

Dr. Ram Subhag Singh: My esteemed colleague, Shri Umanath, said that we are working under someone's pressure. He is absolutely wrong there because we do not know of any pressure from either side. As you aptly said, the matters referred to by Shri Umanath and Shri Sharma can be raised in the next meeting of the Business Advisory Committee.

As regards Shri Madhu Limaye's point for raising the time allotment by two hours for both the general discussion and the Demands stage of the Railway Budget, on that day all the parties were represented and we unanimously agreed on this time schedule.

श्री मधु लिमये : मैं नहीं आया था और
[हमारा आदमी भी नहीं था ।

Dr. Ram Subhag Singh: But all the parties were notified about it.

श्री अटल बिहारी वाजपेयी (बलरामपुर)
एकाध घंटा अध्यक्ष महोदय बढ़ा सकते हैं ।

Dr. Ram Subhag Singh: That is in the hands of the hon. Speaker and can be looked into by him.

श्री मधु लिमये : एक एक घंटे के लिए
तैयार हैं आप तो ठीक है ।

Mr. Deputy-Speaker: The question is:

"That this House agrees with the First Report of the Business Advisory Committee presented to the House on the 22nd May 1967".

The motion was adopted.

15.30 hrs.

ANTI-CORRUPTION LAWS
(AMENDMENT) BILL*

The Minister of State in the Ministry of Home Affairs (Shri Vidya Charan Shukla): On behalf of Shri

Y. B. Chavan I beg to move for leave to introduce a Bill further to amend the anti-corruption laws.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the anti-corruption laws."

The motion was adopted.

Shri Vidya Charan Shukla: I introduce the Bill.

15.31 hrs.

STATEMENT RE. ANTI-CORRUPTION
(AMENDMENT) ORDINANCE, 1967

The Minister of State in the Ministry of Home Affairs (Shri Vidya Charan Shukla): I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Anti-Corruption Laws (Amendment) Ordinance, 1967, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. LT-362/67.]

15.31½ hrs.

MOTION RE. REPORT OF UNION
PUBLIC SERVICE COMMISSION,
1964-65—Contd.

Shri D. C. Sharma (Gurdaspur): When you gave me a chance last time I had time to say only two sentences which I want to repeat. My first sentence was, "I welcome this report", and my second sentence was that it is a fine report. I call it a fine report in the same sense in which I call the Kutab Minar a fine monument, the Taj Mahal a magnificent monument or the Red Fort a massive, historical monument, because I have been in this House for some time now, and I have found one thing about this re-

port, and it is this, that this report follows one stereotype, it follows one pattern. The names change, but the content does not change, and the methods do not change, and the approach to the problem does not change. Therefore, this is a report which, in this changing world, gives me the feeling of being something which is unchangeable. I wish that the Union Public Service Commission changes the character of this report, changes its nature; it should not only use the old material and put in new names, but should adopt some new methods to highlight the facts that it wants to present to the public. I think this only shows how the Union Public Service Commission has got into a rut, a rut out of which it cannot get out, even in the matter of writing out this report, and it is a very sad day in the history of this country when this Union Public Service Commission, which is responsible for picking the topmost administrators in this country gets into such a groove that it finds it difficult to change even the chronology, the paragraph, the style, the words, and almost the contents of the report that is presented to Parliament.

I would request you to compare this report with any previous report, and you will find that it would be like the Siamese twins. There is not much difference between the previous report and this report. Therefore, I want a face lift for the Union Public Service Commission? I want this Public Service Commission to undergo some kind of metamorphosis, and it is this. What is this Union Public Service Commission? It reminds me of the old conflict between crabbed age and youth. All the members of this Union Public Service Commission are superannuated persons, persons who have outlived their utility in their respective departments, and people who have found a rest cure in the sacred premises of the Union Public Service Commission. I would say to you that a Commission which has to sit in judgment upon the per-

formance, the achievement, the capability of the young men of this country, and also the young women of this country, should not be so out of touch with the urges of the times, with the yearnings and hopes and aspirations which the youngmen and young women of India today have.

Old men are good in their own way; they can go to the Rajya Sabha, if nowhere else.

An hon. Member: But you are here.

