

**Shri D. C. Sharma** (Hoshiarpur) : Has the agreement been renewed ?

**Shri V. G. Deshpande** : May I know the number of rejected applications ?

**Shri Biswas** : The hon. Member should give me sufficient notice, and then I can give him the figures. There is nothing to hide. For the first time now, the hon. Member is showing so much interest in these matters. What can I do now? (*Interruptions*)

**Mr. Speaker** : I find that the hon. Member is interrupting too much. I must close this discussion by seven o'clock. We have only two minutes more to seven. I would request hon. Members not to interrupt. The Minister may conclude within two minutes.

**Shri Biswas** : I am grateful to the House for the interest it has evinced in the conditions of minorities. I only hope that Hon'ble Members will not forget this, and that this will not be the last time that they are doing so. The more they ask me questions about the conditions of the minorities, the better I feel, because I want to explain to them what the exact position of the minority community there is. There is nothing to keep back. When this chance has come to us, why should we not take the fullest advantage of it ? That is the spirit in which we must work.

#### MESSAGES FROM RAJYA SABHA

**Secretary** : I have to report the following three messages received from the Secretary of Rajya Sabha :

- (1) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 30th May, 1956, agreed without any amendment to the Life Insurance Corporation Bill, 1956, which was passed by the Lok Sabha that the Rajya Sabha, at 23rd May, 1956."
- (2) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 30th May,

1956, agreed without any amendment to the Travancore-Cochin State Legislature (Delegation of Powers) Bill, 1956, which passed by the Lok Sabha at its sitting held on the 28th May, 1956."

- (3) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Indian Income-tax (Amendment) Bill, 1956, which was passed by the Lok Sabha at its sitting held on the 28th May, 1956, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

#### RULES REGARDING EMERGENCY RECRUITMENT TO I.A.S.

**Mr. Speaker** : The House will now take up the discussion on the rules regarding emergency recruitment to the Indian Administrative Service. One hour has been allotted for this, that is to say, the discussion will go on from 7 p.m. to 8 p.m. Now, **Shri A. K. Gopalan**. The hon. Member may take ten minutes. Others will take not more than five minutes each.

**Shri A. K. Gopalan** (Cannanore) : I thank you for allowing this opportunity to raise this one-hour discussion on an important subject, on a matter which is of very great importance. This is a matter concerning all the educated men in this country. The Hindu, The Indian Express, the Amrita Bazar Patrika, and almost several of the vernacular papers have all written editorials protesting against these rules. These rules are irritating to the young men in this country.

The advertisement carrying the notification of the Union Public Service Commission, calling for application from prospective candidates for the special recruitment to the IAS restricts the applicants to those who got an income of Rs. 300 or more during the last one year. One can understand a minimum educational qualification or a particular age-limit or physical fitness. But previous earnings can, under no sound principles, be accepted as a qualification essential for the applicants to the IAS.

This rule is against the spirit of the Constitution. It is discriminatory. It is unjust and much less socialistic, even if it be the Congress brand of socialistic. This rule is against article 16 (1) and 16 (2) of the Constitution. Article 16 (1) says :

"There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State."

This rule is a violation of the provisions of that article in spirit, if not in letter.

7 P.M.

The Home Minister said on 12th April: "We are giving opportunities for all." This rule is a violation of that assurance also.

Let me examine what is the result of this rule. First class honours and other graduates who are in the low paid jobs or unemployed will be excluded from the purview of the UPSC, whereas ordinary graduates who are sons and daughters of wealthy parents, who are the relatives of Ministers or high officials who are well placed in government jobs, or who run business establishments etc., will be eligible for applying. Lakhs of brilliant young men, patriotic and with a passion to work with honesty, ability and integrity will be denied all opportunities. Among these men can be found college teachers with brilliant academic records, serving in non-government colleges and even government colleges. Among them are thousands of government employees who, for want of proper backing, had to start from a low level. Among them are bank clerks and others who, having nobody to support them, started their life from a low rung of the ladder hoping to work their way up. They are also disappointed.

As in the case of government servants in private service also there are so many young men who are disappointed with this rule. The large number of educated unemployed in the country are hard hit by this strange qualification. In these days, when we talk of helping the unemployed, to put such a drastic restriction of income for otherwise qualified people is an insult to our unemployed young people.

