlier, during the decentralisation of Panchayat Samitis, District Councils and other democratic institutions, it was felt that IAS Officers should be posted as Development Officers but this system too was abolished. Who were responsible for eliminating this system? We were responsible for it. If

today the Secretary of the District Council is an IAS officer, then people's representatives can also be effective. At present, Panchayat Samitis and District Councils need to be strengthened and for this IAS officers should be appointed as Secretaries. When they can be appointed as Secretaries to the Ministers why cannot they be appointed as Secretaries of the District Councils? Why do we not take some concrete steps in the direction?

Presently, the situation is that the foundation stones for different projects are laid by the IAS officers and all functions are also inaugurated by the IAS officers. Why do not the Government issue clear orders prohibiting its IAS officers from laying foundation stones or inaugurating functions? These activities should be confined to people's representatives. These are the things which make these Officers feel that they are there to rule.

Today what is happening is that in such functions the Collectors, IAS officers not only lay the foundation stones, they are in charge of the whole affair also. By doing so he earns good name and then misuses his powers. Certain people take advantage of this situation. They also lay down the foundation stones or inaugurate private institutions, firms or corporations also. People take undue advantage of it. You should strengthen your Government. Your orders of this kind will be acceptable to the Governments of Bengal and Kerala also. If you issue such directions, they will be complied with also.

What I mean to say is that we are the rulers but the policies which are being formulated by the Ministers are in reality prepared by the Secretaries and Officers.

For the last two years we have been undergoing acute sufferings. These people have changed the formula in regard to supply of drinking water. They have fixed the formula on the basis of 50 per cent of the population. Regarding poverty it has been fixed at 20 per cent. The Plan has been given a shape which is contrary to the wishes of the Planning Commission. The Hon. Minister dares not to change the policy fixed by them.



[Shri Viridhi Chander Jain]

Whatever policy is formulated, the Ministers and the Prime Minister should study that thoroughly. While selecting the Ministers only the ablest persons should be taken after studying their antecedents in detail. The policies should also be formulated after detailed studies. If the Government sheds this responsibility on these IAS officers then the reigns of Government too will slip into their hands and these will be the persons who will go on laying foundation stones. It is, therefore, essential that a change should be brought about. It is very necessary to bring a change in the existing democratic structure. If we do not take such a step, then we will not be able to fulfill our responsibility.

With these words I support the Motion presented by Shri Naik.

**SHRI RAJ KUMAR RAI (Ghosi) :** Mr. Chairman, Sir, I am thankful to you for giving me an opportunity to speak on the Constitution Amendment Bill brought forward by Shri Shantaram Naik. The object of Shri Naik in bringing the Bill to amend the Constitution is to provide equal opportunities to people of the Union Territories for appearing in the examinations and bringing them at par with those hailing from urban areas. The Motion brought by him is worth supporting and it should be accepted.

Before discussing this Bill, it is necessary to have a glance at the Union Territories. There are several Union Territories, including Goa, Andaman-Nicobar, Pondicherry, Chandigarh etc. Though, Chandigarh is quite a big territory and people there get benefits because of this but under the Union Territory of Andaman-Nicobar Islands, there are about 250 to 300 islands. People there speak different dialects, belong to different communities and live at so much distance from each other that you cannot even imagine. While talking of India, we conceive of it upto Kanyakumari only. The people there can get the benefit of appearing in the examinations in Delhi, Chandigarh and other cities but now a days it is not possible for them to do so. If you want you can get a survey conducted for the period since independence. After the survey you will come to

know that their position is equal to a nought. Therefore, such a Bill should be brought forward and accepted.

While leaving India, Britishers left their style of ruling behind. I dare say, and I have a right to say also, that we are still today slave of that mentality. Though we got freedom but our mentality is still that of the English. The same old structure of IAS, IPS and IFS is continuing and they are still working in the same old style. They are ruling the country with the same oppressive methods which were used by the Britishers and the peoples' representatives as well as 70 crore people are looking towards them helplessly. It, therefore, becomes the responsibility of this House not to remain a silent spectator but to face the situation boldly. The foundation of the democracy was laid by Pandit Jawaharlal Nehru and strengthened by Shrimati Indira Gandhi. Shri Rajiv Gandhi's Government will further strengthen it and sustain the rights of the people. When we talk of sustaining the rights of the people, we must keep in mind that majority of the people in our country live in villages. The people there speak their own dialects and regional languages. They speak in Hindi and in the local languages. We will have to take care of them also. We will have to provide for permission to appear in the UPSC examinations in the local languages and Hindi because at present only those persons are selected who have been educated in Model schools, the Doon School. They should be able to speak fluent English. Therefore, what is needed to strengthen the democracy and to give shape to Pandit Nehru's dreams is to give facilities to the villages, to the poor and to the backward.

Sir, we do not have means of education. We have neither libraries nor books. Therefore, this aspect will have to be taken care of. What is happening to day is just their reverse. Engineers and Doctors are corrupt but IAS officers and IPS officers are more corrupt. In order to measure I. Q. of a candidate a written test is held but when someone clears this test for entering IAS, IPS or IFS, he is asked to appear before the IAS officers for interview. Why do Government give so much discretion to the IAS officers? When someone has cleared the Intelligent Quotient test, that should be sufficient to know whether he can be an IAS

officer or not. In spite of this he is asked to appear for an interview before the bureaucrats so that they may see whether the candidate is the son of any IAS officer, Chief Secretary or Secretary or not. You have put a rider through which they reject most of the candidates. People clear the written test but in the interview they are rejected because they are not the sons of a big man, IAS, IPS or IFS Officer. That is why they are in a wretched condition. There are exceptions in IAS officers. They are sociable, their behaviour is exemplary and they are honest but majority of them are arrogant and peevish. Their Association is quite strong. Everyone including MLAS, M.Ps. and Ministers are afraid of their Association. There are only few exceptions who may not be afraid of their Association and may not kneel down before them to beg as to what should they do to formulate policies and procedures? Therefore, what is required is to change them. As has been said by the Hon. Members, who spoke before me, some other nomenclature should be adopted for the Indian Administrative Service.