Shri D. C. Sharma: Because I have come as a result of elections in which two of you opposed me. So, they can be sent to the Rajya Sabha, or they can be sent to some other place, but the sacred precincts of the Union Public Service Commission should be reserved not for these out of date persons, persons who are out of touch with the realities of the India of today, but for those persons who know what the India of today stands for, what India today looks forward to, what India is going to be in another 20 years. Because they are there, these old people get a comfortable audience, otherwise they would get no audience. Therefore, I would say that this should have a face-lift, and it should have a substantial number of young men to manage it.

I would, however, not be very uncharitable to old persons, but I would say . . .

An hon. Member: Because you are of the same category.

Shri D. C. Sharma: I am not one, though I look like your grandfather, I am a young man at heart.

15.37 hrs.

[**SHRI C. K. BHATTACHARYYA** in the Chair.]

I was submitting very respectfully that this Union Public Service Com-

[Shri D. C. Sharma]

mission should have a large youthful element which is full of enterprise, which is forward-looking, which is outward-going, and which is wedded to the kind of India that we want to build up.

I want to ask you one question. I have looked through their report and, I find that this report gives us so many types of examinations. I am not very much wedded to one type of examination, but there are some persons who are subjected to written tests and also interviews, there are some persons who are subjected to only interview, there are some persons who are entitled to employment by written or practical tests, and then there are some other persons who are eligible for appointment in some other way. The UPSC, Mr. Chairman, should have on uniform approach to the employment of persons. It should not go on revising the standards from one service to another service. It should not say that Mr. X will be appointed because he passed a written test and an interview but Mr. Y would be appointed after a practical test alone and there is no need for an interview. This vitiates from the usefulness of the UPSC examination. It should have one method for the employment of all the categories of persons.

Another point is that I want the UPSC to be something like the Supreme Court of India, to be the highest court of appeal so far as employment of persons is concerned. Most of its present duties should be delegated to the provincial or State Commissions. We have given autonomy to the States and power to do things. The State Public Service Commissions should be given more powers and the UPSC should come in only when there is a case of injustice or of some person being overlooked. It should deal with Indian Administrative Service and Indian Foreign Service only. The other services should be taken over by the State Commissions. Its dignity should be raised and its work should be cur-

tailed so that it can do something really worthwhile.

Mr. Chairman, you and I are very unfortunate. Persons who are Members of Parliament are unfortunate persons in this sense that we hear all kinds of complaints from all kinds of persons. When we probe into these complaints, we find that there is a substance of truth in them; we find that they are not wide off the mark and that they are not trumped up only to down-grade something. What do we find in the UPSC? There are so many pulls here; there are so many professional pulls, so many departmental pulls, so many regional pulls. When somebody is to be appointed, some department chief will go and get an ad hoc appointment made permanent. Since all kinds of pulls are here, the UPSC is not able to do its work ably and impartially.

I will take an instance. Take the case of Dr. Narayana Menon, the great director of the great All India Radio which we have been discussing on the floor of this House today. I do not know how many times he went before the UPSC; I do not remember that I do not know how many times he was turned down. At least once he was turned down and he was not taken as the Director of the All India Radio. Something happened; some alchemy in human composition happens and the same person who has been turned down has been taken. What was that due to? There are political pulls, professional pulls, ministerial pulls and regional pulls—all these pulls if I may say so. (Aw hon. Member: Casteism) ... There is casteism; there are all kinds of things and I do not want to go into them. So, the UPSC should be made a body which can rise above these pulls and which should have an all-India attitude towards the appointment of the All-India services and the choosing and employing of these persons who are best fitted to serve our country.

As I said in the beginning, I welcome this document and I say that the

document is worth reading. But my misfortune is that I have to read the same thing over and over again. Therefore, I say that next time this report should have some different approach so that I may have something different to read and ponder and think about and something different to say about.

Shri A. K. Kisku (Jhargram): Sir, I am a new Member of this House and I belong to the Scheduled Tribes. Therefore, I would take this opportunity to review this report from the point of view of a Scheduled Tribe. During the last twenty years the people of India had been hearing a great word from the ruling party—socialism. In other words, they are saying that the administration and the government were trying to help the backward classes and under-privileged classes to come to the level of the more fortunate people. I was going, through this report and there was some reference to appointments to the reserved posts. I feel that twenty years' time was more than enough by which time members of the Scheduled Castes and Scheduled Tribes should have been appointed even to the unreserved posts. On the other hand, I found that there is an expression of satisfaction that the Scheduled Caste and Scheduled Tribe Members have been appointed to the reserved posts and that is all.

