

Affairs, when he made a statement in Patna, even after these open letters of threat, had gone to the extent of patting the Anand Margis instead of condemning the letters. That is what I could sense. And in Bombay, the hon. Home Minister, when he made a statement never made any attempt to condemn this kind of activities. He did not make a categorical statement there that he will book the culprits.

Sir it may not be out of place to mention another very important and interesting thing which has appeared in a weekly called 'Organiser', which nobody has raised so far, but which is a political attack on the Prime Minister. It says:

"The question, therefore, arises, why did the pilot try to land at Jorhat as scheduled? Perhaps, because he wanted to stick to the schedule and not cause the cancellation of any engagements of the Prime Minister. However, safety is vastly more important than any engagements."

This is a political attack on the Prime Minister. This House and the country is very much concerned about the life of the Prime Minister. It is not a matter of right for anybody to make such a threat to the life of the Prime Minister and it has to be dealt with properly by the Government with all the powers it has.

14.18 hrs.

MOTION RE. STATEMENT ON "SAMACHAR" BY THE MINISTER OF INFORMATION AND BROADCASTING...contd.

MR. DEPUTY-SPEAKER: Now we shall take up the next item viz., submission to the vote of the House of the substitute motion moved by Shrimati Parathi Krishnan. Do you want to press it?

SHRIMATI PARVATHI KRISHNAN (Coimbatore): Yes.

MR. DEPUTY-SPEAKER: Now, I shall put the substitute motion No. 5 moved by Shrimati Parvathi Krishnan to the vote of the House.

The motion was put and negatived.

14.19 hrs.

STATUTORY RESOLUTION RE. DIS-
 APPROVAL OF THE BANKING SER-
 VICE COMMISSION (REPEAL)
 ORDINANCE, 1977
 AND
 BANKING SERVICE COMMISSION
 (REPEAL) BILL—contd.

MR. DEPUTY-SPEAKER: Now we shall take up further discussion of the following Resolution moved by Shri Saugata Roy on the 29th November, 1977, namely:—

"This House disapproves of the Banking Service Commission (Repeal) Ordinance, 1977 (Ordinance No. 10 of 1977) promulgated by the Vice-President discharging the functions of the President on the 19th September, 1977." and

further consideration of the following motion moved by Shri H. M. Patel on the 29th November, 1977, namely:—

"That the Bill to repeal the Banking Service Commission Act, 1975 be taken into consideration."

DR. MURLI MANOHAR JOSHI (Almora): Mr. Deputy Speaker, Sir I rise to support the Banking Service Commission (Repeal) Bill, 1977 and oppose the resolution placed by Shri Saugata Roy before this House. When I was listening to the debate and especially the points raised by my friends on the Congress side, I was surprised to find some very interesting remarks. I expected some more serious points and objections against this Bill, which I failed to discover anywhere in this debate. One of the friends on the other side had argued

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that this repealing of this Act was a retrograde step and a reactionary step and that this was a step to go back to where we were in 1969. Now, Sir, in many cases we have gone back to the position of 1969. The masses of this country have voted for many things which have taken us back to the situation of 1969. For example, Shri Neelam Sanjiva Reddi, whom we wanted to have as the President of this Country in 1969 has become the President now. There are many other things which I would not like to elaborate and for which there is no necessity also. Therefore, there are many things for which the country has taken us back to 1969, the healthy things and the democratic conditions of the country. The country has negated the vote for the oversized conscience of many of my friends on the other side. Some of my friends on the other side had argued that the nationalisation of banks was there in 1969. Mr. Chavan had argued that a purpose and direction had been given to this nationalisation by the Banking Commission Act of 1975. Now I question the very political and economic philosophy under which the then Government of Mr. Chavan nationalised the Banks. It was not based on any sound economic reasoning. During 1969 the banks were nationalised on the basis of stray thoughts of Mrs. Indira Gandhi, the she-Tughlak of today. That is what history tells us. Something happened in the parliamentary board of the Congress which was not liked by Mrs Gandhi. So, she took certain actions on the basis of her stray thoughts. That was the argument given.

AN. HON. MEMBER: Do you want banks to be denationalised?

DR. MURLI MANOHAR JOSHI: We have not said so. I am replying to Mr. Chavan who was trying to give some philosophical content to the actions of the then government. As I said, it was based on rash, dogmatic and populist action and not on sound economic thinking or sound rationale. Therefore,

they failed to provide any content, any philosophy, any direction to the institution of banking then and thereafter. It has been argued that after nationalisation, the institution of banking was raised to a higher phase. What is that higher phase? In 1969 banks were nationalised. Thereafter, the report of the Banking Commission came in 1972. After that only one important Bill was placed before Parliament and that was in 1975. The Act was passed in 1975 but the Commission was set up only in February, 1977, when the Congress leaders were draming that they were going to come back to power after which they were thinking of usurping the powers in the hands of the Central Government. The only purpose of establishing this commission was, to my mind, to have every appointment cleared through RAW and to appoint only those persons as high officials in banks who would just ditto the government's line. The direction and sense of purpose given to the institution of banking was apparent from the statements of Mr. Tuli before the Shah Commission. How the banking institution was utilised for the development of the country is everybody's knowledge now. The purpose and sense of direction given to the institution of banking would become clear if one looks to the advancement of loans to the industrial houses during those eight years of nationalised banking. A lion's share of the advances was gobbled up by the very Birlas, Tatas and other big industrial houses against whom a hue and cry was raised. Even the loans advanced to the smaller units were siphoned off and channelled again to the monopoly houses. That has been the sense of purpose and direction given to the institution of banking. What were the advances given to the rural sector, to Harijans, to the downtrodden, to the unemployed graduates, to rickshaw-pullers and to unorganised landless labourers? They were negligible. The purpose of bank

nationalisation was to advance loans to those business houses which toed the line of Mrs Gandhi and the caucus.

It has been argued that this government is going to denationalise banks. We have never said like that. The Prime Minister today is one of those who believe in social control on the credit of the country. That is what he has been advocating. The government never said that banks would be denationalised. There are six or seven railway service commissions. The government has been continuing to make recruitments to the railways through these service commissions without any statutory authority. They were just the creations of government orders. Has anybody questioned the intentions of the government and said that the government wants to denationalise the railways? Never. Now it is argued that the Banking Commission has been created and just like the public service commission appointments will be made by that commission. May I ask, what will be the quantum and dimensions of the appointments which are going to be made. One of my learned friends had argued by saying: "Look here, we want to give jobs to the young men who do not have any backing or any pull or who do not have resources to pay bribes and hush moneys and we want to expedite the appointments". What is the volume of appointments which the Banking Commission is going to handle? Today it is 15000 to 20,000 persons. Tomorrow it is going to be 70,000 persons and by the year 1985 it is going to be 7,30,000 persons. They want to have one examining body for appointment which will be to the tune of one million people. There would be about 10 million applications which have to be scrutinised and which have to be processed. How long will it take? Now, the examinations for IAS, IPS and Central Services take place in the month of September. The interviews take place some time in the months of April and May and then the appointments come after about a year-and-a-

half. What will happen to one million persons who are seeking employment? And employment as what? As petty clerks. They want to give a direction to the banking and they want to oppose the regional bias to the employment. A clerk has to be appointed through the Central Government. Why? What is the harm when the Finance Minister has said that there will be 6 or 7 regional recruitment centres, two or three banks will come together and will recruit for themselves and the guidelines will be sent by the Government in consultation with the Reserve Bank? My friends on the other side do not have any faith in the Reserve Bank of India. That was their own creation. They should have enough faith in it. There have been guidelines which ensure a very impartial and a very fair recruitment and speedy recruitment. We do not want to delay. We do want that persons belonging to a particular area to that very region, should come into their banks. Why should a student living in Madras or Tamil Nadu be asked to wait indefinitely and be appointed somewhere else far away? My friend on the other side has argued that "we want to cross-fertilise the culture". No, there has been enough of experimentation with the institution of banking. Banking is not an institution for creating a climate for cross-fertilisation of cultures. No, it is an institution which is to carry the economic policies and the economic directions of this country to the nook and corner of the country. It is not a cultural body from which you will try to transplant one culture from Bengal to the culture of Tamil Nadu. Do not experiment with these banks. Do not experiment in this shilly-shally with this great financial institution of the country. These nationalised banks have to play a very important role in the economics of the country, in the development of the country, and I think that they should be given an opportunity to participate with the aspirations of the rural masses, with the regional aspirations, the regional bias and the clerks, the small officers who are to be appointed, must be

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conversant with the geography, with the history with the traditions, with the aspirations and with the requirements of the population. They must know the purpose of the loans which are to be granted, they must know whether the particular type of scheme which is coming will be viable in that area or not. A banking institution has to look carefully and meticulously into all these things and not through a centralised Service, when they are going to create a centralised examination body, highly centralised and controlled economy, I am reminded sometimes of a joke: If you have a goonda, it is dangerous, but if you have a goonda who has economic power, it is doubly dangerous. They wanted to have a Government which has all the apparatus of State, which is all pervading, all powerful and they want to give it all such powers even to appoint the petty clerks through a statutory authority. Now, I say that Heavens will not fall it is a very progressive scheme it should be given a chance to work, it will expedite the appointments, it will give real purpose and sense of direction to the banking staff, it will involve them with their region and it would be a much cheaper scheme, a less time consuming scheme, as proposed by the Finance Minister.

With these words, Sir, I support the repeal of this Act and I oppose the Resolution of Mr. Saugate Roy.

MR. DEPUTY-SPEAKER : Before proceeding with this discussion, I may say that both the motions were allotted only one hour for discussion. We have already taken more than one-and-a-half hours and there are quite a few more names as far as I can see. And I see that some of the other groups have not spoken at all, e.g. small parties. We will have to extend the time. I hope we will take another one hour.

SHRI BEDABRATA BARUA (Kamabor): Our party is seeking extension of time.

MR. DEPUTY-SPEAKER: We are not concerned with parties. I think we will take one hour or a little more than that.

श्री गौरी शंकर राय (गाजीपुर) : मान्यवर, बड़े आश्चर्य के साथ और बड़े कौतुहल के साथ इस विवाद को मैं सुन रहा हूँ, उस दिन भी सुना और आज भी सुना। माननीय चट्टाण साहब का भाषण ऐसा लगा जैसे कोई बड़ा भरी सैद्धान्तिक पक्ष इसमें लगा हो और नभालूम निरसन विधेयक की किस धारा से उनको ऐसा लगा कि डीनेशनलाइजेशन हो रहा है। नेशनलाइजेशन के बारे में हमारे मित्रों को बड़ा नाज है जो 10 साल पहले होना चाहिये था। थोड़ा सा भी सैस आफ प्रोपोशन होता, इसमें सोशलिस्ट गवर्नमेंट की जरूरत नहीं है, कपिटलिस्ट गवर्नमेंट की भी जरूरत नहीं है, जिसको बुझ रही होती वह बहुत पहले किये होते। तो इसमें डीनेशनलाइजेशन का सवाल नहीं है। खामख्याह के लिये नेता विरोधी दल जैसे सीनियर पार्लियामेंट के मेम्बर ने जो कंटेंट है उससे भ्रमण जा कर के बहस की अनावश्यक रूप से एक सैद्धान्तिक रूप और कसर देने का प्रयास किया है। और चूंकि हमारे मित्र ऐसा ही करते रह हैं बहुत दिनों से, अपनी सिन को भी सिद्धान्त बना कर कहते रहे हैं, इसलिये उनकी आदत है। इसमें कोई बहुत भारी बात नहीं है। सीधी सी बात है बैंकिंग सेवाओं के लिये आदमी भर्ती करने का इंतजाम हो। 1969 में बैंक नेशनलाइजेशन हुआ, 1972 में इस बात की रिक्मनेन्डेशन हुई कि एक बैंकिंग सर्विस कमीशन बनना चाहिये। मान्यवर, अगर जल्दी होती सरकार को और सचमुच उन्हें औवबैन्टिव को प्राप्त करने की जल्दी होती तो जल्दी कुछ किये होते। लेकिन उन्होंने कुछ नहीं किया। 1975 में जब तत्समवार लटकी हुई थी देश पर इमरजेंसी