You have given powers to them to reject candidates in the interview. I know of several instances of different States where one or two years before retirement, IAS officers start thinking of ways and means to join some Commission so that they may get an extension of 4 or 5 years. Then they start approaching MPS or Chief Ministers to get them recommended for appointment to some Commissions because in the State Service Commission they will be retiring at the age of 64 years instead of 58 years. No one can predict as to what they do during 4 to 5 years. Therefore, you will have also to see that a person on the verge of retirement should not have liberty to adopt such type of procedure while working in any commission.

Similarly there are so many such organisations under Public sector and Private sector and Private sector where these people are appointed as Chairman, CMD or M. D. There is no need to do so. Secondly, we have adopted a democratic system and have taken oath to protect public rights but we have not changed this psychology. It is true, as you have also a long experience as a Member of Parliament and various Ministers who are sitting here also know that the

bureaucrats give no importance to the public representatives. The Government is actually run by the Ministers as per the Constitution but it is all merely on papers. Today, the Chairman of D. R. D. A. is the District Magistrate. Whenever an M. P. or MLA goes to him for some development work in his constituency, it happens as if he has gone there to beg with a begging bowl in his hand. Even for the construction of a half km. road, an MP or M. L. A. sitting in the DRDA cannot do anything and whatever is done, is done by the District Magistrate only. While sitting in his Bungalow, he may ask an Engineer of R. E. S. an Engineer of District Council or an Engineer of P. W. D. to construct the road or if he does not want to get that work done, he does not take any action. He does not pay any heed to the request of any M. P. or M. L. A., An M. P. and 2 to 4 MLAS together cannot get anything done from him.

I tell you one incident. The Minister of State in the Ministry of Industry, Prof. K. K. Tewary, proposed to visit Azamgarh on February, 8, 1987. Some students were on agitation there but Prof. Tewary, who is true to his words and action went there. But the S.S.P. Azamgarh who is an IPS officer informed me on wireless that the tour programme of Prof. K. K. Tewary had been cancelled and as a result of that neither any Police officer nor any Magistrate went to receive him. I suggested him that there was some disturbance only in Mau so barring Mau his programme to visit villages should not be cancelled. But he did not agree to my suggestion. Now when I asked for an inquiry, the Chief Minister, Home Minister and Chief Secretary have issued orders for enquiry, it is still going on and God knows what is being enquired into. Even if an inquiry is to be conducted that will be conducted by IAS and IPS officers.

One more incident I would like to tell you. Several years back 17 Harijans were beaten severely by the police in a Harijan Basti under the Madhuban Police Station in Azamgarh district. I asked for a Magisterial inquiry into the incident. At first the D. M. did not agree but as an advocate, when I explained the provisions of the Cr. P.C. to him, the magisterial inquiry was ordered. But the report of the inquiry was the same as we used to read that "rewrite in your own

[Shri Raj Kumar Rai]

sentence." The Magistrate had written the facts furnished by the S.H.O. in his own words. This is the magistracy of this country. Among these 17 Harijans who were beaten up severely, many persons were Military and Naval personnel who were on leave for solemnisation of their marriage ceremonies. I was the eye-witness of that incident but nobody approached me to ask me about the facts. What is the use of such an enquiry conducted by the Sub-Divisional Magistrate which goes in favour of the S. H. O. and is untrue. The Sub-Divisional Magistrate said that he could not do anything. The S. P. put pressure on him through D. M. to favour the S. H. O. Therefore he was helpless because he had to work under the District Magistrate.

In another case, which relates to the Deputy Labour Commissioner, Ghaziabad, I lodged a complaint against him for corruption, inertness and bribery. In this regard nothing was inquired from me and no inquiry was conducted. Instead of making an inquiry, the police wrote that Shri Raj Saheb was unhappy with D. L. C. Why should I be unhappy with anybody? On the basis of information, I receive, I write about the cases of corruption and ask for an enquiry. A vigilance enquiry is also going on against the DLC but even then the police has given such a report. This is the bureaucracy of this country.

There is another case in which I referred four cases of transfer of four employees to the Additional Director of Khadi and Village Industries to transfer them from Border Hill area and all the four were transferred from Hill Border area to the general cadre. He issued an order to this effect to the Chief Executive Officer but the order was not obeyed. Instead of obeying the order, the concerned employee was served with a show cause notice as to why entry should not be made in his Service-Book as he had tried to put pressure of the Member of the Parliament for his transfer. It is my Parliamentary privilege that whatever I think right I tell or write to the Minister. Therefore, what is the mistake on the part of the employee to whom the show-cause notice has been served. Everything is done arbitrarily by the IAS officers and even the policy

formulation is also being completely done by the I. A. S. officers.

I would like to refer to another incident. The fact is that even a smallest officer can get any work done from these IAS officers. Shri Jain has just referred to laying of foundation stones and performance of inauguration, I agree with him that the bureaucrats should not be allowed to do so. In Azamgarh district, a new tehsil named Mau has been formed for which I had been struggling for 4 or 5 years. The District Magistrate inaugurated it when he realised that I was going to become a Member of Parliament. These are the state of affairs.