If the intention was to put a premium on experience, the best thing to do was not to put an income qualification, but to restrict recruitment to only those who were employed already and who had a

minimum period in employment of, say, five years. This would have obviated such blatant discrimination against the poorer sections of the people.

This rule discriminates against the southern States where the scales of pay are much lower than those in the north. The scale of pay for the same post varies from State to State. For instance, a Superintendent in the Government Secretariat in T.C. is paid an initial salary of Rs. 200 in the scale Rs. 200-10-300 (till 1-4-56 the scale was only Rs. 175-10-225), whereas in Bombay it is Rs. 350, and in the Central Government it is Rs. 450. A college lecturer in T. C. State is paid Rs. 125-10-175, in Madras Rs. 200, in Mysore Rs. 100 (Rs. 100-10-250) and Rs. 250 in Delhi, U.P. etc. Out of the 140 candidates recruited to the National Defence Academy, there is none from T.C. and Hyderabad, 3 from Madras, 2 from Mysore, 21 from Delhi and 50 from Punjab. In this vast country of ours, a uniform scale of pay does not exist. Scales of pay for the same kind of jobs in different States vary, and between States and Centre vary.

The other day the Home Minister said that enough Scheduled Caste candidates were not available to fill up the quota allotted to them in the services. If the Government prescribe such fantastic qualifications, I do not know wherefrom we can find Scheduled Caste candidates, Scheduled Tribes candidates and backward class candidates. It will be very difficult to find such candidates with this income qualification.

This is an attempt to revive the old tradition of the ICS. Recruitment to the ICS was only done from the aristocracy and feudal families. Ordinary citizens were not eligible for enrolment to the ICS. This IAS recruitment with this rule revives that old tradition. It tries to restrict the field of recruitment to the most important administrative service of the country to the sons and daughters of the rich and the influential people in the country.

Even concerning the social status, the yardstick of income is out of place. These persons are of high intelligence, efficiency and integrity, who have voluntarily chosen teaching, social welfare or other lowpaid but creative work, and who may now choose to enter the administrative service. To rule them out would be discrimination; to rule out such missionary spirits on the ground of

[Shri A. K. Gopalan]  
failure in income would not only be grossly unjust to the individuals concerned but totally opposed to public interest. To measure a man's merit in terms of his income is an outrage on traditional as well as present-day Indian sentiments. To perpetuate such a thing is a gross betrayal of the people's interests.

A man employed in a junior capacity in the office of a professional man who may be a close relation of his may draw a salary far bigger than another of similar qualifications who has no influential connections, but the latter loses his chance. The income qualification must be removed immediately. Otherwise, the young men of this country will certainly be aggrieved.

I also want to mention about the highly qualified and experienced Commissioned Officers in the defence services, who are about to complete their service within a year or two. They are qualified for selection to the IAS emergency recruitment and are within the age limit. They are feeling frustrated because they are not permitted to apply for this emergency IAS recruitment. Moreover, the emergency IAS cadre is losing the opportunity of having highly experienced and qualified defence service personnel included in its ranks.

The Ministry is nervous because for the recent recruitment to NEFA for less than two dozen vacancies nearly 2,000 Army Officers had applied. This shows that there is great frustration in the officers' cadre. This has to be gone into. But that is no reason for preventing defence service officers from not appearing for the emergency IAS selection, especially when they are about to complete their service in the next two or three years.

I have only to request the Government to realise that this restriction on the income certainly deprives not one or two but several thousand young men who are really able, who are efficient, who are patriotic, who have passion to work for the country, for the development of this country, of their opportunity to serve the country. This certainly makes them angry. Several letters

have appeared in the papers; several editorials have been written in the papers on this subject. These have appeared in the columns of the most important dailies in all the States. This restriction that a man, if he does not get an income of Rs. 300 or over, is not eligible for recruitment is an unjust restriction. I would request Government to see that really good men are to be judged by their experience and other qualifications and not by the income they get. There may be other qualifications and restrictions, but the income qualification should not be there.

I know of engineers who get than Rs. 300. There are others who are in government departments or in other services. I have already cited the case of college lecturers who are very efficient, who can do any work, but who do not at present get even Rs. 150 or Rs. 200. When they retire, they get only Rs. 250.

So this is a question that is agitating the minds of all young men in the country who want to really do something for the country. So I request Government to relax this rule; if Government want to put some other qualifications and restrictions, they may be in the matter of experience and other things.