की उस जमाने में विधेयक को पास किये और 16 महीने तक बैठे रहे और जाते वक्त 1975-76 के काले जमाने के एक अधिकारी को जो उसी काकस का आदमी रहा है उसको जाते जाते सिर्फ चेयरमेन अप्पॉइंट किया। कमीशन अप्पॉइंट नहीं हुआ। हमारे मित्रों को शायद यह मालूम नहीं है क्योंकि अभी हमारे मित्र बोल रहे थे उन्होंने भी कमीशन कहा। कोई कमीशन अप्पॉइंट नहीं किया, केवल एक आदमी अप्पॉइंट कर दिया। अब इस वक्त सरकार के सामने यह बात थी कि, ठीक है आप कहते हैं कि इसमें पोलिटिक्स है, तो क्या आपको एक आदमी का कमीशन मान लिया जाय ? अब प्रश्न यह नहीं इसमें कोई सिद्धान्त की बात नहीं है, व्यावहारिकता की बात है, एडमिनिस्ट्रेटिव जो रियेलिटीज हैं उनको देखने की बात है। आज हमारे वित्त मंत्री श्री ने प्रस्ताव रखा है कि 7 हिस्सों में बांट दें। मैं व्यक्तिगत रूप से इसलिये बोलने के लिये खड़ा हुआ हूँ क्योंकि मैं कहता हूँ कि बैंकों में ऐसे लोग रहें जो स्थानीय लोगों की समस्याओं को, उनकी भाषा को समझ सकें, हर एक रीजन के बेसिस पर मामलों की पूरी तरह समझदारी रख सकें। मालूम नहीं इसमें कौन सा दर्शन है ? हमारे भाई भी बोल रहे थे इनको भी कुछ लगा दर्शन से छूँआछूत हो गई है, और चव्वाण साहब ने भी इसको दार्शनिक रूप दे दिया। मेरा ख्याल है कि दर्शन की चर्चा उसी समय हो जब कोई दार्शनिक बात हो। सीधी सी बात है कि क्लर्क की भर्ती के लिये सेंट्रल सर्विस कमीशन बनना चाहिये जो 10, 20, 40 हजार की तादाद में भर्ती होने वाले हैं। अब यह किसकी विजडम है मैं नहीं जानता, लेकिन नम्रता से कहने का अधिकार तो है ही कि इस बुद्धिमानी को नासमझी कहा जाय। कोई आवश्यकता इस बात की नहीं है कि

सारे देश के बाबू लोग दिल्ली में भर्ती हों। सात हिस्सों में भर्ती हो, दक्षिण के दक्षिण भारत में, उत्तर के उत्तर भारत में, अलग अलग भर्ती हो सकते हैं और जल्दी भर्ती हो सकते हैं। तो व्यावहारिक दृष्टि से यह उचित है और यह काम को अधिक व्यावहारिक बना देगा।

एक बात और मैं कहना चाहता हूँ क्योंकि बहुत बड़ा प्रिन्सिपल इसमें इनबाल्व नहीं है, अगर कुछ भी करने की बात होती तो कोई स्टेप लिया जाता। मैं जानना चाहता हूँ, नेता विरोधी दल नहीं है, पार्लियामेंटरी परम्परा यह है कि जब किसी डिबेट में हिस्सा लिया जाता है तो कम से कम उसमें पूरा बैठा जाता है, वह होते तो मैं उनसे पूछता कोई मसविदा आपका गवर्नमेंट के पास पड़ा हुआ है ? 1969 से लेकर 1976 तक, 7 वर्ष तक आपका प्रोजेक्ट ही पड़ा हुआ हो कि इसके बाद आप क्या करने वाले हैं और उसको सरकार को इम्प्लीमेंट करना चाहिये था। लेकिन इनसोशल ओबजेक्टिवज के लिये 7 साल में कोई मसविदा नहीं बना सके। एक हैचमैन को चेयरमैन नियुक्त कर दिया अब उसी चेयरमैन को मान कर काम किया जाय। मैं समझता हूँ कि यह विजडम भी था कि उसको डीसेन्ट्रलाइज करते। और मान्यवर, बेसिक रूप से इसके पहले जो सरकार थी उसमें और वर्तमान सरकार में फर्क है। उनका विश्वास केन्द्रीयकरण में था प्रशासन के लिये भी। एडमिनिस्ट्रेटिव डीसेन्ट्रलाइजेशन का एक प्रीसेस है कि अप्पॉइंटमेंट का काम भी रीजनल बेसिस पर किया जाय, और इसमें कोई बड़ा अनर्थ नहीं होने वाला है।

मैं नहीं समझता था कि इस निर्दोष विधेयक का भी सिद्धान्त के नाम पर विरोध होगा। मैं समझता हूँ कि हमारे मित्र माननीय सोभाता राय सीयरिस नहीं हैं, नहीं तो वह स्वयं इस समय यहां उपस्थित होते जब

[श्री गौरी शंकर राय]

कि उनका निरनुमोदन का प्रस्ताव विचाराधीन है। वह वापस ले लेंगे अपने प्रस्ताव को और खान्खाह यह बीमारी जो छोटे मोटे मामलों को भी सैद्धान्तिक जामा पहनाने की है उससे अलग रहेंगे, और जब कभी जरूरत पड़ेगी तो उसको इसमें डीनेशन-लाइजेशन कहेंगे। बैंक नेशनलाइजेशन के सम्बन्ध में, समाजिक स्वामित्व हो इसके सम्बन्ध में यह कांग्रेस पार्टी की मोनोपली नहीं है। बल्कि उन्होंने 10 साल तक रोका है इस देश की इच्छाओं के विरुद्ध। इसलिये हम चाहते हैं कि बैंक नेशनलाइजेशन रहे, सामाजिक आधिपत्य रहे। उसके लिये विकेन्द्रीकरण यह सरकार करेगी, धीरे धीरे करेगी तो पुराने लोगों को थोड़ा दर्द होगा। लेकिन उनको दर्द को बर्दाश्त करना होगा और मैं समझता हूँ कि दर्द को बर्दाश्त कर के, जो विधेयक मंत्री महोदय का है, उसका समर्थन करें और भाई सौगत राय अपना प्रस्ताव वापस ले लें।

SHRI BEDABRATA BARUA (Kaliabor): Mr. Deputy Speaker, Sir, I am surprised the last few speakers from the ruling side have completely distorted the picture and raised new issues. Really what is being done by the substance of this proposal is that there will be no Public Service Commission in the selection of the bank employees. This is the only issue. Otherwise, whether it is seven zones or four zones, it does not matter. If we are just on the question of local autonomy or regional selection, it can be done even through the Public Service Commission. Therefore, a recognised principle of selection by an impartial authority on an all India basis has been given the go-by, and this inconvenient step has been explained by the enunciation or manufacture of some of the most absurd arguments in the Statement of Objects and Reasons. The decision to do away with the Public Service Commission was taken so that Gov-

ernment or the officials could make their own appointments, as they like, without the intervention of an impartial authority. It is difficult for any ruling party to abdicate its right to select its own people. Yet the Congress Government at least, closed this avenue by having a Service Commission. Now it is sought to be done away with.

This is a very important point and my party has very serious objections to this step. I need not repeat that banks are all India institutions and nationalisation of banks was a very significant step. A bank clerk is not a petty clerk. He gets more than an IAS officer in the early stages. The cadre also is not small like that of the IAS. Now the number stands at about 18,000 and in another five years it will reach 40,000. So, here the recruitment should not be treated like the treatment of a petty clerk, because this is the most privileged section of people. Government have tried to achieve its objective of selecting its own people by an Ordinance so that without the interference of an impartial body, it can appoint anybody it likes.

The aim of the Government has been mentioned in just three sentences in the Statement of Objectives and Reasons and they are full of contradictions. It is stated:

"The need for such a Commission was reviewed and it was felt that a centralised system of recruitment in banks".

—this is not a system; recruitment will be on a uniform basis at four centres; Government can now make it seven centres; we have no objection—

"was likely to interfere with the autonomy and flexibility in the functioning of the public sector banks.."

How is the autonomy and flexibility going to be effected? Where is the autonomy in the first instance? It is

not a Government institution. If autonomy has to be given, it can be given to every unit of the bank whether it is lending, borrowing, credit or investment policy. I have gone through the entire Banking Service Commission Act and I find no single reference to this autonomy.

Then, if the objective is to have appointments on an all India basis, not that people from Kerala would be appointed in Kashmir, even earlier that purpose was being served and appointments were being made on a regional basis. In fact, if you bring in the argument of autonomy and flexibility it would be applicable to all services, in fact much more to the IAS, IPS and other Central services with much stronger reason, because possibly the autonomy of the States would be affected if people to these services are appointed by the Commission.

The appointment of a Commission and autonomy in the functioning of an institution are two entirely different things and they could not be clubbed together just for the sake of building up a case for disbanding a fair and impartial all India selection body.

Then it refers to the large number of persons to be recruited. It has been admitted that the number is large, but that is all the more reason why the selection is above suspicion.

Then it is said that such a system, even with regional offices, is likely to make the recruitment process unwieldy and cumbersome. But, today also there will be regional offices and the same question of unwieldiness and cumbersomeness arises. In fact, it would be more cumbersome today with the abolition of the Commission because a young man trying to get into the banking system will have to go to seven offices instead of one as in the past.

SHRI GAURI SHANKAR RAI: Where is the question of de-nationalisation?

SHRI BEDABRATA BARUA: Certainly, as my leader has said, it is intended to play down the importance of the banks in the economic life of the country.

The only consolation that has been dished out to us is this:

"...it was felt that this could be better achieved if suitable guidelines were issued by the Central Government...."

These blessed guidelines are issued everywhere. What are they? In the first instance, the person who is to get Rs. 1,000 to start with as a clerk must be a matriculate. There are lakhs of matriculates in the country, and opens a vast field for favouritism if it is enough that he is a matriculate. Secondly, the post must be advertised. Of course, everybody advertises. Thirdly, there is some provision for the scheduled castes and scheduled tribes, but the hon. Minister knows what happened to these guidelines in the past, whether the banks did appoint scheduled castes and scheduled tribes in spite of the guidelines issued by the Central Government. These guidelines are always there, but they do not really make up for the loss of an impartial selection.

The machinery, is only the former banks. In the Calcutta region the Uco Bank and the UBI will make the selection for all the banks including, for instance, the Punjab National Bank having offices there, and the Punjab National Bank will in turn select people for the other banks elsewhere. This will create more difficulties and there will be more concentration of power in the hands of the officials of the banks and the officials of the Central Government. This means opening this area to political and other influences. I am saying this more in sorrow than in anger that the Janata Party or any party should do this. It is really very sad that with all talk of democracy, what is being done very much openly

[Shri Bedabrata Barua]

in the name of autonomy, is to disrupt the nation's most important institution and to bring it under all types of regional and other influences. For regional appointments let there be local or regional employment exchanges, let it be an impartial selection, and then they should be allotted to be different banks. That will be much better than allowing one bank in an area to function as the lead bank and do everything for the banks in the other areas. I do not see any autonomy or flexibility in it, in fact nothing else except opening up wide areas for favouritism and nepotism.

SHRI K. A. RAJAN (Trichur): I rise to oppose this Banking Service Commission (Repeal) Bill because if you go through the history leading to the enactment which is sought to be repealed now, you will find that it was based on necessity. The Commission, manned by eminent people, has exhaustively dealt with this particular problem of recruitment to the nationalised banks. Though it does not strictly fall within its purview, after going through the pros and cons of recruitment, it has laid down certain principles and stated why there should be a commission of this type.

Then I do not find any justifiable reason for throwing away that recommendation. Before I go into the Statement of Objects, I would like to draw the attention of this House to the fact that it is, in a way, connected with the overall policy of the Bank nationalisation. I do not want to enter into any controversy. But what was the history of nationalisation, who were the parties and groups who were against it and who were for it, the whole country knows it. The question of nationalisation of banks was not an issue of a particular group or party but it was an aspiration of the people. The whole progressive forces of the country, the whole working class took the issue of nationalisation not in a parochial or narrow way but in the overall

interest of the future of the people because such a vital sector should not be left in the hands of a few people. With a broad outlook and with a greater perspective we brought about this nationalisation. If you see the history of the people who are working in the banks and their representative organisations you will find that they fought for years together for this particular aspect of nationalisation. This particular issue of establishment of the Commission has been talked of in connection with the nationalisation.

Regarding the Banking Service Commission Act, though it was enacted in 1975, the Government took 2 years to establish the Commission in 1977. I really could not appreciate that delay at all.