Today it is necessary that arrangements should be made as per the Bill brought by Shri Naik. I thank him very much for bringing this Bill. So long the democracy is there, the discussion in Parliament will continue.

[English]

It is high time when the Parliament should take a decision once and for all on this matter.

[Translation]

How long this set up of IAS and IPS coming down from the British period will continue in our country? We should change it. I think we will have to take a strong step for this purpose. The rural people, the poor and the farmers will have to be brought in place of them.

Only the wearer knows where the shoe pinches. They do not know as to how a heat wave blows in villages, how the fields are irrigated and how the corruption is rampant there. They cannot go to the rural areas and it is therefore, necessary to bring rural people in place of them. And it is only possible when we shall have such Commissions in union territories also so that the rural people and the poor also gets an opportunity and their exploitation ends. Only then the democracy will be protected in real sense for which our leader Shri Rajiv Gandhi and all of us have committed. With these words, I thank you very much.

[English]

SHRI V. S. KRISHNA IYER (Bangalore South) : Sir, I heartily welcome the Constitution (Amendment) Bill moved by my esteemed colleague Shri Shantaram Naik. I expected that granting statehood to Goa will come first and then Shantaram's Bill. However, I am sure that will also come up. Otherwise the honourable Home Minister will see to it.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINTAMANI PANIGRAHI) : First you ask him to withdraw the Bill.

SHRI V. S. KRISHNA IYER : It is in your hands, you see. Sir, I really welcome this long overdue Bill and also I am sure that the day is not far off when I will have an opportunity even to support the Bill granting statehood to Goa.

Sir, we have been discussing the Union Public Service Commission and also the administration in general. I personally feel that the Public Service Commission in our country are losing their credibility. It is high time that this august House thinks seriously about this matter and does something so that people get confidence in the Public Service Commissions whether in the States or in the Union. It is absolutely necessary. It is unfortunate, Sir, that we are not discussing the UPSC reports regularly. If I remember correctly, only once in 1985 we discussed it. Last year, I don't think we have discussed it though it was very necessary. We must know how the UPSC and the Public Service Commissions in our country are functioning. It is very necessary. I am sure the Hon'ble Home Minister will see it is discussed here. It is a constitutional requirement. It is obligatory on the part of the UPSC to submit their report to this House. But so far we have not received the latest report from the UPSC. It is not only receiving the reports but might also see that before the session concludes, we must have a thorough discussion on the UPSC report.

Sir, I am familiar with how these Public Service Commissions function. As I have already said, people have completely lost faith in the UPSC. It is very necessary that

just as the people have confidence in the judiciary, they should also get confidence in the Public Service Commissions. Now for more than one reasons—it is so what is happening is there is no coordination at all between the departments and the Public Service Commissions. The departments take their own time to notify the vacancies or to inform the Public Service Commission about their requirements. The Public Service Commissions and the Union Public Service Commission, in general, take their own time to advertise and hold examinations and conduct interviews. The time lag between the departmental communication and the final results will not be less than two years. That is my experience, whether it is the Union Public Service Commission or the State Public Service Commissions. By the time the results are announced, many candidates become age barred and many other lose their enthusiasm. That is the position. It is, therefore, very necessary that we should streamline the administration of the Union Public Service Commission as also the State Public Service Commissions. This is particularly so in the case of Union Public Service Commission.

We are one nation and we believe that every citizen has a right to appear for the UPSC examinations. If you take a census of all the UPSC selections to find whether all the States are getting proportionate representation according to their population, you will find that it is not so. Several Hon. Members have referred to that. The main reason for Shri Shantaram Naik to bring forward this Bill is that the UPSC is located somewhere, the examinations are held somewhere and the interviews are held somewhere else and the candidates do not know what their fate will be. Therefore, I strongly suggest that the UPSC must see to it that their advertisements are released in all the regional languages. That is a pre-requisite and a must. They must hold examinations not in a few centres in the country, at least in every revenue division, if possible. The best thing would be to have examination centres in every district headquarters, but for the present you can have in all the revenue divisions. I do not know whether every State has got revenue divisions. Many candidates have to go for hundreds of miles. For example in Karnataka if a man has to go from Gulbarga or Belgaum for examination, he has to go for about five hundred

[Shri V. S. Krishna Iyer]

miles to appear for the examination. It is, therefore, necessary that you should decentralize it.

From my experience and from what I have come to know in the last two years is—of course, I know what was happening in the State Public Service Commission—that only the urban people are getting preference. I am saying this though I represent a hundred per cent urban constituency. I do not attribute any motive, but the rural folk, particularly the lowest of the low, people who have got qualifications of eligibility, cannot come all the way from Gulbarga to Bangalore and sit in the examination. You may say that if a person is interested, he must come. That is a different question. Poverty in our country is such that everybody cannot afford to spend Rs. 50 or Rs. 60 on railway ticket and come to that place. That is why I suggest that firstly, advertisements must appear in all the regional languages and the examinations must be held, if not in all the districts, at least in the revenue division headquarters. Secondly, the time lag between the examination and the results must be reduced. Of course, certain selections are made by examinations only and for certain selections, interviews are also necessary. What are the guidelines for that? The Government must define the time lag between the two. I suggest that between the examination, interview and the result, the time lag should not be more than six months. They must be able to conclude within this time. Otherwise, people lose their confidence. Then, if necessary, even by a constitutional amendment, certain percentage of posts must be reserved for the rural folk, otherwise we will continue to have people only from the urban areas. Even though the urban people may mistake me, I personally feel that unless rural India prospers, India cannot prosper.

17.00 hrs.