**Dr. Krishnaswami (Kancheepuram) :** What a pity, that a mature administrator and seasoned politician like the Home Minister should not have considered the implications of this notification. This notification should be amended and I hope it will be possible for him to take note of the points which will be raised by hon. Members and myself.

If the objective of the new IAS Recruitment Rules is to recruit candidates at different age levels with varying degrees of qualification and experience, this has not been achieved by the present notification. We ought to have made clear in the notification what posts are required to be filled at different age levels. Thus out of hundred posts we might have to fill in the junior most cadre consisting of men between the ages of twenty-five to thirty, forty posts from thirty to thirty-five, we might have thirty vacancies. If between the

[Dr. Krishnaswami] ages of thirty-five to forty we have thirty posts to be filled up, this should have been made clear. If this information had been furnished it would have resulted in better type of people applying for posts in our administrative services. Normally these posts at different age levels carry with them different salaries and varying responsibilities. Furthermore this would have acted as a restraining influence on the number of applications which according to reports have poured into the office of the Public Service Commission. It is well-known and I think the Home Minister would agree with me, that in any integrated service a balance in age groups is maintained when posts are marked out according to different age groups and as we are to have an integrated service, we cannot afford to ignore the need for preserving a balance in age groups. Relaxation is permissible only in the case of backward communities, where due to factors of a social nature on insistence on this principle would lead to a shutting out of candidates drawn from these communities.

Now, the relaxation can take one of two forms. We have to relax this rule in the case of backward communities so that we might give them greater opportunities for occupying these posts; at the same time, we must not relax in such a manner as to lower the standards of efficiency of the services as a whole. What I suggest is that in the case of backward communities, the Scheduled Castes and the Scheduled Tribes, a person who is 40 and who has the minimum qualifications, might be called upon to hold a job which normally a man from the advanced community of the age of 30 would fill. Eventually, he may not reach the joint Secretary's cadre, but he, certainly, would reach the Deputy Secretary's cadre and this in itself would provide for greater vertical mobility and greater equalisation of opportunities among the various communities, whose welfare we have at heart (*Interruption*).

My hon. friend need not suggest that I am opposed to those drawn from these communities reaching the cadre of a Joint Secretary. But surely we have to consider the obstinate facts of our social environment, and realise the need for striking a balance between two considerations; the desirability for giving candidates from handicapped communities opportunities to occupy administrative posts of responsibility and the need

for preserving the efficiency of the services. If in the present circumstances we can envisage a flow of men to the cadre of Deputy Secretary from that of collectors in another ten years we would have achieved a great service to the community and benefited these classes as well. As it is we have men occupying posts in the subordinate civil service; there is a gap, a yawning gap between the clerk and a minister drawn from the ranks of the scheduled castes. Dr. Ambedkar's formula is good on paper but has not worked in practice.

I want to put another question. The Home Minister knows that the Planning Commission has envisaged the appointment of 386 I.A.S. officers in addition to those already in service but, from reports we learn that only hundred persons are to be recruited. Why is there this disparity? Are we going to have emergency recruitment every third or fourth year? It was only nine years ago that we had an emergency recruitment. If we are going to have repeatedly emergency recruitments the services, the morale of the services, will suffer. I respectfully, suggest that in fixing the number of people that you are going to recruit, you ought to err more on the liberal side. The possible needs of our administration cannot be envisaged with precision.

My hon. friend referred to the income qualification which a candidate will have to satisfy before applying for a post in the Indian Administrative service. Now the salary test of Rupees three hundred is far too high. We have to realise that there are regional disparities in salaries, particularly in Part B States, and I do not wish to add anything more to the argument except to suggest that we ought to either do away with this income qualification or, if that is not practicable, to reduce it to about Rs. 200 or even Rs. 150, which, would be fair.

The argument that has been put forward that only first class candidates need not satisfy this salary test and that this would encourage the talented applicants drawn from every region to apply is highly spacious, particularly when we realise the differences in standards of the universities in our country. Some universities are niggardly in the award of first class degrees; some on the other hand are generous and most liberal in the award of first class degrees. I have no wish to be mixed up in the argument as to whether one university

degree is better than other university degree. But, I can affirm that there are many second class candidates in certain universities who are quite equal, if not superior, to first class candidates of other universities. Indeed, a generalisation might be made to the effect that in regions which are prosperous, universities are generous in awarding first class degrees.