The reasons advanced in the Statement were of a technical nature. The hon. Minister while introducing the Repeal Bill has said that 16,000 to 17,000 Class III and Class IV and 2,000 to 3,000 persons of officers grade are recruited for these banks every year. I do not accept that argument because quite a larger number of people are recruited through the UPSC and through various State Public Service Commissions. So, the number and other things is not a problem. Even for real and effective functioning of the UPSC, it could have regional set-ups and make the recruitment easier.

In the matter of recruitment in the banks, it should not be treated as a mere clerical recruitment. They are the service-oriented industries and people who have been recruited should have some commitments, ideology and approach that they have to serve the people. Now, our policy is to expand these banks in the rural sector. There should be a tendency for those who serve in the banks to have a commitment to its ideology and its service-oriented approach to the people. That is a very relevant thing in this particular banking sec-

tor. That is why I say that this Repeal Bill is a retrograde step and a reactionary one which will never serve the purpose for which the bank nationalisation was effected in this country.

Lastly, I would like to ask: What is the consensus of the employees of the banks in this respect? No one has just gone into that point. What is the consensus? The bank employees and the organisation which is connected with the bank employees have clearly stated on this particular issue in unequivocal terms that the Banking Service Commission should be there in the larger interest of recruitment and in the running of the banks particularly in view of the Past experience in regard to the recruitment that was going on in various public sector banks. The bank employees have clearly expressed their view on this issue.

From all these aspects, I say that this Repeal Bill is a retrograde step, a reactionary one, which is not conducive to the larger aspirations of the people and the purpose for which the nationalised banks came into being.

SHRI YASHWANT BOROLE (Jalgaon): Mr. Deputy-Speaker, Sir, I rise to support the Repeal Bill. In 1975, the Banking Service Commission Act was brought on the statute book only with a view to see that the Saraiya Commission be appointed to suggest a mechanism for selection of candidates, selection of personnel, for recruitment in the banking industry. The whole report of the Commission will indicate the purpose for which the Commission was envisaged. It was thought that some kind of recruitment mechanism should be formulated for various posts in the banks. There were many variations in the recruitment rules in the past in respect of different posts. Some had taken only written tests, some had taken only oral tests, some had matriculation as qualification, some others had graduation as qualification.

So, there was a variation no doubt in the recruitment process of the candidates to be selected and appointed in the banking industry. It was then considered that there should be a centralised Commission of this type, the Banking Service Commission.

Now, if we go carefully through the Report of the Saraiya Commission, the idea that a centralised Commission should be there will not be fully justified by its various recommendations that have been made in the very same report. If the recommendations in regard to the recruitment are processed and followed, it will be seen that a decentralised machinery will be very useful and convenient. It is from this aspect of the matter that we have to consider the whole thing. Even the Leader of the Opposition, Mr. Y. B. Chavan, has himself said:

"The attitude of employers and employees was a very material factor in making the programme of nationalised banks a success.

The attitude of employers and employees is to be considered.

In a decentralised process of recruitment, as has been envisaged by the hon. Minister, there will be a board which will function in particular regions.

In a particular region where our banks are functioning, there shall be a board for recruitment. Now, in the nationalisation, the principal objective was that as there was a concentration of investment in industry, it should also be spread over in the rural areas, in the small industry, in agriculture and even extend to professionals who are engaged in different avocations. That was the principal idea. So, there will be an expanding process of this banking industry in the rural areas.

If in the rural areas, the banking system has to work very efficiently, then, naturally the personnel who can man this system ought to be acquainted with the rural life, with

[Shri Yashwant Borde]

the rural problems and the rural conditions in which a particular bank functions. For example, here, we find that nobody is prepared to change his ideas to suit rural condition. How can these persons who will be recruited centrally will change their concept of security for loan? Therefore, the persons who could know about *moffusil*, the persons who know the conditions in the *moffusil*, if recruited through this decentralised process and mechanism which has been contemplated by the Minister, I am sure, it will be a step in further progress of the nationalisation of the banks. There is nothing which will mean that there is a denationalisation process which is going on.

The Leader of the Opposition has said something about it and I am quoting his words. He said: This was another way of denationalising the system that we have introduced. I cannot understand how the process of denationalisation can come in: it is on the contrary. If the objectives are to be achieved, we should see that there is more and more of decentralisation in order they should function properly.

It is true that a certain type of nepotism, a certain type of recommendation, a certain type of local influence is likely to come in the way of recruitment, but that will be by way of an exception; it will be anywhere; it will continue to be anywhere. Therefore, I humbly submit that this Bill should be supported even by Opposition.

Now in regard to possible central recruitment, I will give you certain figures of the National Institute of Bank Management. In 1970, there were in all 2,30,000 employees in commercial banks; in 1975, there were 3,38,000 employees; in 1980, there would be about 4,97,000 employees and in 1985, there would be 7,30,000 employees. Now the experience even with the UPSC is that there is a time lag of 4-6 months. In fact, they are

also worrying about it and are trying to find out ways and means how this time should be curtailed. They want to find out ways and means for curtailing time for dealing with such a vast number of persons and their selection; it will be impossible to deal with them in time. The same apprehension is seen from provision made in the enactment of 1975. There has been a provision which has been made that in case the Commission cannot select personnel required for banks, the banks shall temporarily appoint a person for one year. Also it has been said that only 25 per cent of vacancies should be reported so far as official are concerned. (Interruptions)

Even this step is contemplated because it is likely that the Commission may not meet the needs of the different Banks' requisitions made on them for the selection of candidates.

15.00 hrs.

Therefore, Sir, I submit that this Bill should be passed.

श्री ओम प्रकाश त्यागी (बहराइच) :
उपाध्यक्ष महोदय, विरोधी पक्ष के विचारों को सुन कर सचमुच में मुझे हार्दिक वेदना और दुःख हुआ और मैं यह समझता हूँ कि जब वे पावर में थे और सरकारी बैंकों पर बैठते थे और उस समय जो उपदेश वे विरोधी पक्ष वालों को देते थे, उन सब उपदेशों और सिद्धान्तों को उन्होंने भुला दिया है और उन का अब सिर्फ एक ही भाव रह गया है कि विरोध के लिए विरोध करना है। सरकार कोई भी काम करे, उन का उन्हें विरोध करना है चाहे वे उसे साबित कर सकें या न कर सकें।

उपाध्यक्ष महोदय, जो विधेयक आया है, उस से राष्ट्रीयकरण हो या न हो, इस का कोई सीधा सम्बन्ध नहीं है पर आश्चर्य यह है कि इन के बड़े बड़े आदमी, लोडर आदि

अप्रोजीशन जो हैं, उन के मुंह से जब यह बात निकलती है और इस का संबंध उन्होंने उस से कैसे बैठाया, यह मेरी समझ में नहीं आता। उन लोगों को इस के लिए क्या कहा जाए, उन को आपातकालीन स्थिति में नेतृत्व ही ऐसा मिला कि चाहे झूठ हो या सच हो, कहे जाओ। झूठ बात को कहे जाओ और अंत में लोग उस को सच मानेंगे। इसलिए जनता पार्टी को बदनाम करने के लिए यह कहा जा रहा है कि यह राष्ट्रीयकरण को डी० राष्ट्रीयकरण कर रही है और ऐसा कर के बैंकों को आजाद कर रही है। इस तरह से तालमेल बिठा कर आप थोड़े दिनों तक तो अन्धों को धोका दे सकते हो लेकिन आप अपने को धोका नहीं दे सकते। अब हमारी जनता बहुत सतर्क हो गई है और मैं समझता हूँ कि 1977 के चुनाव के बाद तो विरोधी पक्ष और खास तौर से कांग्रेस पार्टी की आखें खुल जानी चाहिए कि जनता अब उतनी वेंकूफ नहीं रह गई है जितना पहले आप समझते थे। अब वह सजग हो गई हैं। उस के लिए मैं आप लोगों को, सचमुच में कांग्रेस पार्टी के लोगों को धन्यवाद देता हूँ कि देश की जनता जो आप पर अंधविश्वास कर रही थी, 19 महीने में जो कुछ आप ने किया, उस ने जनता को सजग कर दिया और उस को सोचने के लिए आप ने विवश किया। इसलिए आप का यह सोचना कि वह आप की बात मानेगी, मैं नहीं समझता कि ऐसा होगा।

दूसरी चीज एक और है। आप ने बैंकिंग सर्विस कमीशन की बात कही। आप बहुत बेचैन हैं कि बैंकिंग की सेवाएं ठीक हों। सन् 1969 में आप ने इस के लिए कुछ नहीं सोचा जबकि बैंकों का राष्ट्रीयकरण किया था। उसी समय आप के दिमाग में कमीशन की बात क्यों नहीं आई... (व्यवधान)... मैं यह जानना चाहता हूँ। इस समय जो इतनी बेचैनी प्रकट की जा रही है, मेरी उम्मीद

में नहीं आ रहा है, उस समय क्यों नहीं इस के बारे में सोचा गया। अगर सचमुच में आप ईमानदार हैं। मुझे आप की ईमानदारी पर संदेह हो रहा है। 1969 में जब बैंकों का राष्ट्रीयकरण किया गया, तभी इस के बारे में सोचना चाहिए था। 1969 में राष्ट्रीयकरण करने के बाद 1972 में आप के दिमाग में यह बात आई कि इस तरह का सर्विस कमीशन भी बनना चाहिए। 1972 में आप ने बनाया और धोका देने के लिए 1972 तक आप सोते रहे। फिर 1975 तक आप सोते रहे और तीन साल तक चुप रहे। इस तरह से तीन साल पहले और तीन साल बाद तक आप चुप रहे और जब जाने लगे तो जाते जाते एक आदमी नियुक्त कर दिया। इस तरह से आप देखेंगे कि सही माइने में आप ने बैंकिंग सर्विसेज कमीशन बनाया ही नहीं। अगर आप को बैंकिंग सर्विसेज कमीशन बना ही था, तो पहले आप इस को बनाते। ऐसा आप ने इसलिए किया कि आप जानबूझ कर उस की उपेक्षा करना चाहते थे। सही बात यह है कि बैंकिंग सर्विस कमीशन आपने इसलिए नहीं बनाया कि आप आई भतीजावाद के आधार पर बैंकों में नालायक आदमियों को भरना चाहते थे। अब जो बातें सामने आ रही हैं उनसे यह स्पष्ट हो जाता है कि आपने किस लिये बैंकिंग सर्विस कमीशन को इतने दिनों तक नहीं बनाया था। मेरी समझ में नहीं आता कि फिर आप आज इस बात को कहने की हिम्मत कैसे कर रहे हैं? आप यह तो बताइये कि इतने दिनों तक आपने कमीशन को क्यों नहीं बनाया? क्योंकि आप नहीं चाहते थे कि बैंकों में सुयोग्य आदमियों की भर्ती हो। आप उनमें नालायक आदमियों

[श्री श्रीम प्रकाश त्यागी]

को भरना चाहते थे जो कि आपके इशारे पर जो चहे फैला कर दें, जिसको जितना चहे क्रेडिट दे दें। जो बातें अब सामने आ रही हैं उनसे स्पष्ट हो रहा है कि आपने नियम वगैरह की परवाह किसे बगैर ही श्री नागरवाला को साठ लाख रुपया दिला दिया, जिस बंजर की कंपनी में आप इन्ट्रस्टेड थे उसको 220 करोड़ रुपया देने के लिए कह दिया। (व्यवधान) इस चीज को रिजर्व बैंक के बोर्ड ने पास नहीं किया लेकिन आपके इशारे पर लोगों को इतने बड़े क्रेडिट दिये जा रहे थे। मुझे माफ कीजिएगा, आप इसीलिए बैंकों में सुयोग्य आदमियों को नहीं जानना चाहते थे।

इसलिये, अध्यक्ष महोदय, मैं कह रहा हूँ कि विरोधियों के भाषणों में ईमानदारी नहीं है; आपके विचारों में ईमानदारी नहीं है। हमारे सामने प्रश्न यह है कि जो बैंकिंग सर्विस कमीशन हम बनाने की बात करें तो उसके बारे में हमें यह सोचना चाहिए कि वह सर्विस कमीशन जनता के हित में है या नहीं है, उसका बनना बैंकों के हित में है या नहीं। इस दृष्टि से हमें इन बातों को सोचना चाहिए। मेरे साक्षियों ने इस बारे में कोई दलील नहीं दी। आप कहते हैं कि केन्द्रीय पब्लिक सर्विस कमीशन के आधार पर एक बैंकिंग कमीशन होना चाहिए। लेकिन मैं आपसे यह पूछना चाहता हूँ कि बैंकिंग सर्विस कमीशन को तोड़ने में जनता पार्टी का क्या हित है? आगे इसके बारे में कोई तर्क प्रस्तुत नहीं किया। आप तो राष्ट्रीयकरण की बात करते हैं। लेकिन इस बात पर आप ने कुछ नहीं कहा कि बैंकिंग सर्विस कमीशन के सामने कितनी समस्याएँ होंगी। आपने केन्द्रीय पब्लिक सर्विस कमीशन की बात तो की लेकिन इन समस्याओं की ओर ध्यान