That is why I suggest that the Government of India must give the guideline even to the State Public Service Commissions. You may ask as to how we can define 'rural people'. A person who must have studied S. S. L. C. or 10th class in a rural area may be categorised as a person coming from a rural

area. You can include those who have studied their junior college level education also in rural areas because now many parts of the rural areas have got junior colleges. You can define it and you have better equipment to do so. Certain percentage must be reserved for rural folk. I am sure that the Central Government will take necessary steps and see to it that people get confidence in UPSC and State Public Service Commissions.

Then I come to the selection of members of public service commissions. Not only at the State level but even at the Union Public Service Commission level also, it is very very important. The three distinguished members who spoke before me gave an account of how the UPSC is loaded with IAS officers and how they are functioning. I do not want to repeat what they have said. But I want to mention only one thing. After the advent of Independence, I thought and I was under the impression that the style of functioning of the bureaucrats would change and I thought that they would understand the hopes and aspirations of the people and would act accordingly. I would request the Hon. Home Minister through you to please ask the IAS officers and other bureaucrats just one thing. Let them not think that they are the masters of the people. They must think that they are servants of the people. Even our Rashtrapati says that first he is the servant of our people. Our Prime Minister also says so. But do you ever think that an IAS officer will admit that? You must make them realise this. Every one has some experience with the IAS officers. I have also some experience because I have been a Minister for sometime. I know them. They have not changed their style of functioning. For that I do not blame the IAS people or the bureaucracy. I rather blame ourselves and particularly the Government. You have not changed their style of functioning. It is very necessary to change it. I can give you my experience in the past two years. I have been writing a number of letters to Ministers and Secretaries. That has been my habit. Whenever any complaint is received by me from my constituency, I immediately write to the concerned Minister or the concerned Secretary. I am very happy to say that so far as the Ministers are concerned, the very next day, I get the acknowledgement. They say that the letter is received. Afterwards they also say as to

what action is taken on the matter. But unfortunately it so happens that whenever I write to the officials also, they do not have even the courtesy to acknowledge the letter of a Member of Parliament. Then, how can the poor villagers have any access to these officers either at the State level or at the Central level? Of course, this is not directly connected with the Constitution (Amendment) Bill. But many members have referred to it and I also referred to it. I do not want to elaborate on this. I am sure the Hon. Minister who is a very noble person and who is a real representative of the poor will see that the Central Government take action. I say Central Government because at the State level, the IAS officers have no check on them. I do not say that all of them are like this. There are very good officers and very efficient officers who realise the spirit of the time and act accordingly. Not all of them are bad. But in general, the bureaucracy is such and they must change their style of working. They must have rapport with the people and they must know the mind of the people. How many officers go to the poor people? Our Prime Minister goes to the cottage of even poor persons in the tribal areas. Do you think that any officer has gone there? You lay down policies and ask them to implement them. Now all the political parties are in power in the States and in the Centre. Every party has some experience of the style of functioning of bureaucrats and this is the general feeling. But Central Government has a greater responsibility in changing their style by laying down policies because the IAS people are under the control of the Central Government only. I am sure the Hon. Minister will take these steps. I am sure that the Hon. Minister will see to it that the report of the UPSC is placed at the earliest and we must discuss it here in detail. With these words, I support this Bill.

DR. PHULRENU GUHA (Contai) : Mr. Chairman, Sir, I stand to support the Constitution (Amendment) Bill of 1986, moved by Shri Shantaram Naik. I congratulate him for bringing this very useful Bill.

I would like to say a few words because previously many of our friends have spoken on different aspects and I do not like to repeat them. There are a number of Union Territories in our country today. They were there but now they are progressing. It is

absolutely necessary that Public Service Commission should be constituted in each and every Union Territory. It is not possible for the boys and girls, I mean the candidates, to come to the cities now, not only due to expenses but also due to various other reasons. When a boy or a girl, I mean a candidate, is coming from an interior part of the Union Territory, can you think that he or she will be adjustable in a city just for two or three days for appearing before the Commission? I am sure, many of the friends who have acted as Consultants or as Experts in different Commissions might also have realised all these things.

From my personal experience Sir, I would like to say that I have seen the candidates coming from the villages become nervous, when they appear before the Selection Committee. It is quite natural. Coming from the far away places, it is impossible to expect the real talent to express before the Commission. They do not have any place to stay. They do not have any money to spend. They do not know anybody. So, it becomes a very difficult life for them. What I would like to say is that in the Public Service Commission, usually experts are invited. I would like to say that Union Territory Government should come forward with proposal. This expense should be incurred by the Government. They should suggest that, when the Government is incurring other expenses, they should also include this expense. This Public Service Commission of Union Territory may be formed with a very limited number of Members. When they invite the experts, they should invite them in large numbers so that the problem may be lessened.

I would like to suggest two things categorically and I hope, the Hon. Minister will take note of it, that is, about the persons who will be selected as Members of the Public Service Commission, the standards of integrity of these persons should be seen. I am sorry to say that that integrity is not some times there. They must have the human approach. They must have the consideration for the candidates, that they are coming from poor families; they are coming from the villages; they are from different linguistic regions and they are afraid of facing the Commission. There must be a sympathetic approach, and the members must provide

[Dr. Phulrenu Guha]

that atmosphere there. It is absolutely necessary. Unless the members provide a very good atmosphere for the candidates, it becomes very difficult for a candidate to face the Commission.

I would not like to repeat what has been said by my previous speaker, but I would like to say that members of the Commission should not continue for long, term after term, because otherwise sometimes it becomes a vested interest. I am sorry for making this remark. I am not talking about all the members; but it does happen. So, you must take care of this fact.