Now, there is another simple point that requires to be clarified. We have put the age limit for applicants at 40 and we have in the notification suggested that at the time of selection the applicant should not be more than forty. In the civil services it is the age at the time of appearing for the competitive examination that is taken into account in determining whether he should enter it or not. But, here, since it is only for 15 years that he will have to serve, perhaps a different rule seems to have been followed. I do not think the Home Minister should stick to this rule; in a few cases candidates will serve the state for fourteen years. If the suggestion is accepted that the age at the time of a candidate's appearing for the examination should be taken into account, all that this would imply is that in a few marginal cases the candidate would be forty one when he joins the service. It is for the Hon. Minister to consider, in consultation with the Finance Ministry, the financial implications of extending this concession, namely, that the age be taken only at the time of the examination and not at the time of selection. Further I suggest that we should not debar men in the army and other services from appearing for this examination. It is a mistake to suggest that this is a competitive examination. The examination of the candidates knowledge is only a qualifying test. There is in addition a viva-voce test which is expected to be a negative test for weeding out the obviously incompetent and inefficient from an administrative point of view. But one glaring omission has been made. We have not made provision in the application for people with experience letting their selectors know the posts that they have filled, their attainments and their qualification subsequent to their obtaining a degree. Indeed this application is a carbon copy of the usual form which candidates between the ages of 21-24 seeking admission to the I.A.S. have to fill. In the case of candidates with experience, the very applications must be considered to be of prime importance for entry into the service.

One final point and I have done. In the United Kingdom and other democratic countries, it is recognised that we should not have controversy over questions pertaining to administrative services. Such controversies as occur are only marginal in character.

I hope the hon. Home Minister will consider the observations that we from this side have made in the proper spirit and give us credit for having dealt with this question in an objective manner. The income test will, as my hon. friend, pointed out, work incredible hardship on those coming from the southern States. Knowing the Home Minister as I do, I feel certain that he will not be guilty of any discrimination. Although his Ministry might have nodded, he I hope is wide awake and will rectify the errors that have been committed by the bureaucrats in his office.

**Shri Kamath (Hoshangabad)**: Mr. Speaker, I propose to proceed on the very solid basis provided by the Home Minister himself in his half-jocular half-serious speech replying to the Home Ministry's Demands on the 12th April. He said:

"If suitable candidates are available, at least 100 will be recruited from the open market as it is called...."

Then, he said, jocularly,—

"not from the streets. These people may be between the ages of 25 and 40."

Then, he continued:

"There will be promotion from the State services and the normal period of 8 years will be reduced to 6 so that even junior officers may be taken in. Besides the members of the public, all others whether in the military or in the civil services will be allowed to compete for these posts that are to be recruited from the public."

Then, he went on to say—

"We are giving opportunities to all."

This is the basis for the rules that have been framed for the emergency recruitment to I.A.S.

Before I proceed further, I would like to refer to the Minister of State's—if he will permit me to say so—manipulation of figures, either inadvertently or

[Shri Kamath] deliberately, which was resorted to the other day when replying to a question. Shri Datar said that already 30,000 applications have been addressed to the U.P.S.C. I think, he was somewhat misled by the fact that the U.P.S.C. has printed 30,000 application forms. At the foot of every form, you find this, G.I.P.N.D. L.S. 3 U.P.S.C. 7-5-56, 30,000. On the 26th of May, an applicant received a form with serial No. 21,000 and odd. This was on the 26th, and on the 25th May, Shri Datar replied to the question. A day before that he said that 30,000 applications had been received, while actually a day later the forms that have been sent out by the U.P.S.C. numbered only 21,000 and odd. There is only a difference of 10,000. Out of these 20,000 forms also how many who had got the application forms could have filled them in and sent them to the U.P.S.C. by the 24th or 25th? I know their psychology; usually candidates tarry till the last minute, last day or last week, and then fill the forms and send them to the U.P.S.C. On the day Shri Datar answered the question, even 10,000 applications could not have been addressed to the U.P.S.C. Evidently, Shri Datar wanted to drive his point home and so he exaggerated it as 30,000.