नहीं दिया। मैं आपकों बताना चाहता हूँ कि बैंकों में लाखों आदमियों के चुनाव का प्रश्न सामने आयेगा। अगर कमीशन बनता है तो उनके चयन में धांधलियाँ चलेंगी। उनकी परीक्षा ठीक से होगी या नहीं, अच्छे विशार्थी उनमें चुने जाएंगे या नहीं। बहुत सारे प्रश्न सामने आते हैं। क्षेत्रीय सुयोग्य व्यक्ति आ पायेंगे या नहीं। अगर ये नहीं आते हैं तो बैंकों का नुकसान होता है। केन्द्रीय पब्लिक सर्विस कमीशन में क्या होता है? दो दो साल तक लड़कों को कापिया देखी जाती है, कई कई साल उनके चयन में लग जाते हैं। इस तरह से बैंकों का काम नहीं चलने वाला है। इसलिए सेंट्रल बैंकिंग कमीशन बनाना बैंकों के लिए हितकर नहीं होगा।

दूसरी बात मैं यह कहना चाहता हूँ कि आज इस समय तमाम देश भर में बेकारी है और यह बाद में खास तौर पर कम्पनिस्ट भाइयों को कहना चाहता हूँ कि बे रोज इस बेकारी के प्रश्न को यहाँ ला कर खड़ा करते हैं लेकिन आज वे इसको अपोज कर रहे हैं

MR. DEPUTY-SPEAKER: I would like to tell the hon. Members one thing that laughing, making gesticulation and this kind of thing is not good. If anybody has to interrupt, he may interrupt, but other things should be avoided. It does not add to the dignity of the House.

श्री श्रीम प्रकाश त्यागी : सर्विस कमिशन के बाद भी आज एक चीज देखने में आती रही है कि सबमुक्त देश में जो बेकारी है, बेकार नवयुवक घूम रहे हैं इस समस्या का समाधान समान रूप में नहीं हो पाया है,

देश में जातिवाद, भाषावाद, प्रांतीयता का बोल बाला रहा है और सभी सर्विस में रहा है फिर चाहे पब्लिक सर्विस कमिशन के जरिए ही रिक्लूटमेंट क्यों न हुआ हो। सिफारिशें चली हैं, यह किसी से छिपी हुई बात नहीं है। यहां पर सर्विस कमीशन को सात क्षेत्रों में बांट दिया गया है और इसका फायदा यह होगा कि हर क्षेत्र के लोगों को मौका मिलेगा नौकरी में आने का। इस वास्ते पहली बात तो यह है कि तमाम देश के लोगों की बेकारी दूर करने के लिए सभी क्षेत्रों के लोगों की बेकारी को दूर करने के लिए यह एक बहुत बड़ा प्रयत्न है और सही दिशा में प्रयत्न है और इसके लिए वित्त मंत्री महोदय धन्यवाद के पात्र हैं और इस चीज का मैं समर्थन करता हूं।

केवल क्षेत्रीय समस्याओं का ही इससे समाधान नहीं होगा। अपितु गवर्नमेंट की नीति के अनुसार अब ग्रामीण क्षेत्रों में बैंकों की शाखाएं खोली जा रही हैं। हर क्षेत्र की समस्याएँ अलग अलग होंगी। आज तक क्या हुआ है? बैंकों ने निकाल कर रुपया लोगों को दे दिया था। अब वित्त मंत्री जी के सामने यह समस्या आने वाली है कि देखें कि यह करोड़ों रुपया किस तरह से वसूल हो। मैं समझता हूं कि यह वापिस आने वाला नहीं है। बैंकों के हाथ से यह रुपया निकल गया है। ऐसे ऐसे लोगों को यह रुपया दे दिया गया है जिन का बैंकों को ठीक परिचय नहीं था। जब क्षेत्रीय लोग वहां पर उपस्थित होंगे तो वहां की समस्याओं को वे जानेंगे, बैंकों में रुपया ज्यादा जमा होगा और बैंकों से जो रुपया निकलेगा वह ठीक तरीके से निकलेगा। इस तरह से बेकारी की समस्या का भी समाधान होगा और क्षेत्रीय समस्याओं का भी समाधान बैंकों के द्वारा हो सकेगा।

जिस उद्देश्य को लेकर बैंकों की शाखाएं खोली जा रही हैं ग्रामीण क्षेत्रों में वह उद्देश्य भी पूरा हो सकेगा।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूं और मैं समझता हूं कि जिन मेरे भाइयों ने इसका विरोध किया है वे अपने विरोध को वापिस ले लें तो ज्यादा अच्छा रहेगा।

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK): Sir, a point was raised by the Leader of the Opposition that this measure would lead to denationalization of the banks. We would like the Members who will be speaking from the opposition to enlighten us further on this point.

SHRI C. N. VISVANATHAN (Tirupattur): Mr. Deputy-Speaker, Sir, on behalf of All-India Anna DMK, I rise to support the Bill to repeal the Banking Service Commission Act, 1975 introduced by the Government in this House.

Now, coming to the merits and demerits of this measure as also the statement made by the hon. Minister at the time of introducing this Bill, I would like to say that this Bill divides the country into seven regions for the purpose of making recruitments etc. to the banks in the respective regions. These seven regional zones will be doing this work independently. I would say that this is a milestone towards more autonomy to the States. This is what the Janata Party had promised and we welcome this. The respective Boards of these regional groups would be recruiting officers, clerks etc. on regional basis. This will ensure that the Members of the Board and the other staff would be aware of the situation prevailing in that region, because they would belong to that place. They would also be aware of the circumstances of the

[Shri C. N. Visvanathan]

people who would be utilizing the banking services. I will give you one example. The Southern Group will be situated in Madras. It will comprise—the Indian Bank and the Indian Overseas Bank. They will be doing the recruitment there. The persons will be recruited by the new regional board. They know very well the persons to be recruited in those regions and they know the value of the persons to be recruited. If you recruit persons from far-away regions they will not be able to know the affairs of these particular regions and also the names of the places and so on. They will take three months of six months to know about the whereabouts of the various places. They will be put to lot of difficulties. So, from the overall point of view this regional recruitment will be better. There are thousands and thousands of clerks who have to be appointed. The correct figure of clerks to be recruited would be of the order of 15,000 to 20,000 and there will be officers of about 1500 to 2000 to be appointed. These have to be recruited for these banks. This step will go a long way in solving the huge unemployment problem which we face today. Lakhs and lakhs of people who are both educated unemployed as well as uneducated unemployed are there. The unemployment problem is a very pressing problem in Tamil Nadu. So far as the neighbouring State of Kerala is concerned, there are lakhs and lakhs of people who are in the category of educated unemployed. So, this step will help us to solve this unemployment problem to a great extent.

Secondly, there will not be any wastage in abolition of this Commission. I say this because only one Chairman and 27 members of the staff alone are affected. There will not be any big loss on this account.

I support the Bill on behalf of the All India Anna DMK. The Minister

assured us that there will be two impartial recruitment boards, one for clerks and the other for officers. If the recruitment board selects persons in an impartial way, if the Government succeeds in this regard, it will be greatly appreciated by the people. All sections of the people will greatly welcome this. This is certainly a milestone in giving more power to the States and strengthening State autonomy.

SHRI VAYALAR RAVI (Chirayinkil): Sir, I oppose this Bill. This is a Bill which I term a Black Bill, this is against the interest of the people as a whole. This is against the spirit of the constitution of India. Article 315 of our Constitution provides that there shall be Service Commissions in the Centre and also in the States. Mr. Tyagi accused us saying that we were wanting to fill the Service Commission with our own people. I would like to ask one question to Mr. Patnaik: In Orissa and other States, do you want to fill up the Service Commission with your own people? In U.P., Bihar and other States, are you going to fill up the Service Commissions with your own people? So, to say that we are wanting that would be most unfair on your part. This charge is utterly baseless. The Secretary of your party who spoke and a senior member, Shri Gauri Shankar Rai spoke nothing but only about the delay.

I wish to remind you how this Service Commission was first appointed. This was appointed by no less a person than Shri Morarji Desai, who was the Deputy Prime Minister at that time and who is now the Prime Minister of India. I do not want to quote his speech but I only want to quote the relevant portion of the Terms of Reference. These terms of reference were given to them by Shri Morarji Desai: Item No. 5 of the Terms of Reference states as follows:

"To review the existing arrangement relating to recruitment, training and other relevant matters connected with manpower planning of bank personnel and to make recommendations for building up requisite professional cadre of bank personnel at all levels of management."

This is the terms of reference given by Shri Morarji Desai himself. On that basis, the Commission has made a recommendation. I shall only quote one sentence from page 354 of the Commission's report. Of course, I know that somebody referred about that. We are prepared to argue on that. I quote:

"As the major portion of the banking industry is also in the public sector, there should be a common agency for recruitment of staff for these banks both at the clerical and junior officers' level. This agency could be named as the National Banking Service Commission".

This is the recommendation of the Banking Service Commission. So, the whole origin of this recommendation has the basis. Of course there is delay. I admit that. Now, the hon. Minister speaks about the centralisation. In this connection, I would only like to draw your attention to the observations made by the Banking Commission. Two or three points have been raised here. Please take the branches opened in 1951 to 1976 alone, especially from 1969 to 1976. From 8321 it has gone up to 23,630 after nationalisation. In terms of percentage, on the rural sector alone it has come to 45 per cent. Fortyfive per cent of the branches have been opened in rural sector. Somebody talked about the rural economy. I say it has come to 45 per cent so far as rural banks are concerned. Moreover, in 1975, the total number of branches that were opened was 2,337, in 1976, it went up

to 3,191. The target of the Reserve Bank from 1975-77 was 5,000. In their enthusiasm to exceed the target, upto 1976 they have opened 5,528 branches. So, expansion of the branches of the banks in the rural sector has gone much faster. What about the credit? I do not want to talk about that because Shri Patnaik and Shri Patel are well acquainted with the banking industry. The credit, which was Rs. 909 crores, from 1951-1971 has gone up to Rs. 5699 crores, in 1974 it has again gone up to Rs. 10,719 crores and in 1975 it has further gone up to Rs. 12,497 crores. In 1976 it has gone up to Rs. 15,120 crores. I can give you the figures from the report of the Reserve Bank of India which I have got with me.

Regarding distribution of employees, in 1956 it was 79,000, in 1969 after nationalisation the figure went up to 2,20,000. Naturally, the Commission expected, according to Adarkar Committee's Report, expansion of the banking industry and its personnel. According to that Committee at the rate of 2,000 every year it was go upto 7,18,000 in 1985. I would request Shri Patnaik to follow the spirit of the constitution of Union Public Service Commission or the State Public Service Commissions in the matter of bank recruitment also. In Kerala we follow this practice in the matter of appointment in the public sector. Look at the Bill itself. It is very interesting. I do not want to quote. If you examine the Bill you will find that concentration of recruitment of regional or local persons may come in the way. Please see clause 4 of the Bill. It says:

"The Commission shall have regional offices in such State or Group of States as the Commission may, with the previous approval of the Central Government determine and no such regional office shall be abolished without the previous approval of the Central Government."

[Shri Vayalar Ravi]

To overcome this, there is a statutory provision. According to that, the Commission can open regional offices in the State or any group of States or in any of the region. There is also a provision for appointment of a sub-Committee. You are now taking away the statutory authority. You want to give it only on the basis of Government direction.

SHRI BIJU PATNAIK: What is the exact difference?

SHRI VAYALAR RAVI: It is not statutory as you say. The fear of Mr. Patel is that there will be centralisation. I say 'no'. Under Section 3 Clause 4 of the Act there is a provision which gives power to the Commission to open regional offices.

Then, Sir, the integrity of the Members has been questioned. Section 4 clause 2 provides that fifty per cent of the Members must be qualified and they must have put in ten years' of service in the banking industries. So, Sir, there is no question of any 'yes-men' coming. No Tuli or Puri will come hereinafter. But if this Act is not there then there will be many Tulis and many Puris.