I am coming from the State of West Bengal. It is a very genuine grievance that we the Scheduled Tribes and also the Scheduled Castes of West Bengal have even today that there is not a single IAS officer in the whole State. It should make us seriously think as to whether the Government had been seriously trying to give the under-privileged group the opportunities and to what extent they have been successful. Apart from that, I was reading the report of the Commissioner for Scheduled Castes and Scheduled Tribes which has just been published concurrently. I was read-

ing the report of the Public Service Commission, 15th Report, which appeared on the 12th July, 1965 and also side by side, the 14th report of the Commissioner for Scheduled Castes and Scheduled Tribes which appeared on 24th November, 1965. I want to put the whole thing before the House that great dissatisfaction has been expressed in the report of the Commissioner for Scheduled Castes and Scheduled Tribes. May I quote some of the paragraphs of that report? There is one paragraph where something has been said on the implementation of reservation orders. That is to be found at page 146 of the report. It says:

"It is apparent that there has not been an appreciable increase in the intake of Scheduled Castes and Scheduled Tribes in the Central Government services so far as Class I, II and III are concerned. The reasons for this slow intake have been discussed in the previous reports which also contain recommendations for securing adequate representation of these communities. Unfortunately, most of these recommendations, for reasons which are hardly convincing, have been rejected by the Ministry of Home Affairs."

"According to the Ministry of Home Affairs, the number of Scheduled Castes and Scheduled Tribes is increasing from year to year. While that is undoubtedly so the fact remains that the rise in the percentage of representation of these communities is insignificant. Admittedly, the Constitution requires the Government to secure adequate representation of the Scheduled Castes and Scheduled Tribes."

"Attention was also invited to the recommendations made in the report of the Seminar on Employment of the Scheduled Castes and Scheduled Tribes. The late Prime

Minister, Jawaharlal Nehru, had expressed the opinion that recommendations contained in the report were concrete, practical, and deserved support. Unfortunately, no steps have been taken so far to implement even those concrete and practical recommendations of the Seminar held in January, 1964."

Then there are some comments on some ad hoc appointments made in the grade of lower division clerks. The Commissioner has commented "that is rather unfortunate that the Ministry of Home Affairs which has been assigned the subject of reservation of Scheduled Castes and Scheduled Tribes in the Central services has taken certain steps which seem to run counter to the declared policy of the Government of India in regard to the representation of these communities in the Central Government services. This Ministry recently recruited on an ad hoc basis as many as 535 lower division clerks through employment exchange organisations, of whom only 39, that is, 7.29 per cent, belonged to the Scheduled Castes and none to the Scheduled Tribes. The reason for this huge shortfall cannot but be attributed to the fact that recruitment was restricted only to candidates who had *inter-alia* secured 50 per cent or more marks in the aggregate and in English in the matriculation or equivalent examinations."

Mr. Chairman: The hon. Member's time is up.

Shri A. K. Kishor: Since you refuse to give me more time, I may just give you now the main impression that has been depicted in the report. All through the report it has been very clearly expressed that there was apathy, there was neglect, for these Scheduled Caste and Scheduled Tribes communities so far as the Union Public Service Commission was concerned.

There are also instances of dereservation cases. The cases of dereservation

come when suitable candidates are not available from these underprivileged communities. It has been remarked in the report that there have been excesses of dereservation of some of these posts. May I very emphatically express the grievances of the Scheduled Castes and Scheduled Tribes that they have not been cared for and that that unfairness and injustice which had been shown for the last 20 years be made up and more opportunities are given to these classes? It is a fundamental question of education, and it is high time that we checked up with the education departments in the States and also with the different machineries that are involved in the whole job as to where the defect lies. Certainly there must have been neglect in the whole thing.

Finally, I would like to take only two more minutes because I am a teacher at the same time. I find that in the report of the Public Service Commission, there is no mention of the Indian Educational service at all. I find that it has very recently been constituted and certain arrangements have been made so that there might be recruits to the Indian Educational Service. May I submit that while arrangements are being made for recruitment of qualified people to the Indian Educational Service, the recommendations that are depicted in the Kothari Commission's report may be taken into consideration and action may be taken thereon.

16 hrs.

[Mr. SPEAKER in the Chair]

Shri Seshayya (Kumbakonam): Sir, it is regrettable that the reports of the UPSC do not get due recognition which they should get from the Government, because there has been inordinate delay in discussing these reports. The last time when such a discussion took place was on 24th December, 1964 when the 13th and 14th reports were discussed. For 2½ years, no discussions has taken place. Even in December, 1964, the discussion was not complete. 3 or 4 speakers made

some suggestions, Mr. Hathi, the Minister in charge then did not even reply to the discussion.