My hon. friends, Shri Gopalan as well as Dr. Krishnaswami have referred to the discriminatory treatment that has been set in motion against the Army officers. I am told that the Minister of Defence has issued orders that no permanent officer of the Defence Services can apply for this emergency I.A.S. recruitment, unless he resigns his service. Only after his resignation from the service, he will be allowed to apply. This might have been due to the fact that the Minister has been unnerved by the 2,000 or more applications for the N.E.F.A. service some time ago. But that is not the way to proceed about the business. You must enquire into the matter why Army officers are discontented and frustrated. Here, the Home Minister gave a solemn assurance on the floor of the House that Army officers as well as civil officers will be equally eligible for the I.A.S. and that there will be no discrimination. That is being set at naught by the Defence Minister, and that means that there is a conflict between the Defence Minister and the Home Minister. Therefore, either the one or the other must go and quit office on this issue: if the Home Minister cannot prevail, I leave it to him to decide

what should be done about the matter. But there should not be such a conflict over this issue between the two Ministers.

**The Minister of Home Affairs (Pandit G. B. Pant):** The hon. Member would not like both to go?

**Shri Kamath:** Not yet: One is enough. But I am sure there will be an amicable settlement between the two and there will not be any need for either to go.

I will end up by saying something about the rules themselves. There are one or two invidious provisions in the rules. One refers to the deduction of marks in the written test for superficial knowledge. After giving marks for each answer separately, this overall deduction for superficial knowledge is provided for as if it to say, that the examiner cannot test, while giving marks to the different answers the nature of the candidate's knowledge. Even in the old I.C.S. examination, there were no such rules. There was deduction only for bad handwriting in the old I.C.S. rules. But here this is a very novel rule, which I fail to understand.

Lastly I would like to make an appeal to the Home Minister. He was good enough earlier in the day to appeal in the name of the Buddha, that is, in the earlier debate on the Preventive Detention Act. You, Sir, were not in the Chair at that time and so you missed that speech.

**Mr. Speaker:** The Buddha has no place here in this discussion.

**Shri Kamath:** He was referred to by the Home Minister in the discussion on the working of the Preventive Detention Act.

**Mr. Speaker:** But he has no place in the I.A.S.

**Shri Kamath:** I would only appeal to the Home Minister....

**Mr. Speaker:** Let the hon. Member finish now; he has already taken five minutes.

**Shri Kamath:** You gave the previous speaker full ten minutes. Please give me only a minute or two and I will finish.

**Mr. Speaker:** Why should he spend his time on the Buddha now?

**Shri Kamath:** The Government pays homage to the Buddha on a nationwide scale, and if they are really sincere in their homage to the Buddha, I would appeal to them in the name of

the Buddha, who fought all his life against social inequalities, against social stratification on the basis of the vulgarity of wealth and of personal income, to withdraw this rule relating to personal income. I have no time to make all my points, but I would appeal to the Home Minister that he might see his way to constitute a small committee of M. Ps say four or five. Tomorrow we will be willing to sit with him to discuss further points if he is prepared to meet us and discuss further the provisions with regard to the I.A.S. recruitment, so that the anomalies, discriminations and other unsatisfactory provisions in the rules might be rectified in the interest of the large, educated unemployed who are eager to serve the country.

**The Minister in the Ministry of Home Affairs (Shri Datar):** Shall I make a small correction, with your permission, to the answer which I gave on the 25th? Actually 26,000 forms had been sold by the U.P.S.C. and taken by the various candidates as on that date, and today up to nearly 32,000 application forms have been sold out by the U.P.S.C.

**Shri Kamath:** How many were received by the U.P.S.C.

**Shri Datar:** There is no question of receipt. That is the reason why I am correcting my answer. On the date on which I gave the answer, 26,000 application forms had been sent out by the U.P.S.C. to the various candidates, and till today about 32,000 application forms have been sold out. So, you will find that so far as these forms are concerned, they are sold at the rate of Re. 1 per form, and these forms are received almost in the last week by which the applications should be received by the U.P.S.C.

**Shri Barman (North Bengal—Reserved—Sch. Castes):** I want an elucidation about paragraph 5 of the notification issued by the U.P.S.C. There are two classes of persons who are eligible to apply—first those whose pay is not less than Rs. 300 per mensem and, secondly, those whose income is not less than Rs. 300 per mensem. Many letters have come to me enquiring what "income" implies. Is it income from any sources, say, from landed property? Certainly that cannot be the implication. But so

far as the clause goes, it includes that also. I think that that should be made clear at least by another notification.

**Shri Datar:** That has been done already.

**Shri Barman:** I have already asked the hon. Minister about the second point, that is, whether the dearness pay includes dearness allowance. I had that question from a member from my State and that point has been explained now; it includes dearness allowance.