Further, Sir, the present measures goes against the interests of the Scheduled Castes and Scheduled Tribes. I am making this charge with all responsibility. You are repealing this Act. Sir, I quote Section 17 of the Act:

"The Central Government may, by order direct that in relation to every public sector bank, reservations in favour of the Scheduled Castes, Scheduled Tribes and other categories of persons shall be made in such manner and to such extent as it may specify."

It is a statutory provision. They cannot run away from it. If you take away this Act you can only give a

direction. Look at the State Bank. There are 1,08,000 employees but only 9,000 scheduled castes/scheduled tribes employees which means less than 9 per cent.

AN HON'BLE MEMBER: Then it was your Government.

SHRI VAYALAR RAVI: Yes, we agree. We do not want to repeat it whereas you want to continue it. You want to continue with this kind of ignoring the rights of Harijans in this country.

SHRI BIJU PATNAIK: Never, Never.

SHRI VAYALAR RAVI: Sir, strongly say that it goes against the interests of the scheduled castes and scheduled tribes.

Lastly, Sir, there is a provision in the Act—Section 22—whereby every year the Annual Report will be presented to the House. Thereby the Parliament has the right to discuss the acts of omission and commission of the Commission. Now, you do not want the Parliament to discuss. You do not want the Parliament to discuss these appointments. There is no provision to bring the reports of the individual banks before the Parliament.

So, Sir, because of these reasons I believe that this enactment is against the interests of the poor and the Harijans and the minorities of this country. I oppose this Bill. This is a black Bill where you are afraid of bringing these matters before Parliament for discussion. You want seven lakhs of clerks to be distributed as a matter of your own pattern age. Then, instead of one Tuli there are going to be thousands of Tulis. That is why I strongly oppose this Bill. I would therefore appeal to the hon. Minister to withdraw this Bill.

15.30 hrs.

[DR. SUSHILA NAYAR in the Chair.]

श्री दुर्गाचन्द (कांगड़ा) : सभापति महोदय, मैं बैंकिंग सर्विस कमीशन (रिपील) बिल के समर्थन में बोलने के लिए खड़ा हुआ हूँ। मैं इस बिल पर कोई स्पीच न करके सिर्फ इतना ही कहना चाहता हूँ कि स्टीफेन जी ने और श्री सौगत राय जी ने बहुत सी दलीलें दी हैं और यहां पर इस बिल के डिस-एप्रवल का मोशन भी दिया है और कहा है कि यह सारा कानून गलत है लेकिन मैं समझता हूँ कि सेण्ट्रलाइज्ड सिस्टम की जितनी बुराइयां हैं उनको शायद और लोग नहीं जानते पर जो लोग बैंकवर्ड रीजंस के हैं या ऐसे इलकि भी इस देश में हैं जो कि इनएक्ससेबिल हैं, जहां पर आसानी से पहुंचा नहीं जा सकता है वहां के लोग जानते हैं कि इस सेन्ट्रलाइज्ड सिस्टम से कभी भी वहां के लोगों को रिप्रेंजेंटेशन नहीं मिल सका है। वे कहते हैं कि बैंकों के नेशनलाइजेशन का जो मकसद था, जो आन्व्रेक्टिब था वह इस बिल के जरिए से डेस्ट्रॉय हो जायगा लेकिन मैं समझता हूँ बैंकों के नेशनलाइजेशन का मतलब यह था कि दूर गांव में बसे हुए लोगों को भी नेशनलाइज्ड बैंक्स से राहत मिल सके लेकिन अगर रेक्यूटमेण्ट का सेण्ट्रलाइज्ड सिस्टम हो जाता है तो उससे दूर दराज के इलाकों में बसने वाले लोगों को कभी भी मौका नहीं मिलेगा कि वे दिल्ली में आकर इस्तहान में बैठें और सेलेक्शन ले लें। इसके जरिए से कुछ लोगों को एग्जामिनेशन में बैठने और सेलेक्शन पाने का प्रिविलेज मिलता है जबकि दूर दराज, हिली और बैंकवर्ड एरियाज के लोगों को कभी मौका मिलता है। उनको कभी रिप्राजेंटेशन नहीं मिल पाता है। चाहे रेलवे की बात हो, चाहे फारेन ऑफिस की बात हो, चाहे कामर्स मिनिस्ट्री की बात हो, जहां जहां भी सेण्ट्रल रेक्यूटमेण्ट होता है वह सब यही दिल्ली में हो जाता है और उसमें ज्यादा पढ़े लिखे लोग जिन स्टेट्स के भी हैं वही उसका फायदा उठाते हैं। बाकी लोगों को मौका नहीं मिलता।

अगर रेक्यूटमेण्ट के लिए रीजिन्नल सिस्टम रखा जाता है तो उसके लिए वो बनेंगे और सेण्टर की तरफ से गाइड-लाइन्स जायेंगी और सेण्ट्रल गवर्नमेंट बोर्ड का चेयरमैन गाइड लाइन्स के हिसाब से तय करेगी तो फिर मैं समझता हूँ उसमें किसी तरह की करप्शन नहीं हो सकती है। जिस समय बैंकों का नेशनलाइजेशन किया गया था उस समय उन बैंकों को भी नेशनलाइज्ड किया गया जो कि प्राइवेट बैंक थीं और उनकी फंगशनिंग बहुत अच्छी थी। कुछ बैंक जो प्राइवेट थीं उनकी हालत नेशनलाइजेशन के बाद भी दूसरी बैंकों से ज्यादा अच्छी है। तो मैं यह कहना चाहता हूँ कि इस सिस्टम से जोकि बैंकिंग सर्विस कमीशन (रिपील) बिल में है उसके जरिए से इम्पार्शल सेलेक्शन किया जायेगा वरना जो बैंकिंग का प्रोसेस चल रहा है उससे डेवलपमेण्ट का प्रोसेस हैम्पर होगा क्योंकि उसमें हर बह आदमी जा नहीं सकेगा क्लर्क, मैनेजर या एकाउण्टेंट की जगह पर जोकि देहात की हालात को जानता है।

सभापति जी, मुझे कल माबल कर हाल में जाने का मौका मिला जहाँ पर हमारी एक्स प्राइम मिनिस्टर श्रीमति इंदिरा गांधी आई हुई थीं वहाँ उन को एक चिट दी गई और चिट में लोगों ने उन से पूछा किजो बैंक्स आपने नेशनलाइज किये, उन का पैसा मोनोपोली हाउसेज और बड़े-बड़े इण्डस्ट्री लिस्ट्स को गया, जब कि नेशनलाइजेशन का मकसद था कि वह पैसा आम जनता तक पहुंचे, आम आदमियों को क्रेडिट फैसिलिटी मिले। उन्होंने जवाब दिया— इस में कोई शक नहीं, हमारा पिछले 8-9 साल का तजुर्बा यही रहा कि वह पैसा मोनोपोली हाउसेज के पास गया। लेकिन उस की दलील उन्होंने यह दी कि क्रौम पर किसी वक्त कोई आर्थिक संकट आ जाये तो खास हालात

[श्री दुर्गा चन्द]

में ऐस करना भी पकता है, पैदावार बढ़ाने के लिए उन को ज्यादा पैसा दिया भी जा सकता है।

मैं यह समझता हूँ कि इन बैंकों का पैसा आज भी कारखानेदारों को, बिजनेस-मैन को, उकानदारों को मिलता है, लेकिन जिस को मिलना चाहिए—इस देश में 85 फीसदी आबादी एग्रीकल्चरिस्ट्स की है, जो रूरल इलाकों में बैठे हुए हैं, आर्टिजन्स हैं, — उनको नहीं मिलता है। इन की टर्म्ज एण्ड कण्डीशन्ज इतनी सख्त हैं कि आम आदमी उस को ले ही नहीं सकता। इनके विभाग के जो लोग वहां जाते हैं, उन का व्यवहार आम आदमियों के साथ अच्छा नहीं होता, इन की त्राकफियत बड़े आदमियों के साथ होती है, जो उनसे नाजायज फायदा उठाते हैं। अब मैं उम्मीद करता हूँ कि इस सिस्टम के जरिए फेअर और इम्पर्सनल रिफ्रूमेण्ट होगा। सेंटर की तरफ से गाइड-लाइन्ज दी जायेंगी, जिन के तहत रिफ्रूमेण्ट होगा और देहात के लोगों को आगे आने का मौका मिलेगा। हमारे रूरल एरियाज में जो रीजनल-इम्बैलेस है, उस को दूर करने का मौका मिलेगा।

*SHRI KRISHNA CHANDRA HALDER (Durgapur): Madam Chairman, the Banking Services Commission (Repeal) Bill is being discussed in this House and on behalf of my party I extend full support to it. The Congress Government under the leadership of Smt. Indira Gandhi had embarked upon a policy of concentration of power in the hands of a supreme leader. With this end in view, you will recall Madam Chairman, the Constitution was amended through the 42nd Amendment Bill and personal liberty which is the essence of democracy was taken away from the people. Not only this, in pursuance of the same policy the Government and the party

started concentrating real power in the hands of the few and in banks and other public sector organizations they planted their own henchmen so that the power could remain concentrated in the hands of a few. When the bank nationalisation Bill was introduced in this House by party has supported the Government because we felt at that point of time because we felt that as a result of nationalisation of the banks the stranglehold of the big monopoly houses on the primer lending institutions of the country would end and the small and marginal farmers, will be given easy loans and it would lead to their prosperity. It was also our hope that members of the Scheduled Castes and Scheduled Tribes and all those persons who were economically backward will be benefited as a result of the nationalisation of banks. But unfortunately even though the Government of that time clamoured much for the welfare of the people, particularly of the weaker sections in effect, these people were totally neglected and the big industrialists were given huge amounts of loan and as a result the rich became richer and poor poorer.

A little while ago my friend Mr. Vayalar Ravi was arguing that as a result of the present legislation the members of the Scheduled Castes and Scheduled Tribes will suffer most. I must say madam that it is like shedding crocodile tears. In this very House during emergency I had proved through statistics how scheduled caste and scheduled tribe people were being harassed in the States of Andhra, Karnataka, Tamilnadu, Rajasthan, Punjab, Bihar and West Bengal under the provisions of law that were made by Government under MISA. The harassment and the brutality that these members of the communities were subjected to is too well known to be reiterated in this House but when a

*The original speech was delivered in Bengali.

member of the Congress party tries to shed tears for them I cannot but feel dejected and aggrieved.

Madam, Chairman we support this Bill because we feel that public administration should be free from political domination, and justice should be done to the deserving. Today the Janata party is in Government and tomorrow may be, some other party would come into power. This does not mean that the political party enjoying power in the centre should monopolise service also. We would therefore suggest that all public sector organisations should be freed from political interference—a phenomena that was prevailing during all the past years. Not only this we have also found that organisations whose employees were members of the trade union organisations of the political party in power in centre were given patronage while those belonging to the opposition were looked down upon.

SHRI VAYALAR RAVI: What is the name of your Union?

SHRI KRISHNA CHANDRA HALDER: CITU and All-India Bank Employees Federation.

SHRI VAYALAR RAVI: Just a small one.

SHRI KRISHNA CHANDRA HALDER: It is one of the strongest Federations of the Banks. You should know that. You should not mislead the House. It is one of the strongest in the Reserve Bank and State Bank.

MR. CHAIRMAN: Please continue your speech.

*SHRI KRISHNA CHANDRA HALDER: As I was suggesting Madam the Congressmen had concentrated all the power in their own hands and in fact it was available only to a few.

This state of affairs must end and the present Bill is a step in that direction and I welcome this Bill.

PROF. P. G. MAVALANKAR (Gandhinagar): Madam Chairman, this discussion is going on jointly on the statutory resolution moved by my friend, Shri Saugata Ray and the Bill moved by the hon. Finance Minister. My first question is why was an ordinance necessary for this? Is the Janata Government, like the previous government, committed to ordinance raj? Mr. Patel and his colleagues, who were on this side of the House not too long ago, always opposed any ordinance tooth and nail. What is the motivation for issuing this ordinance? I am sorry the government has not given any reason about the need for the ordinance in the statement. Why could not the government wait till November 14, when Parliament was to meet? It is high time the Janata Government got rid of this habit of issuing ordinances.