The Minister has already said that he will ask Shri Naik to withdraw the Bill. It is the usual thing. If he does that, Mr. Naik has no other alternative but to withdraw it. But I would say that the Minister may ask him to do whatever he likes; but the Minister should do it with a definite intention that he will bring in this type of a Bill in this Session—otherwise certainly in the next Session. He should give that assurance to us, viz. that it will be brought before the House—I mean by the Government. In that case, certainly Mr. Naik has to withdraw his Bill.

MR. CHAIRMAN: You suggest that the Member should extract it as a promise from the Minister.

DR. PHULRENU GUHA: Yes; that is why I say this. He must get the assurance that the Minister will bring in a Bill from the Government benches during this Session itself—otherwise in the beginning of the next Session.

SHRI CHINTAMANI PANIGRAHI: We will give him something, as a result of which he himself would withdraw the Bill. (Interruptions)

DR. PHULRENU GUHA: I would like to say one thing, for which I hope I will be excused: in the Public Service Commissions—whether it is at the Union, State or Union Territory level—you should see that women members are taken. Now you ignore

them completely, with the result that women have no place in your Commissions. (Interruptions) I am talking of the candidates also—not candidates from the cities, but those from villages. When they come before the Commission having all men, sitting around her, they become afraid or nervous. A woman member of the Commission is absolutely necessary, in the interests of the candidates, particularly of women candidates.

17.14 hrs.

[MR. DEPUTY SPEAKER *In the Chair*]

Apart from that, even male candidates, when they see a woman member, will feel a little consoled. If it is an elderly woman, they will feel she is an elder sister or *mouji* or *auntie*. This psychology is there. So, I hope the Minister will come forward with the assurance that he will bring in a Bill in this Session, or in the next Session, and that he will allow Union Territories to form their own Commissions within this year.

[Translation]

SHRI P. NAMGYAL (Ladakh): Mr. Deputy Speaker, Sir, while supporting the Constitution (Amendment) Bill, moved by Shri Shantaram Naik for setting up Public Service Commissions in Union Territories, I want to submit some points.

Besides the Union Public Service Commission, every state has its own Public Service Commission. The young boys and girls living in states feel that they can fulfil their aspirations to some extent, but the Union Territories do not have Public Service Commissions. It amounts to an injustice being done to the people of these Territories, particularly those of territories like Andaman Nicobar, Lakshadweep, Dadra and Nagar Haveli which are inaccessible and the people have to face so many problems. They have to wait for so many days for a ship or an aeroplane for travelling. Sometimes they have to wait due to bad weather.

It is generally seen that the UPSC conducts its examinations in big cities like Delhi, Calcutta, Bombay and Madras. The people of these Territories face a lot of inconvenience to reach these cities. Some times they face

financial problem and in addition to it, they face communication problem also. They do not come to know about the advertisement and some time they come to know after the expiry of the last date and then they cannot do anything. And if sometime any candidate appears in the test he feels nervous at the very sight of other candidates of big cities and he forgets everything. He also suffers from a sort of inferiority complex. If you look into their difficulties you will find that they are facing a number of difficulties.

Just now an Hon. Lady Member has said that though the tenure of the Members of the Public Service Commissions is 5 years only yet they continue their membership for many more years. They are granted extension after completion of 5 years and thus they continue to hold the posts at least for 10 years. This leads to a lot of confusion. For in my state there are three different regions inhabited by three types of people who are culturally different from each other and speak different languages. They cannot understand the language of each other. However, our common language is Urdu. I belong to Ladakh. We have to learn our own language. We have a vast literature.

[English]

MR. DEPUTY SPEAKER : One minute please, Mr. Namgyal. The time allotted for this Bill was two hours and that is already over. If the Hon. Members feel, we can extend the time.

PROF. N. G. RANGA (Guntur) : We have had enough.

SHRI SHANTARAM NAIK : Let us extend by one hour.

MR. DEPUTY SPEAKER : We have a long list of Members. There are many Members who want to speak. How long can we extend ? There are ten Members.

PROF. N. G. RANGA : One hour is more than enough.

MR. DEPUTY SPEAKER : For the present we extend by one hour.

PROF. N. G. RANGA : One hour is more than enough. The subject is such a narrow subject; we have had plenty of discussion.

[Translation]

SHRI P. NAMGYAL : Mr. Deputy Speaker, Sir, I was saying that we have three distinct regions where three different types of people live. Hence we have to first learn our own language and read its literature and then learn Urdu or Hindi which are new languages for us as they have no link with our language. The Kashmiri and the Dogri languages have some link with Hindi and Urdu. Therefore, it is easier for the Kashmiri speaking and Dogri speaking people to learn Hindi or Urdu. But for our people it is a problem and we are not able to compete with the other two regions. As a result, in the entire Secretariat of Jammu and Kashmir, there are only two officers belonging to Laddakh and none in the lower ranks. You will appreciate that under these circumstances, it becomes very difficult for the people living in the remote areas, in the tribal areas or in the union territories to compete with the candidates of big cities. It is, therefore, essential to bring about drastic changes in the working of Public Service Commissions keeping in view the changing situation, changing educational standards, the aspirations of the rural people and other things. I request the Hon. Minister that in view of the changing conditions, directions should be given to the State Government of every state to bring about changes wherever necessary.