I have to bring it to the notice of the hon. Minister that this restriction of Rs. 300 per mensem is a very high qualification in the case of new entrants, I mean, the Scheduled Castes and Scheduled Tribes. The hon. Minister knows that it is only when the Government of India came forward with scholarships from out of their funds that students from these two classes got encouragement and have taken up studies in the University courses. It is only with much difficulty and strain that they are getting employment now in the public services—and that too only since a few years. There is the other qualification that the candidate must have obtained a degree in certain subjects enumerated therein. In addition, if you impose the income qualification of Rs. 300 per mensem and if it is strictly adhered to in the case of Scheduled Castes and Scheduled Tribes, there will be practically very few applications from them for this service—I do not know how many. Therefore, I request the hon. Minister to reduce this pay qualification at least to Rs. 150 that is, including the dearness allowance. I also wish to bring to his notice the cause of those political sufferers who had no opportunity till freedom came to India. They may have entered into some service which may not be very remunerative; but in their case also this restriction of Rs. 300 per month should be waived.

**Shri C. R. Narasimhan (Krishnagiri):** There is no doubt that the new rules have caused widespread dissatisfaction. Even sober and cautious a daily like the *Hindu* has come out with a scathing article on the matter. The newspaper has used very strong adjectives such as "official slovenliness", that the whole thing is like a "big raffle", and that many astonishing anomalies have been allowed. That only shows that there is great dissatisfaction. The representation submitted by the Madras Secretariat Service Association also

[Shri C. R. Narsimhan]  
affords convincing reading. I am very sorry that on this matter the Government are just on the borderline of discriminating against different classes of persons. They may be on the safer side; but the border-line is thin and at any time there is grave danger of these rules being challenged in courts, and if it happens it will create a lot of dislocation in the official work.

I only wish to put one question. Is it not a fact that in the year 1950 when emergency recruitment was resorted to the following qualifications were stipulated alternatively?

"(1) Candidates must be first or second class graduates in Arts, Science or Commerce of a recognised University and should (on the 30th June, 1948)

(a) have had a minimum of five years' service in responsible posts under Government, University, Public Body, Indian States or business house;

or

(b) have been in receipt of a basic pay of (excluding all allowances) not less than Rs. 400 p.m. for a period of not less than one year immediately preceding the 30th June, 1948;

or

(c) possess five years' experience at the Bar."

There was also a foot-note to the following effect :

"Graduates in Law, Engineering, Agriculture and other professional or vocational subjects are NOT eligible to apply unless they have also obtained a First or Second Class Degree in Arts, Science or Commerce."

I want to know why there has been a deviation now, and I would request Government and the hon. Home Minister in particular to see whether suitable amendments could not be made, because there is a general feeling on the part of those who have been affected that injustice has been done and this feeling should not be allowed to continue.

**Shri A. M. Thomas** (Ernakulam) :  
Mr. Speaker, as a Member coming from the South I wish to bring to the kind

notice of the hon. Home Minister how the rule with regard to income qualification will adversely affect prospective candidates coming from the Southern States in particular. The basic fact that we have to remember is that this is prescribed for the purpose of sitting for the examination; you have not invited applications for recruitment direct, so that there will be further stages of screening.

I can very well understand the object with which this rule with regard to income qualification has been framed. It will certainly be an administrative problem: we can very well realise that lakhs of applications will be pouring in and that will create so many difficulties. But I would urge that those difficulties have to be faced, rather than showing any discrimination in this matter.

I can very well understand the objections given to questions in the Rajya Sabha by the hon. the Home Minister that he is thinking of relaxing these rules in certain directions—first in the case of Scheduled Castes and Scheduled Tribes. I would submit that if he has got any such intention he must include Backward Classes also in the category to which exemption is given. Secondly, I think he has got an idea of exempting first class graduates from the prescribed qualifications. With regard to that I would urge the point that has been made by my hon. friend, Dr. Krishna-swami that standards differ from university to university. I was a member of the Joint Committee on the University Grants Commission Bill, among which some were Vice-Chancellors and educationists. It appeared during discussions that certain universities were very strict to grant first class in the case of certain degrees. That is not the case with regard to certain other universities. I know of certain instances where students who were detained in the Junior B.A. or B.Sc. classes left that particular university, joined another and within two years came out with the M.A. and LL.B. degree together. Another aspect that has to be borne in mind in this connection is that those who have taken Mathematics as their optional very easily get a first class; but students who have taken Politics, History or Economics, though they may be very desirable candidates for the Administrative Service, do not easily get a first class. There may be one Dr. John Mathai, or Mr. Kuruvillah Zachariah who might have got a first class in History or Economics.