Secondly, why was not the opposition consulted on such a major move like this? I understand that on major matters there is the usual consultation between and among the Chief Whip of the Janata Party, the Minister of Parliamentary Affairs and the Leader of the Opposition. But after hearing the speeches of opposition members from the Congress Party, I feel that the Congress Party has not been taken into confidence in this particular matter. This Bill has a major significance. It creates some suspicion in the minds of even people like me, not to speak of the opposition, whether you want re-structuring of the recruitment policy or whether you are having second thoughts about bank nationalisation. The Congress Party has a majority in the other House and if they wish, they can stall this Bill.

*The original speech was delivered in Bengali.

[Prof. P. G. Mavalankar]

It is, therefore, in the interest of proper functioning of the parliamentary time-table that they should have been taken into confidence earlier, their reaction ascertained and then this ordinance should have been issued. If this Bill is not passed by the other House, who is going to take the blame for all this? I am for nationalisation of banks, I was and I am for it even today. I believe in economic and social justice to the poor people. In the previous years, for many years banks were looking after private interests of monopoly houses, big business industrialists and a section of the people who were very rich and very privileged, and a large number of weaker sections of the community and the poor people were completely ignored and unattended. I am not, therefore, saying that these are all the people who are now being well attended to! Not at all. But at least a point of view was created that now you must look to the poorer people. That good tendency or healthy tendency has to be continued rather than taken in the reverse direction. Therefore, Madam Chairman the point is by merely saying that Government is giving guidelines, does it mean that Government will keep free from interference? I have no time to go into details, but Mr. H. M. Patel has to reply. As regards the Chairman of the nationalised banks and the appointments to the Boards of Directors, those who are in the new list, I have a suspicion that all those people who are new Directors they are either representing big business interests, landlord interests or some special or privileged interests and the common people who were there in the previous Boards are absent, not completely, but to some extent. I want, therefore, doubly to be assured that the Government's policy is for nationalisation, and for improved recruitment procedures. If you say that, I am with you. But if you do not spell out clearly, I am afraid I will take this as a kind of a lurking suspicion in my mind that this may perhaps be the backdoor entry to the

process of denationalisation. That should not happen and the Government must make it amply clear and if the Government makes it amply clear today, Madam Chairman, I hope and request my friends on the opposite side, particularly the Congress benches: Let them not then stand on prestige issue and let them not oppose this Bill. If Government are for nationalisation, if Government are for improvement of banking services, if Government are for economic and social justice for the poor people and the weaker people, then merely because it has been done in the way Government wants to do, let the Congressmen not oppose it. That I can appeal to them in all sincerity though I am only one man here. My only point is, let the Government clearly spell out that they are for continuing the nationalised sector of national banks, that they will continue to improve the services, the personalised services which were available to the old days will continue with a larger perspective of social and national context for weaker people and poor people. If that happens, I am with them; otherwise, I am afraid it is very difficult to give support to this Bill and, therefore, I am reserving my judgment about voting this way or that way until I get a satisfactory reply from the Government on this. I do not want this recruitment abolition to be the beginning, to be the thin end of the wedge. You might start denationalisation in a veiled way and then after some years you might come to a situation where you might say: "Well, we cannot run this business. Therefore, let us go back to big business monopoly." I am opposed to it because I believe in economic and social justice. That is why I am mentioning this point. I want clarification on this point to be spelt out clearly by the Government.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): Madam Chairman, I was very much surprised when the honourable the Leader of the Opposition said that "my main charge against this Government is that this is not just a single step. This betrays their motivations and character. As I said in the beginning, this is not just a move to do away with that Act by way of Ordinance, this is another way of denationalising the system that they had introduced." The same suspicion my hon. friend, Mr. Mavalankar has.

Now, let me first of all remove one point which Mr. Mavalankar raised about ordinance. The objection to the ordinance that one has when one is in the Opposition is when an ordinance is brought just before Parliament is to meet.

PROF. P. G. MAVALANKAR: I am sorry....

SHRI H. M. PATEL: Mr Mavalankar, you may be sorry, but this has been the convention and that convention was repeatedly, time and again, broken by the other side of the House when Congress was in power and that was the question and that really was a major objection. Undoubtedly, as far as possible legislation by ordinance has to be avoided, but there may be occasions and when a Government has to be run, there are occasions when ordinances have to be issued, but as I said, if a Session is about to meet, it is definitely doing something which is not correct.

Now, as far as de-nationalization is concerned, let me give the assurance to my friend, Mr. Mavalankar—because he will certainly accept this assurance—that there is not the slightest intention of de-nationalization. What is astonishing is that anybody should have any doubt on the subject and read this into this particular bill, except of course with political motivation. This is the point. Where do you see in it the first step towards de-nationalization? We have in fact gone very

much further forward in strengthening and improving the nationalized banking system, since we came into power. One of the hon. Members from the Congress side said that they had opened so many branches and so forth. Let me tell him that the number of rural branches which were opened in the 3 years 1974, 1975 and 1976 was something like 2800—odd. And in 1977 i.e. at the end of September the number was already 1349. If you look at it, you will find that the stepping up of the opening of rural branches has been very substantial. One of the first things that the Government did was to direct the Reserve Bank to appoint a committee to go into the question of branch expansion, with a view to seeing whether it was achieving the objectives with which that expansion was being undertaken, and to see whether any weaknesses were creeping into the organization. The terms of reference were very wide. It was to go into the system thoroughly. Similarly, another committee was appointed to go into the question of regional rural banks, because they were started without any philosophical basis. For that reason we said that regional rural banks were intended to fill the lacuna left by the nationalized banks working in the rural areas on the one side, and the cooperative banks on the other. We felt that we were not reaching the marginal and small farmers; and, therefore, that some other organization should come into being. And from that point of view, this regional rural bank idea was ushered in; but it was not working quite well. Ever since its introduction, the number of advances made ran into a very small figure, although the number of branches opened, ran into quite a substantial figure, apart from the main branches. I am saying this as an illustration to show that our interest in strengthening the nationalized system is very great. I myself have already held 3 meetings of the regional consultative committees, where we go into the question of how these branches are functioning in the rural areas particularly and in the States con-

[Shri H. M. Patel]

cerned in general, in order to see that they do, in fact, achieve the objectives with which nationalization was brought in; and the membership of the regional consultative committees, I may say, comprises the Chief Ministers of the States concerned and various other interests, plus the chairmen of the banks which have branches in that area. They take part in the meetings. We go into the difficulties, and into whatever shortcomings of the banks there may be; and we also try to see that the aspirations of each region are met. Naturally, I have to say and I can say it without any hesitation that the extent to which the banking system should go into the rural areas is not yet achieved. It will take time. After all, we started virtually from scratch, and even today the commercial banks meet only about 10 per cent of the rural agricultural requirements. It is the co-operative banks which have reached 25 per cent. But the co-operative banks too, some 25 years ago, were meeting barely three per cent of the requirements of the agricultural areas. Today they have developed into 25 per cent, and I have no doubt that the manner in which we are approaching this question, the nationalised banks will also increase their contribution to the rural requirements very substantially.

16 hrs.

I am trying to establish that our interest in nationalisation is genuine and it is not only for the sake of appearances. Therefore, to say that this Bill has been brought in with a view to de-nationalise the banking system is the most unwarranted, very unkind and uncharitable charge.

It is the shedding of crocodile tears which surprises me. Here is the Leader of the Opposition, who was himself the Finance Minister when this nationalisation came in. The banks were nationalised in 1969. The Banking Commission, by which he now swears, was appointed before that. It was not appointed by the then Fin-

ance Minister or the then Government. It was appointed earlier and it reported in 1972. This particular recommendation, which has now so enthused everybody on the other side, so much enamoured them that they took three years in order to consider it, before they would bring a Bill for establishing a statutory commission! And then too, so greatly enthusiastic they were about it, so worried were they about the unsatisfactory recurring system, that they took yet another 16 months before, doing what, appointing a Chairman! Nothing more was thought about it, as to how this Commission was to function. Not even a paper was written down as to how they would proceed. Yes, the Commission could have regional organisations and so on. But, was anything worked out? Nothing has been worked out. They have not done anything of that kind. Yet, they say how very sad they are that this Statutory Commission has been given the go-by or it had a still birth. Why? Because, they say, what we intend doing will mean patronage. Here are these people who never exercised patronage; never at all! It is only we who are going to start it! Do you know that the only reason that can be ascribed to the fact that they were dragging their feet on the appointment of the statutory Commission was their desire to continue the patronage, unrestricted patronage, which they were exercising?

My hon. friend, Shri Mavalankar, referred to the Boards. I am surprised that he thought that the composition of the new Boards was not satisfactory. First of all, let me say this. It was three years after nationalisation that the then Government was able to establish the Board of Directors. Then, after appointment, they went on for five years.

They did not find time. The nationalisation of banks is so very important that they did not even find time to appoint fresh boards in time.

Not content with that, the Hon. Leader of the Opposition says that we re-

glect the interests of the scheduled castes and so on, and in another form another hon. Member today repeats that. Let me tell them that there were only eight persons representing the scheduled castes and scheduled tribes in the boards appointed by the Congress. It may please Mr. Mavalankar in particular to know that we have appointed at least one scheduled caste or scheduled tribe or backward class representative on the board of every one of the nationalised banks. We act, we do not just talk.

He says that under the Act it was laid down that there would be this and that proportion. I can tell him that we have issued guidelines as to the proportion in which there should be scheduled castes and scheduled tribes in the staff, officers etc., of the nationalised banks, and the nationalised banks have accepted it and are proceeding to see that these guidelines are implemented.

The hon. Member there started pooh-poohing guidelines and he almost said that they are meant only to be disregarded. I am afraid that must be his experience. He had the misfortune to serve at a time when these guidelines were being disregarded, but let me tell him that we do not disregard the guidelines. When we frame them, we intend to implement them.

SHRI C. M. STEPHEN (Idukki): We are very much impressed by that statement.

SHRI VAYALAR RAVI: What is the percentage?

SHRI H. M. PATEL: Whatever is the normal percentage fixed for everything else in Government.

SHRI VAYALAR RAVI: Nothing new.

SHRI H. M. PATEL: There need not be anything new. What is really new is that it will be implemented, and it is the most important thing; not just to talk, but to do.

Then they say that we are abolishing a statutory commission and in its place we are going to establish Boards which will not be statutory. Does that mean that they will not be impartial, they will not do their duties objectively? These gentlemen do not seem to be aware of the fact that the railways recruit their junior staff through six commissions, appointed in six different places, and there has been no complaint of lack of objectivity, or impartiality of not ensuring that the various reservations etc. are respected. No one has complained about it. So, why should you think that the same will not be the case when these Boards are appointed, when I have pointed out that there will be an eminent personality as Chairman from outside the banking circle?

Perhaps they are not aware, but the State Bank has been recruiting through a Board of the kind that I am mentioning, presided over by a distinguished administrator. There have been former Cabinet Secretaries and other persons of that kind. There has never been any complaint of their recruitment being unsatisfactory.

So, there is no reason to think that when we set up Boards of this nature, with a Chairman from outside, with an expert drawn from the Banking Management, it will not be satisfactory. The banks are not going to run these Boards. These Boards will be created under the scheme that will be drawn up now. Banks accepted it. But the banks are going to provide all their facilities which exist with them because they have been recruiting all these times. They have man-power; they have people. We are going to use merely the mechanical facilities, the human resources which they possess for clerical work and so on, for doing this. In the matter of cost, we do not see any reason why we should be extravagant when we need not be. We thought this was the better way of achieving our objective at the lowest possible cost but without in the least jeopardising the essential objectives of care, equitable and impartial selection.

[Shri H. M. Patel]

Then the hon. Members said, Oh! we can appoint boards also. I would like to inform them that when you decide to have large number of rural branches and when you want to penetrate deep inside the countryside, you need personnel capable of speaking the local languages well. Therefore, it becomes very essential to see that the recruitment is done in such a way that you have... (Interruption) I wish they had taken the trouble to study. As my hon. friend said, the result of the recruitment as carried out by the UPSC for all these higher services is such that many a State is not represented in them at all and you will not find people speaking certain languages, represented in those services. We do not want to work in such a way that such a kind of result may come. But all the same, these banks are all-India banks. But while they are all-India banks, they each have a largest cluster of rural branches and branch system in one or two or three States and not all over India. They are spread all over India, they have a certain number of branches but that is only a fraction of their total number of branches. Therefore, the manner in which we have sought to group these is in order to ensure that the people in those areas will have every facility to be represented and to be selected. This scheme has not yet been finalised and, therefore, I may point out at this point of time that I would have been happy to have given consideration to any constructive suggestion that might have come forward. One or two suggestions have come but none. I am sorry to say from the opposition side. We do want to see that the system under which we recruit, achieves this objective and I think, those who wish to serve in a particular bank can indicate their preference and this preference would be related when the recruitment is in group manner. So, I do think that the way we have thought of this system is really sound, and well conceived and should achieve the objective of strengthening nationalisation and not weaken it because we will see that the staff will be motivated to

do the work that we expect of the nationalised banks. For all these considerations, to my mind, we have done rightly..