Mr. Speaker: How long will he take?

Shri Senhyan: I want 15 or 20 minutes more.

Mr. Speaker: He may continue on the next day.

16.01 hrs.

MOTION FOR ADJOURNMENT—
contd.

AGITATION BY DELHI POLICE—contd.

डा० राम मनोहर लोहिया (कन्नौज) : अध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि सदन अब स्वामित हो।

अध्यक्ष महोदय, लोक सभा के उस दरवाने की तरह घाय देखिये। वहाँ एक बुइसबार खड़ा है। मैं ठीक नहीं कह सकता हूँ कि वह बुइसबार है या बुइ सवारिन। आंग्ल अमरीकी सेबक पसटनी तानाशाही और पसटनी तानाशाही को "दि मैन धान हार्लैंड बैंक" की संज्ञा देते हैं। और बुइसबार क्यों? क्योंकि कानून का शासन लोप हो जाता है, तब वह घाता है। मैं इस वकत इस बहस में नहीं जाना चाहता हूँ कि इस की जिम्मेवारी सरकार पर कितनी है। जनता पर कितनी। शायद दोनों पर ही। लेकिन जिस मसले को मैं उठा रहा हूँ उस से तो बिल्कुल रिक्त हो जाता है कि जिम्मेवारी बहुत ज्यादा और करीब करीब पूरी, सरकार पर है कानून के शासन के लोप की। इस वकत जब मैं घाय से बोल रहा हूँ तो घाट पुलिस धोरतें जेल में हैं। जिन पर काल का बुन्य होता है ऐसी धोरतों को भी अमानत पर रिहा कर दिया जाता है। लेकिन ये सवा महीने से जेल में हैं, उन की अमानत नहीं की जा रही है। अमरजीत कौर, सरस्वती बरौर जेल में हैं। अमरजीत कौर को डो अपने छोटे बच्चे का फिर भी छूने की हवाकत जेल में नहीं मिली है।

एही तरह से 22 बोधित अंपराधी हैं। कभी कोई मुकदमा नहीं चला। वहाँ पर कोई उन के खिलाफ कार्रवाई अवालत में नहीं हुई। बिना किसी कानूनी कार्रवाई के 22 लोगों को बोधित अंपराधी करार दे दिया गया है।

ऐसा सुनने में आता है और ऐसा संभव किया जाता है कि शायद ये 22 मर गए हों। या इन्हीं के दूसरे कुछ धीर साथी हो सकता है कि भागे हुए हों। लेकिन मरे हैं। और 18 नई पुलिस साइन में और दूसरे बहाना साहब की कोठी के सामने। एक का नाम भी मैं बताए देता हूँ। हो सकता है कि नाम में कुछ हेर फेर हो जाए। आखिर हम लोगों को जो इतना मिलती है वह कोई सरकारी तो होती नहीं। एक का नाम है जीत सिंह। उसी तरह से बिलिंगटन अस्पताल में छः नीतें रजिस्टर हुई हैं।

साथ ही साढ़े तीन सौ से चार सौ पुलिस कांस्टेबल के इस्तीफे हो चुके हैं। लेकिन उन से जबदस्ती काम लिया जा रहा है। उन से कहा गया है कि तुम्हारे इस्तीफे अभी चार महीने के लिए यों ही रोके जाते हैं फिर फैसला किया जाएगा।

जिस दिन बहुबाब साहब के घर के सामने 678 लोगों को गिरफ्तार किया गया था तो उस वकत गिरफ्तार करने वालों को कोई कानूनी-हक तो था नहीं क्योंकि वे बोर्डर सिम्बोरिटी वाले में। जो यहाँ पर पुलिस एक्ट, 1861 का लागू है उसके अनुसार पुलिस अथवा सैट्रल रिजर्व अथवा ऐसी ही किसी पुलिस को गिरफ्तार करने का अधिकार है। हाँ अगर पसटनी कानून की बोधना हो जाए तब दूसरों को पसटन के सिपाहियों को भी अधिकार हो जाता है। वना केवल पुलिस वाले ही कर सकते हैं। यहाँ बोर्डर सिम्बोरिटी वालों के अघि उनको गिरफ्तार किया गया।