**Shri Velayudhan** (Quilon cum Mavelikkara—Reserved—Sch. Castes): There are so many in Travancore-Cochin.

**Shri A. M. Thomas**: There may be, but they are very few, I would say who have got a first class in History, Economics or similar subjects as far as some universities are concerned.

Another aspect which I wish to bring to the notice of the Home Minister is the great disparity in the scales of pay obtaining in the Central services and the State services, especially in the South. Shri Gopalan has referred to that. A superintendent in the Travancore-Cochin Secretariat, which is considered to be a heaven-born service as far as a government servant in my State is concerned may be getting about Rs. 200, whereas even an Assistant in the Central Secretariat may be getting Rs. 300. If these rules are enforced those persons will be deprived of the benefit of appearing for this examination, while those in the Central Secretariat will be able to appear. There is a feeling that the existing rules will adversely affect the candidates coming from the South, especially from the particular part of the country from which I come. In fact, I have been getting dozens of letters every day referring to this matter. So, that, I submit that the provision regarding income qualification should be amended.

I have also joined in a memorandum that has been submitted to the Home Minister by the M.Ps from the South. They have prayed for lowering the income-limit from Rs. 300 to Rs. 200. While government servants working in the northern States and in the Central Government will get an opportunity to appear, persons who occupy similar positions in the State services in the South will be deprived of the opportunity if the qualification rules are to stand as they are. The hon. the Home Minister would never have intended to discriminate in this manner. This would only have been done to meet the big administrative problem of dealing with innumerable applications. Anyhow, it is better to face such difficulties rather than give an impression to the country that we have pitched upon riches as a qualification.

**Shrimati Khongman** (Autonomous Distts.—Reserved—Sch. Tribes): The hon. Members who have preceded me

have referred to many points. I should like to stress only one point, and that is that the rule insisting on a salary of Rs. 300 as one of the conditions for recruitment to the I.A.S. may be relaxed in the case of Scheduled Caste, Scheduled Tribe and other backward candidates. Most of these candidates, I am sure, will be able to qualify themselves if an opportunity is given to them. In recent years these candidates belonging to the Scheduled Castes and Scheduled Tribes had slowly come to offer their services and some of them have even qualified themselves in the open competition and they have given a good account of themselves. I am sure if this condition is removed these people will gladly come forward to offer their good and efficient services.

The hon. Minister has already stated the other day that he has received several representations. He also assured us that 12½ per cent. will be reserved for the Scheduled Castes and Scheduled Tribes. This could very well be achieved if the pay clause is relaxed in the case of Scheduled Castes and Scheduled Tribes. I therefore request the hon. the Home Minister to consider their case and relax this particular rule.

**Mr. Speaker**: There are so many who want to speak. I will allow one minute each.

**श्री राबेलाल व्यास** (उज्जैन) : अग्रघण्ट महोदय, आई० ए० एस० में कम्पीट (प्रतियोगिता) करने के लिये मैं समझता हूँ, यह पहला मौका खास तौर से देहातियों को तथा पिछड़े हुए लोगों को मिला है। मैं आपके सामने ग्वालियर स्टेट का उदाहरण पेश करना चाहता हूँ जिस की आबादी ४० लाख की थी। वहाँ पर एक डिग्री कालेज था तथा वहाँ पर बहुत कम लोग ऐसे थे जो कि प्रेजेंट थे। इसके बाद इस स्टेट को मध्यभारत में शामिल कर दिया गया और इस एक पार्ट वी० स्टेट (भाग ख राज्य) के रूप में हमारे सामने आई। १९५० में मध्य भारत एडमिनिस्ट्रेटिव (प्रशासनिक सेवा) सर्बिस के लिये एक टैस्ट हुआ जिसका रिजल्ट (परिणाम) १९५१ के शुरू में निकला तथा १९५१ के आखिर में जाकर इन लोगों की जो इसमें सफल हुए एम्पाइंटमेंटस (नियुक्तियाँ) हुई। वहाँ पर बहुत कम लोग ऐसे हैं जो ऊँची ऊँची तनख्वाहें पाते हैं। मैं आपको बतलाना