SHRI VAYALAR RAVI: Now, the Annual Reports will not come and we will not get the chance of discussion it.

SHRI H. M. PATEL: I am surprised; my hon. friend is so naive. This degree of naiveness I would have never expected of him. He himself said that if there was his Government's thinking; it would have come to be discussed in Parliament.

May I ask what exact improvement these comments of theirs for years have brought about in the actual recruitment of Scheduled Castes and Scheduled Tribes in the Services? Not much. But I will tell them that we will actually achieve that.

We are answerable to this House. How can they say that merely because there is no statutory Commission, they will not be able to ask me questions as to how this bank or that bank functions, how recruitment has been carried out and all that? We will be ready to answer such questions without any hesitation. In matters of actual credit requirements and to what extent we have met the credit requirements, we have given such information and we are prepared to give information on that. Do they think that we will hesitate to give information about staff recruitment and officers' recruitment in the banks? Let them ask questions and we will give answers.

SHRI VAYALAR RAVI: That was mandatory, to have a discussion on the Annual Report.

SHRI H. M. PATEL: Unfortunately, they are so accustomed to be dictated to that they cannot think of anybody acting voluntarily in a right manner.

I hope, the hon. Members will accept what I have said in support of the Bill and pass it. With these words, I commend the Bill to the House for consideration.

SHRI SAUGATA ROY (Barrack-pore): Madam Chairman, I have had the opportunity of listening to hon. Members from both the sides of the House on the Statutory Resolution disapproving the Banking Service Commission (Repeal) Ordinance, 1977. I also had the privilege of, last but not the least, hearing the hon. Finance Minister's reply. You must have noticed that I was very attentively listening to the Finance Minister's speech. I found that he was only sarcastic in his reply trying to be witty and nothing else. If I may say so there was not an iota of logic in all that he said. I may point out that he was very angry and charged with emotions when he said that we had made an unwarranted criticism of him coming forward with the Banking Service Commission (Repeal) Bill and that we were attributing motives that he was reversing the process of nationalisation of banks. You must pardon us if we had attributed such motives because when the people attribute motives of de-nationalisation of banks to Mr. Patel they refer to his old Swatantra background, his love of free enterprise, his opposition of the bank nationalisation in Parliament and outside in the law courts. It is only with this background that Mr. Patel's small step in repealing the Bank Service Commission is taken as a step towards de-nationalisation. That is how it comes to one's mind.

The Finance Minister has dilated on a number of subjects and the main subject was, of course de-centralisation. De-centralisation is the standard path of every Janata Minister which he follows. On any matter, they ultimately come back to de-centralisation. It is with this logic that the Government has suggested the repeal of the Banking Service Commission Act. As my hon. friend, Mr. Vayalar Ravi, pointed out in the Act itself it was provided that the Banking Service Commission could have regional offices in different areas in different States, to cater to the needs of local population and cater to the local banking needs. Such a thing was

not ruled out by the Banking Service Commission Act. Instead, in the name of decentralisation, he has said that there will be regional boards.

May I suggest, Mr. Patel was so nice as to think like an experienced administrator—that the Commission set up by an Act of Parliament is the same as the Board that is set up by an order of the Banking Minister. I have not come across such a thing from a Minister. I only humbly submit that this is the reversal of the Banking Service Commission Act, it is not for the purposes of decentralisation, it is not for the purposes of taking banks to rural areas. If I may humbly submit, to take banks to the rural areas was not the idea of Mr. Patel, it was the idea of the Congress Government.

Mr. Patel has, a number of times, referred to having eminent outsiders and also eminent bankers, on his Recruitment Board. For example, there is, at present, an Indian Institute of Bankers. If an officer has to get promotion in the bank, he has to get a CAIIB (a certificate of associate from the Indian Institute of Bankers). I have received a large number of representations from banking officers saying that this Institute is not functioning properly. There are a number of cases in which there have been leakages of question papers, and the questions have come up and the people have known them before-hand. So, this is the thing that has been happening in the Indian Institute of Bankers' examination and that is what Mr. Patel has envisaged.

When Mr. Chavan wanted to know about the Boards of Directors of the different Nationalised Banks, which Mr. Patel has appointed recently, he has not yet laid such a list on the Table of the House. Of course, he is free to extend that patronage to anybody he likes, to include them in the Board. We only wanted to know this information. We asked him, please tell us the names of those persons whom he has included in the Board of the Nationalised Banks. Up-till-now,

[Shri Sangata Roy]

including his last speech, he has not come forward with this thing.

I am referring to the constitutional provision to which the hon. Member Shri Vayalar Ravi referred to. This is with regard to doing away with discrimination of caste and creed in the matter of services. We envisaged the Union Public Service Commission, the different State Public Service Commissions and the Railway Service Commission in order to satisfy this constitutional requirement. Mr. Patel, in his very sarcastic speech forgot about the constitutional requirement; he has not mentioned even one word about what he plans to do with regard to fulfilling the constitutional provision. I do not feel a little unsurprised when the CPI Member was vocally supporting the Banking Service Commission Repeal Ordinance. But I will only quote from the speech of my friend who is from the Ruling Party, a well known friend, Dr. Ramji Singh.

“मैं यह भी समझता हूँ कि एक बात ऐसी है कि उसमें हमारी जनता सरकार की जो परम्परा है, उस को भंग किया गया है।”

He is bringing such an ordinance.

“जब बड़े बड़े संवालों पर आप विरोधी दलों के लोगों से विचार करते हैं, तो यह अच्छा होता कि इस संवाल पर भी विरोधी दलों के नेताओं में बात कर लेते क्योंकि जनता सरकार का यह गौरव है कि इस ने समन्वय का प्रयास विशेष रूप से इस सदन में और राष्ट्र में किया है। इस के लिए हम को और विरोधी दलों के लोगों को गर्व होना चाहिए।”

At the end Prof. Mavalankar also said that. But he is an independent Member with independent views on all aspects; so, we respect his opinion. But this is from a very well known member of the Janata Party; this is what he says:

“मैं समझता हूँ कि जल्दीबाजी में इस बिल को पास करने की आवश्यकता नहीं है।”

There is no need to pass this Bill in a hurry.

“क्या यह जरूरी है कि इस शाम को या कल ही हम इस बिल को पास करें? क्यों नहीं विरोधी दल के लोगों से एक बार फिर से इसके बारे में बात-चीत हो जाती है और इसमें जो नये विचार आये हैं उनको ले कर आगे बढ़ा जाता है?”

This is what a Member from the Janata Party has said—‘What is the hurry in bringing forward such a Bill?’. Mr. Patel, in his caustic speech, has mentioned this: ‘Well; the scheme has not yet been finalised; so, after the scheme has been finalised, we will come forward and tell you how fair the recruitment system would be’. He has not even finalised the scheme. And they were blaming the former Government for the delay in implementing the recommendations of the Banking Commission! What is the hurry now in bringing forward a Bill to repeal something that has been done without even finalising the scheme for recruitment? So, it only seems to me that there is no intention behind bringing forward this Bill other than extending unlimited patronage to the Members of the ruling Party, unlimited patronage to the business houses to which Mr. Patel had erstwhile been connected, unlimited patronage to people who had supported him through the thick and thin all these years in their opposition to bank nationalisation. That is why, Sir, I press my motion, namely,

“This House disapproves of the Banking Service Commission (Repeal) Ordinance, 1977 (Ordinance No. 10 of 1977) promulgated by the Vice President discharging the functions of the President on the 19th September, 1977.”

And I appeal to their conscience, if it is there—I do not know whether the Ministers have got it. I would appeal to Mr. Patel, his senior colleague sitting by his side and others to consult

among themselves and postpone passing of this Bill today because when the recognised Opposition in Parliament seeks to disapprove of a Bill, brought forward by the Government, in all seriousness, Government should ponder over its wisdom in bringing forward such a Bill.

SHRI H. M. PATEL rose—

SHRI SAUGATA ROY: He cannot reply again. The Resolution is mine. It has to be put to the vote of the House now.

MR. CHAIRMAN: He can clarify some points.

SHRI SAUGATA ROY: He cannot reply.

MR. CHAIRMAN: According to the rules adopted by this House, he has the right to reply. Rule 352(3) says:

"A member who has moved a motion may speak again by way of reply, and if the motion is moved by a private member, the Minister concerned may, with the permission of the Speaker, speak (whether he has previously spoken in the debate or not) after the mover has replied."

I call upon Mr. Patel to reply and to be as brief as possible.

SHRI H. M. PATEL: Mr. Saugata Roy, I understand is a professor. Therefore, it is understandable that he should find fault with my logic. But I would like to ask him what precise logistics there.... (Interruptions).

AN HON. MEMBER: He is an ex-bank employee.

SHRI H. M. PATEL: I am sorry. I begin again.

He said that he was surprised at a number of things, but it is very interesting to know the things at which he was surprised. He asked why I did not give the names of the Board of Directors. Now, he must know that the

names of the Board of Directors have been widely published in every newspaper. But I can certainly put them on the Table, if the Chairman desires, tomorrow.

But let me ask him one thing. The point of his reply was only what his Leader had said. His Leader had asked specifically.... (Interruption).

MR. CHAIRMAN: Any Member who desires any information can write to the Minister and get the names.... (Interruption). No one will stand while the chair is standing.

Now, the Minister has already offered on his own to place it on the Table: so what is the problem?

SHRI H. M. PATEL: Now I think I would like to correct the misimpression that has been created. When I said that the scheme has not been finalised, I only meant that the scheme can be improved. The scheme which I have outlined admits of improvement. But we are proceeding with the implementation and by March 1978 this scheme will start operating. This is something much more than what was done earlier. I hope he will be able to add up the months from the date the Ordinance was issued to the date the new system actually starts working and find out the time taken. There was no such system at all earlier. So I hope that at least will satisfy his conscience.

Now, he worries so much about our conscience. Let us have a look at his conscience. Let me ask him whether when this very Bill, for instance, was introduced to establish a Statutory Commission, they had consulted the Opposition. The answer is 'No.' Did they consult the Opposition on any of the.....

PROF. P. G. MAVALANKAR: They might not have consulted but don't follow their bad example.

SHRI H. M. PATEL: I think you are quite right. I accept that your point is perfectly valid. I am only referring to his reference to 'conscience': it does not lie in the mouths of people who do not act in a particular way. That is all: there is nothing more to it.

Now, he says that when there was a Bankers' examination, there was a leakage from the institution and so he assumes there will be a leakage in other tests we may take for recruitment. Perhaps he does not know (I am told he has no contact now with the educational system) how many times, in his own Calcutta University, there have been leakages in University examinations. Are you therefore going to abolish the University? Are you going to suggest that? So, it has nothing to do with its being a statutory establishment or otherwise: it is the manner in which you run them that matters. Then, look at his logic. (*Interruption*).

MR. CHAIRMAN: Mr. Saugata Roy, this is very unfair: you should not go on interrupting. Will you please sit down? (*Interruption*).

SHRI SAUGATA ROY: Madam Chairman.....

MR. CHAIRMAN: You have had your say; now, this is not right that you go on giving a running commentary. Let the hon. Minister answer.

SHRI H. M. PATEL: I would say how completely illogical my hon. friend is. While he was dealing with the question of recruitment, he said that there were a number of mal-practices in the banks. Look at his sentence; it is totally out of the blue. He said:

"We know a number of cases of mal-practices in the nationalised banks".

He has never heard of mal-practices anywhere else. Then, he goes on to

refer to a case which is totally incorrect. My hon. friend owes an apology to him because that person has never been involved in anything improper, or an alleged impropriety and yet my hon. friend has no hesitation in referring to such a matter. I am not referring to it; I see no point in giving greater publicity to it. It is totally and utterly incorrect.

Having said that, I would once again point out that it is on the merits of this Bill that I am urging the House to accept what we have done and we are going to do.

MR. CHAIRMAN: I will now put the Statutory Resolution moved by Shri Saugata Roy to the vote of the House.