Along with it, whatever my Hon. Friend Shri Naik has presented, I support it and I feel that a separate Public Service Commission should be set up for Union Territories. So far as Union Public Service Commission is concerned, as I have already stated, there anyone can apply, but under the States Service Commissions there are certain rules which are limited. Sometimes it is said that a candidate applying for a post under the Public Service Commission of a particular state should belong to that state only. Candidates belonging to the Union Territories like Delhi, Chandigarh will be found in Andaman and Nicobar Islands and Goa, Daman and Diu because the people there are sufficiently advanced. Thus the people in the far-flung



[Shri P. Namgyal]

areas will not be able to get justice. In such circumstances, while supporting the Bill, I will request the Hon. Minister to bring forward a comprehensive Bill to enable the people of the Union Territories to get the facility of a separate Public Service Commission.

SHRI K. D. SULTANPURI (Shimla) : Mr. Deputy Speaker, Sir, I support the motion brought forward by Hon. Shri Shantaram Naik. So far as the Motion is concerned, it is of special importance that the people of Union Territories like Lakshadweep, Goa, Pondicherry, Dadra, Nagar Haveli and similarly Delhi and Chandigarh have to suffer the most because of the non-existence of Public Service Commissions there. The I.A.S. officers who are posted in the small islands of Andaman and Nicobar and from where an Hon. Member Shri Sayeed has come here, are not interested in serving the people of these islands. Their sole intention is to lead a comfortable life there and create conditions for their early transfer by working in a manner which would invite maximum number of complaints against them. In this way the people belonging to those islands are not able to get any justice from them. I have a personal experience of it. I went to the Andaman and Nicobar islands. The programmes which the Government has prepared for these areas will not be implemented by them even in the next 2 or 3 years. The people feel that they should also get an opportunity to enter into Government service. The most important thing is that whether you visit the Car-Nicobar, Andamans or Lakshadweep, in all these islands people speak different languages. Their language is different and their customs are also different. Attempts are made to spoil these customs. Their plight is such that if they want to set up their own cooperative societies to undertake a business in coconuts by which they can strengthen their financial position, they have to wait for four or five years to get their things done and thus they are not able to do any work. Enough efforts have not been made for the upliftment of the tribal people there.

Specially, I would like to say that the Motion he has brought forward is a very

good one and we should provide such facilities to the people in those areas. The interviews are held in Delhi or Calcutta instead of in Goa or Andaman. It is very inconvenient for the candidates of these islands. If the ships are not available for Calcutta the candidate will not be able to present himself for interview. He may not be able to come to know about the advertisements published in this regard. I want to say that our Hon. Minister is a man with a great insight and the Hon. Minister of State is responsible for internal security of the country. They would understand the difficulties of the people and try to ensure that the people are able to get the required facilities.

I am also to say that so far as Public Service Commissions are concerned, whether under the Centre or under the States, even today no Harijan or Adivasi Member is appointed. It is on account of this that there is a backlog everywhere in every department. A feeling of disappointment is prevalent among them and they think that justice is not being done to them. I hope that he will withdraw his motion but so far as giving facilities are concerned, the Hon. Minister would assure us that a separate Public Service Commission would be set up for Goa to enable the people of Pondicherry and Goa to make full use of it.

Just now submissions have been made regarding the IAS officers. Some IAS officers are very good and are doing excellent work. But with the increase in the number of the I.A.S. officers, the law and order problem has also increased. There used to be only a few I.C.S. officers in the beginning. The work was very well handled by them. When there was disturbance in Punjab Shri Rao went there and set right the administration while sitting at Patiala. Now the I.A.S. officers function as B.D.Os. After being trained in this position they become customs officers and then S.D.Os. Within the next 2 to 4 years they get higher positions and they enjoy high status. If they are to be posted to Goa, or to the Andaman island, proper arrangements are made for them. The Hon. Minister perhaps gets all the facilities for being in the cabinet but the same are not available to Members of Parliament. The Hon Minister gets a car at the site and it takes him to the

rest house. All the arrangements are made for him. Whereas the M.Ps have to go on foot. Therefore it is essential in a democracy that we should be more powerful from them. Whatever is going on today is not proper.

We know that our Hon Prime Minister wants to uplift the poor and the backward people of the country. It is our duty to make full efforts in this direction. The Hon. Minister is an old Member of the House and now he is a Minister, we hope that the period of his Ministership will prove useful to us. We are also hopeful that he will fully support this demands now. It is a very good demand and he should fulfill it. Special attention should be paid to these areas about which I have mentioned. Thank you.

SHRI RAMASHRAY PRASAD SINGH (Jahanabad): Mr. Deputy Speaker, Sir, I support the Constitution (Amendment) Bill brought forward by Hon. Shri Shantaram Naik. This Bill must have been brought earlier but still it has come in time. It is a very essential Bill. The Hon. Minister should accept it.

Firstly, our country is a federation of States. Keeping in view the different languages, its physical structure, etc. there should not be any objections in accepting this Bill. The candidates have to come from far off places to take the examinations conducted by the Service Commissions. Their language is different. It has been rightly said that they are not able to gain fluency in the language by staying here for 2 to 4 days. It is for this reason that they are unsuccessful.

Along with it, if candidates from our rural areas, who are brilliant and studying in the Universities want to take the aforesaid examinations, they have to cover vast distances for this purpose. Moreover it involves heavy expenses. From this point of view also it is necessary to accept this Bill.

There are, however, certain shortcomings in this Bill on which light has been thrown by previous speakers. The result of these examinations are declared after two years. In the

meantime, there are chances to influence and adopt illegal means to get the actual performance of candidates changed. Secondly, interviews are held in which general knowledge of the candidates is tested. When a candidate has passed a written examination and his intelligence has been tested then they are asked to come for interviews in which the rural people are not able to compete with those hailing from urban areas. Improvements should be brought about in this regard. This has been happening for the last 125 years. Substantial changes have been brought about in the society, the feudal system in villages has also changed, who were never accorded any respect are being respected now. But there has been no change in the administration. We are M. Ps. and M.L.As and as we are vested with special powers, they come and meet us but the poor people, the farmers and the workers, the people living in the rural areas are not even listened to leave along meeting them. I was a Member of the Bihar Assembly in 1967. When the Ganga was flooded, I was surveying the area along with an I. C. S. officer and the concerned Minister. There we saw some people carrying empty kerosene oil tins. Seeing them the Hon. Minister asked the officer as to why oil has not been supplied to them when they are facing such difficulties? The officer replied that they were rough people. The Hon. Minister said that we all came from the same rough stock and to which the officer replied that he was not born in such a family and he did not belong to such people. Hence they have not changed so far with the result that they have a hold over the administration. Only a handful of people are controlling so many poor people. This has given rise to discontentment among the masses. This is the state of affairs in our country. In view of these things this Bill should be passed so that the talented people belonging to the remote areas are able to participate in the administration. They indulge in arbitrariness because there is no people's representative in the Commission. Even the Hon. Prime Minister is concerned about this situation because the Government is spending billions of rupees on programmes, like raising the people above the poverty line but the poverty is increasing at a faster pace. There seems to be some deficiency in the process of implementation of the programmes. In my constituency, Jahanabad, crores of rupees are being spent on the schemes that are going on there but these are benefiting

[Shri Ramashray Prasad Singh]

neither farmers, unemployed and nor the workers. Large sums of money are being spent there but it is of no avail. I have written to all upto the level of the Prime Minister and in this respect but all in vain. I am raising this matter in the Lok Sabha. The Government has delegated so much powers to these bureaucrats that it may prove suicidal for the Government. So the Government should curtail their powers and induct people's representatives in the Commission so that they are able to hear the people's grievances. Then only we will say that the administration is functioning properly.

[English]

SHRI P. M. SAYEED (Lakshadweep) : Mr. Deputy Speaker, Sir, Shri Shantaram Naik deserves congratulations from all sections of this House for having brought forward this Bill, for the services of the Union Territories. Sir, I remember that in 1967, when I came to this august House first, all Union Territories had informal forums where we used to discuss the problems of the Union Territories. We fought for many things and we got many things and the most important thing was the bifurcation of the judiciary from the Executive and that had really helped the Union Territories in arresting the harassment especially from the I. A. S. and I. P. S. officers deputed from the Centre.

Now, Sir, Shri Naik has brought forward this Bill with a specific purpose. In the Union Territories we do not have any Public Service Commission and our size is very very small. Sometimes, rather more often, we suffer for want of size. But in many cases, larger the size, the bigger the problem will be. Now, in Goa, for a population of 10 lakhs, about 50,000 educated youth are unemployed. In Andaman, with a population of 2,50,000, there are about 14,000 to 15,000 educated unemployed. In the Union Territory of Lakshadweep, out of 50,000 population, there are about 5,000 educated youth who are unemployed. Where is the employment opportunity in these Union Territories? We do not have any industry worth the name. In some Union Territories, there is not even any public sector

unit, particularly in Lakshadweep. There is not even any private sector industry in the Union Territories.

Sir, in regard to the self-employment scheme, I may point out that raw material availability in and around the Union Territories is very very limited and the educated youth, as are in other parts of the country, demand in the Union Territories only white-colour jobs. They do not want to take any risk in engaging themselves in self-employment schemes because they have to invest huge money and take the risk. Therefore, unemployment situation in the Union Territories is becoming very acute. I should put it that it is now in very explosive situation. Therefore, this Bill is brought forward at an opportune time in order to see that at least some employment opportunities are created these Union Territories so that the educated youth if not all, but at least a larger number of them, can get employment. Now, what is the position? Many of our colleagues here mentioned about the abuse of authority who act as recruiting agencies for the filling up of posts. I can say from my experience that being in such far flung areas, they have to come to the mainland and then to Delhi for writing the examination and attending interviews. As Mr. Sultanpuri has said, first they will have to reach the mainland by ship.

17.44 hrs.

[SHRI SOMNATH RATH *in the Chair*]

Mr. Sultanpuri has just now mentioned, they have to wait for the ship and that also for 3-4 days they will have to wait and from there if they come to the Mainland, by that time the interview date will be over, they may have to go back. On many such occasions I, as the representative of the people, had to contact the Union Public Service Commission. What happens, Sir, is, you and I if we contact such organisations, immediately they will term it as a direct interference by the politicians. There also the fellow who is really entitled will lose the chance. This is the position and therefore, it is the primary responsibility of the Home Ministry to see that the essence of this Constitution (Amendment) Bill which has been brought by my esteemed friend and colleague from Goa is given effect to by bringing an appro-

priate Bill in this very Session. Then only as esteemed friends and colleagues, we can prevail upon Mr. Shantaram Naik to withdraw this Bill.

SHRI P. NAMGYAL : Otherwise ?

SHRI P. M. SAYEED : Otherwise he may press for it. Perhaps he may press or otherwise, I do not know. Whatever it may be, I will request him to see.....

SHRI P. NAMGYAL : That is the sentiment.