The question is:

"This House disapproves of the Banking Service Commission (Repeal Ordinance, 1977 (Ordinance No. 10 of 1977) promulgated by the Vice-President discharging the functions of the President on the 19th September, 1977."

The Lok Sabha divided:

Division No. 3]

[16.42 hrs.]

AYES

Alagesan, Shri O. V.
Alluri, Shri Subash Chandra Bose
Austin, Dr. Henry
Banatwalla, Shri G. M.
Barua, Shri Bedabrata
Bhakta, Shri Manoranjan
Bonde, Shri Nanasahib
Chandrappan, Shri C. K.
Chavan, Shrimati P.
Chettri, Shri K. B.
Choudhury, Shrimati Rashida B.
Damor, Shri Somjibhai
Deo, Shri V. Kishore Chandra S.
Faleiro, Shri Eduardo
Gopal, Shri K.

Gotkhide, Shri Annasaheb
 Jeyalakshmi, Shrimati V.
 Kadannappalli, Shri Ramachandran
 Kalyanasundaram, Shri M.
 Kodiyan, Shri P. K.
 Kolur, Shri Rajshekhar
 Kosalram, Shri K. T.
 Krishnan, Shri G. Y.
 Krishnan, Shrimati Parvathi
 Laskar, Shri Nihar
 Mallanna, Shri K.
 Parvati Devi, Shrimati
 Pullaiah, Shri Darur
 Rajan, Shri K. A.
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Rao, Shri Jagannath
 Rao, Shri M. S. Sanjeevi
 Ravi, Shri Vayalar
 Reddy, Shri G. Narsimha
 Reddy, Shri M. Ram Gopal
 Roy, Shri Saugata
 Sayeed, Shri P. M.
 Venkataraman, Shri R.

NOES

Agkan Singh, Shri
 Ahmed, Shri Halimuddin
 Alhaj, Shri M. A. Hannan
 Amin, Prof. R. K.
 Ansari, Shri Faquir Ali
 Barnala, Shri Surjit Singh
 Bashir Ahmad, Shri
 Bateshwar Hemram, Shri
 Berwa, Shri Ram Kanwar
 Bhattacharyya, Shri Shyamaprasanna
 Birendra Prasad, Shri
 Borole, Shri Yashwant
 Chandan Singh, Shri
 Chandra Pal Singh, Shri
 Chaturvedi, Shri Shambhu Nath
 Chaudhary, Shri Motibhai R.
 Chaudhury, Shri Rudra Sen

Cavda, Shri K. S.
 Chhetri, Shri Chhatra Bahadur
 Dandavate, Prof. Madhu
 Danwe, Shri Pundalik Hari
 Das, Shri S. S.
 Dave, Shri Anant
 Durga Chand, Shri
 Ganga Singh, Shri
 Gattani, Shri R. D.
 Gupta, Shri Kanwar Lal
 Jain, Shri Mohan Bhaiya
 Joshi, Dr. Murli Manohar
 Kaliash Prakash, Shri
 Kakade, Shri Sambhajirao
 Kar, Shri Sarat
 Khan, Shri Ghulam Mohammad
 Khan, Shri Kunwar Mahmud Ali
 Krishan Kant, Shri
 Kureel, Shri Jwala Prasad
 Machhand, Shri Raghubir Singh
 Malik, Shri Mukhtiar Singh
 Mangal Deo, Shri
 Mathur, Shri Jagdish Prasad
 Mavalankar, Prof P. G.
 Mehta, Shri Prasannbhai
 Mishra, Shri Shyamnandan
 Munda, Shri Govinda
 Munda, Shri Karia
 Narendra Singh, Shri
 Nayak, Shri Laxmi Narain
 Paraste, Shri Dalpat Singh
 Parmar, Shri Natwarlal B.
 Patel, Shri H. M.
 Patel, Mr. Maniben Vallabhbhai
 Patidar, Shri Rameshwar
 Patnaik, Shri Biju
 Raj Keshar Singh, Shri
 Rajda, Shri Ratansinh
 Ram Kinkar, Shri
 Ram Kishan, Shri
 Ram Sagar, Shri
 Ramapati Singh, Shri
 Rangnekar, Shrimati Ahilya P.

Saeed Murtaza, Shri
Saha, Shri Gadadhar
Sai, Shri Narhari Prasad Sukhdeo
Sarkar, Shri S. K.
Satapathy, Shri Devendra
Satya Deo Singh, Shri
Shaiza, Shrimati Rano M.
Shakya, Shri Daya Ram
Shastri, Shri Bhanu Kumar
Shastri, Shri Ram Dhari
Shastri, Shri Y. P.
Sheo Narain, Shri
Singh, Dr. B. N.
Somani, Shri Roop Lal
Surendra Bikram, Shri
Swatantra, Shri Jagannath Prasad
Tan Singh, Shri
Tiwari, Shri Brij Bhushan
Tiwary, Shri D. N.
Tyagi, Shri Om Prakash
Varma, Shri Ravindra
Verma, Shri Brijlal
Verma, Shri Mritunjay Prasad
Verma, Shri R. L. P.
Yadav, Shri Narsingh
Yadvendra Dutt, Shri

MR. CHAIRMAN: The result* of
the division is Ayes: 39; Noes 86.

The motion was negatived.

MR. CHAIRMAN: Now the ques-
tion is:

"That the Bill to repeal the Bank-
ing Service Commission Act, 1975,
be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We go to Clause-
by-Clause consideration. Now the
question is:

"That Clauses 2 to 5 stand part
of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

*Clause 1, the Enacting Formula and
the Title were added to the Bill.*

SHRI H. M. PATEL: I beg to
move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed".

The Lok Sabha divided:

Division No. 4] [16.49 hrs.

AYES

Aghan Singh, Shri
Ahmed, Shri Halimuddin
Alhaj, Shri M. A. Hannan
Amin, Prof. R. K.
Ansari, Shri Faquir Ali
*Austin, Dr. Henry
Balak Ram, Shri
Barnala, Shri Surjit Singh
Bashir Ahmad, Shri

*The following Members also re corded their Votes:

AYES: Shri B. P. Kadam;

NOES: Sarvshri Larang Sai, Zulfi quarullah, Dr. Ramji Singh, Shri
Ramanand Tiwary, Prof. Dilip Chakravarty, Dr. Vasant Kumar
Pandit and Sarvshri Raghaoji, R. Mhalgi, Balak Ram and Shri Krishna
Singh.

*Wrongly voted for Ayes.

Bateshwar Hemram, Shri
 Berwa, Shri Ram Kanwar
 Bhattacharyya, Shri Shyamaprasanna
 Birendra Prasad, Shri
 Borole, Shri Yashwant
 Chakravarty, Prof. Dilip
 Chandan Singh, Shri
 Chandra Pal Singh, Shri
 Chaturvedi, Shri Shambhu Nath
 Chaudhary, Shri Motibhai R.
 Chaudhury, Shri Rudra Sen
 Chavda, Shri K. S.
 Chhetri, Shri Chhatra Bahadur
 Dandavate, Prof. Madhu
 Danwe, Shri Pundalik Hari
 Das, Shri S. S.
 Dave, Shri Anant
 Digvijoy Narain Singh, Shri
 Ganga Singh, Shri
 Gattani, Shri R. D.
 Gupta, Shri Kanwar Lal
 Jain, Shri Mohan Bhैया
 Jethmalani, Shri Ram
 Joshi, Dr. Murli Manohar
 Kakade, Shri Sambhajirao
 Kar, Shri Sarat
 Kesharwani, Shri N. P.
 Khan, Shri Ghulam Mohammad
 Khan, Shri Kunwar Mahmud Ali
 Krishan Kant, Shri
 Kureel, Shri Jwala Prasad
 Machhand, Shri Raghubir Singh
 Mahi Lal, Shri
 Malik, Shri Mukhtiar Singh
 Mangal Deo, Shri
 Mathur, Shri Jagdish Prasad
 Mavalankar, Prof. P. G.
 Mehta, Shri Prasannbhai
 Mhalgi, Shri R. K.
 Miri, Shri Govind Ram
 Mishra, Shri Shyamnandan
 Munda, Shri Govinda

Munda, Shri Karia
 Narendra Singh, Shri
 Nayak, Shri Laxmi Narain
 Paraste, Shri Dalpat Singh
 Parmar, Shri Natwarlal B.
 Patidar, Shri Rameshwar
 Patnaik, Shri Biju
 Patel, Shri H. M.
 Raghavji, Shri
 Rai, Shri Narmada Prasad
 Raj Keshar Singh, Shri
 Rajda, Shri Ratansinh
 Ram Kishan, Shri
 Ram Sagar, Shri
 Ramapati Singh, Shri
 Ramji Singh, Dr.
 Saeed Murtaza, Shri
 Saha, Shri Gadadhar
 Sarkar, Shri S. K.
 Satapathy, Shri Devendra
 Satya Deo Singh, Shri
 Shakya, Shri Daya Ram
 Shastri, Shri Bhanu Kumar
 Shastri, Shri Ram Dhari
 Shastri, Shri Y. P.
 Sheo Narain, Shri
 Shrikrishna Singh, Shri
 Singh, Dr. B. N.
 Somani, Shri Roop Lal
 Swamy, Dr. Subramaniam
 Swatantra, Shri Jagannath Prasad
 Tan Singh, Shri
 Tiwari, Shri Brij Bhushan
 Tiwary, Shri D. N.
 Tyagi, Shri Om Prakash
 Verma, Shri Brijlal
 Verma, Shri Mritunjay Prasad
 Verma, Shri R. L. P.
 Yadav, Shri Narsingh
 Yadvendra Dutt, Shri

NOES

Alagesan, Shri O. V.
Alluri, Shri Subhash Chandra Bose
Banatwalla, Shri G. M.
Barua, Shri Bedabrata
Bhakta, Shri Manoranjan
Bonde, Shri Nanasahib
Chandrappan, Shri C. K.
Chavan, Shrimati P.
Chettri, Shri K. B.
Choudhury, Shrimati Rashida Haque
Damor, Shri Somjibhai
Deo, Shri V. Kishore Chandra S.
Faleiro, Shri Eduardo
Gomango, Shri Giridhar
Gopal, Shri K.
Gotkhinde, Shri Annasaheb
Jeyalakshmi, Shrimati V.
Kadam, Shri B. P.
Kadannappalli, Shri Ramachandran
Kalyanasundaram, Shri M.
Kodiyan, Shri P. K.
Kolur, Shri Rajshekhar
Kosalram, Shri K. T.
Krishnan, Shri G. Y.
Krishnan, Shrimati Parvathi
Laskar, Shri Nihar
Mallanna, Shri K.
Parvati Devi, Shrimati
Poojay, Shri Janardhana
Pullaiah, Shri Darur
Rajan, Shri K. A.
Ramalingam, Shri N. Kudanthai
Ramamurthy, Shri K.
Rao, Shri Jagannath
Rao, Shri M. S. Sanjeevi
Ravi, Shri Vayalar

Reddy, Shri G. Narsimha
Reddy, Shri M. Ram Gopal
Roy, Shri Saugata
*Sai, Shri Larang
Sayeed, Shri P. M.
*Varma, Shri Ravindra
Venkataraman, Shri R.

MR. CHAIRMAN: The result† of the division is: Ayes 92; Noes 43.

The motion was adopted.

16. 48 hrs.

PAYMENT OF BONUS (AMENDMENT) BILL*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA):
Madam, I beg to move:

"That the Bill further to amend the Payment of Bonus Act, 1965.....

MR. CHAIRMAN: Let the proceedings go on. Those who wish to leave, may do so quietly. Do not make so much noise please.

The Minister.

SHRI RAVINDRA VARMA:
Madam, I beg to move:

"That the Bill further to amend the Payment of Bonus Act, 1965, be taken into consideration".

The Bill seeks to replace the Payment of Bonus Ordinance that was promulgated on the 3rd September, 1977. The Ordinance had a limited and urgent objective. Its objective was not to bring forward a comprehensive revision of the existing law on bonus, affecting the coverage of the

*Wrongly Voted for Noes.

†The following Members also recorded their votes:

Ayes: Sarvshri Ram Kinkar, Narhari Prasad Sukhdeo Sai, Zulfiqarullah. Km. Maniben Vallabhbhai Patel, Ramnand Tiwary, Kailash Prakash, Surendra Bikram, Gauri Shankar Rai, Shrimati Rano M. Shaiza, Ravindra Varma and Larang Sai;

Noes: Dr. Henry Austin.