SHRI P. M. SAYEED : That is the sentiment of the whole House. Sir, a little while ago he has just uttered a gesture. Yes, Mr. Shantaram will get bigger things. He may not be under the influence of bureaucrats. They are known for their divide-and-rule policy. He may not operate that policy here and divide me and Mr. Shantaram in this case, and therefore, my fervent appeal is... (Interruptions). What I want to say is that the Union Public Service Commission—what they have been doing will be known if I give you the figure for the Union Territories. In the case of Union Territory of Lakshadweep, after 40 years not even a single IAS or IPS or IFS officer was selected. Not that they have not attempted, I myself brought so many boys here giving shelter to them in my own flat, years together they remained here, made honest effort, but at the same time the limitation is there for you and me, Sir, to interfere in their functioning. I do not want to cause any reflection on the mode of functioning. At the same time this is the situation in which most of the Union Territories are suffering. And all the more my esteemed friend and our Hon. Minister, who has assumed office recently—the Union Territories' responsibility is on his shoulders, he knows our plight, he has already visited Andamans, I do not know whether he has visited Goa, Dadra and Nagar Haveli, almost seven Union Territories are now left. And I request him to visit almost every Union Territory and see the prevailing conditions.

SHRI P. NAMGYAL : Ladakh also.

SHRI P. M. SAYEED : Ladakh as well. Mr. Namgyal is prompting me to mention

Ladakh. They are also suffering. Now they are under J. & K. Administration, they are also suffering in the same way, they are in the same boat. Therefore, I do not want to prolong my speech. But I want to give two concrete suggestions. One is, in the case of States they have Public Service Commissions. According to the provisions of the Constitution, they can have more than one—in one State they can have one Public Service Commission and my appeal is to have Public Service Commissions for all the Union Territories, and at the same time, if the sizes of the Union Territories are too small to have one Public Service Commission each, at least put two or three Union Territories together and have one Public Service Commission. This is at least reasonable. You should give us that much of consideration. Now, in the case of Union Territories, it is all the more important because, we feel suffocated sometimes Junior—most IAS officers are sent to such far-flung areas. What happens is, firstly our people are denied job. Secondly the implications of the denial of the job would be serious. These educated youth are rejected by the U. P. S. C. though they fulfil all the qualifications and the required experience. There are three cases where they have done *ad hoc* job for 10 years in the colleges and other establishments. They have not been called for interview. When they came here, after my intervention, they were rejected. What is the ultimate effect of this misbehaviour? They are going to give a call, "Sons of the Soil". You are going to create more problems in the far-flung areas. Therefore, your responsibility to be fulfilled in this area is more than anywhere else. You should see that enough experienced officers are sent to such far-flung areas so that at least some soothing effect on such occasion can be given to them.

Therefore, I wholeheartedly support this Bill and request our Hon. Minister to give an assurance to this House that he will bring forward an appropriate Bill before the end of the Session and at the same time, I request, my Hon. friend, Mr. Shantaram Naik to withdraw the Bill.

[Translation]

SHRI MANOJ PANDEY (Bettiah) : Mr. Chairman, Sir, I support the Bill brought

[Shri Manoj Pandey]

forward by Shri Naik. Really it is a matter of surprise that no facility of Public Service Commission has been provided in the Union Territories.

It cannot be said that the Public Service Commissions in other States are in a better position. I would like to tell our experience to Sayeed Saheb that Public Service Commission has been constituted with a good intention. The responsibility of Union Public Service Commission and other Public Service Commissions, that have been constituted in the States, is huge. If the rules that were framed at the time of the constitution of these Commissions are observed fully, I think no scope is left to doubt the integrity of Public Service Commissions. Unfortunately, some doubt arise on the integrity of the officers that are nominated to the Public Service Commissions. I support the contention of Shri Sayeed that many Union territories are attached, is the Public Service Commissions. I would like to say that while making appointments of officers or experts to the Public Service Commissions, care should be taken that these officers should be above board. It has been seen that there is corruption inside and outside the commission. We are aware of a number of cases of corruption in the Commission. Corruption prevails in every section of the society in one form or the other, it is, therefore not proper to say that the Public Service Commission is a den of corruption. It should however be constituted in a proper way. There is no dearth of good people in the society. If we adopt such system, it can bring about a change in the whole situation. Care should be taken that erudite persons and retired judges whose integrity is above board, should be nominated in it. If you nominate such persons to the Commission, it enhances its dignity but if persons like those of the Commissions in our States are nominated in it, it undermines its dignity. Members of doubtful integrity do harm the cause of a Commission and it cannot give a clean administration. When they are exposed, we have to face the people's wrath because we are in the Government and besides this we are the representatives of the people. When action is taken against them, it directly affects us and our party. Therefore, nomination of persons of integrity to the Commis-

sion is essential in the interest of the party. You should nominate such persons to the Commission which may help in increasing the faith of people in it. Persons of doubtful integrity should not be nominated to the Commission.

Now I would like to say about the procedure. Sometimes candidates do not get interview letters or appointment letters in time due to some trouble in the postal delivery. The Hon. Minister of Communications is sitting here. I would request him to activate the postal staff because it is a matter of life and bread for the candidates. When he does not get interview or appointment letter in time, he cannot do anything but curse his fate. The candidate should get interview letters in time.

A lot has been said in regard to the Central Services. I would not like to repeat what has already been said here. What basic infrastructure you have provided in the rural areas to enable the candidates belonging to those areas to successfully qualify the examinations conducted by the U. P. S. C. ? There are a number of institutes like Rao institute running in the private sector. But the candidates of families with modest income cannot join them due to its high expenses. I would suggest that the Government should open such institutes in every district where the wards of ordinary people may take advantage of it. There are some institutes in Patna that are catering to the needs of the private sector.

MR. CHAIRMAN : You may continue your speech next time.

[English]

#### COMPULSORY LABELLING OF PACKED ARTICLES OF HUMAN CONSUMPTION BILL\*

MR. CHAIRMAN : Member is permitted to introduce the Bill.

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