[श्री राघेलाल व्यास]

चाहता हूँ कि वहाँ का डिप्टी कलेक्टर २५० रुपया महीना तनखाह पाता है और वह भी जो शर्तें आपने रखी हैं उनके मुताबिक टैस्ट में नहीं बैठ सकता है। जो वहाँ का असिस्टेंट डायरेक्टर आफ एग्रीकल्चर (कृषि उप-निर्देशक) है उसको भी २५० रुपया मासिक मिलता है और वह भी इस टैस्ट में बैठने के लिये एलीजीबल (अर्ह) नहीं है। जो वहाँ का तहसीलदार है उसकी तनखाह २०० रुपया मासिक है तथा नायब तहसीलदार की केवल १०० रुपया। तो जो तनखाह की शर्तें आपने रखी हैं अगर उसे वैसे ही रहने दिया गया तो कई ग्रेजुएट भी इसमें बैठने के एलीजीबल नहीं हो सकेंगे। यही बात माननीय नरसिंहमन ने कही है। मैं आपको यह भी बतलाऊँ कि ग्वालियर स्टेट में कई सालों तक कोई पे स्केल (वेतन-क्रम) भी नहीं था। वहाँ पर कोई सौ डेढ़ सौ तहसीलदार हैं तथा उनमें से आपकी मौजूदा शर्तों के मुताबिक किसी के लिये यह सम्भव नहीं हो सकेगा कि वह टैस्ट में बैठ सके। इस वास्ते मैं चाहता हूँ कि जहाँ तक आमदनी का सवाल है इसमें कमी की जानी चाहिये और इसे सौ रुपया कर दिया जाये।

एक नई बात जो मुझे निवेदन करनी है वह यह है कि आपने इसमें रखा है कि उम्मीदवार को शहादत पेश करनी होगी कि वह कम्पीटेंट (सक्षम) है तथा अथोरिटीज (अधिकारियों) को कोई ऐतराज नहीं है। यह जो "शहादत" शब्द यहाँ पर रखा गया है, इसका कुछ भी मतलब लगाया जा सकता है और कम्पीटेंट अथोरिटी यह कह सकती है कि मुझे आबजेक्शन (आपत्ति) है। इसका अच्छा असर नहीं पड़ेगा और कई अथोरिटीज किसी न किसी बहाने से एप्लीकेशंस (प्रार्थना पत्र) फारवर्ड (प्रेषित) करने पर ऐतराज कर सकती हैं। इस वास्त में चाहता हूँ कि यहाँ से एक सर्व्युलर (परिपत्र) स्टेट गवर्नमेंट्स (राज्य सरकारों) के पास जाना चाहिये कि वे किसी भी कैंडीडेट (प्रार्थी) की अर्जी जो कि टैस्ट में बैठना चाहता हो न रोकें। मैं यह भी चाहता हूँ कि पार्ट बी० स्टेट्स के केस में जो कि पिछड़ी हुई हैं कुछ और रियायतें दी जायें और आप इस बात का भी ध्यान रखें कि आप जो रिक्त-पद (भर्ती) प्रोमोशन (पदोन्नति) द्वारा करने वाले हैं, उसमें पार्ट बी० स्टेट्स को कुछ रिलेक्सेशंस (छट) दें।

श्री जांगडे (बिलासपुर-रक्षित-अनुसूचित जातियों) : अध्यक्ष महोदय, भारतीय प्रशासन

सेवाओं के लिये जो भर्तों के नियम बनाये गये हैं, उनमें मैं चाहता हूँ कि पोलिटिकल सफरर्स (राजनीतिक पीड़ितों) के मामलों में कुछ रिलेक्सेशंस किये जायें। इन रूल्ज में जो ३०० रुपया प्रति मास तनखाह की बात रखी गई है, उसमें भी मैं चाहता हूँ कि कुछ रिलेक्सेशन किया जाये। मैं यह चाहता हूँ कि शैड्युल्ड कास्ट्स (अनुसूचित जातियों) तथा शैड्युल्ड ट्राइब्स (अनुसूचित आदिम जातियों) के लिये १५० रुपये की लिमिट (सीमा) तथा जेनरल (जन साधारण) के लिये २०० रुपये की लिमिट फिक्स (निश्चित) की जाये।

मैं यह भी चाहता हूँ कि जो तारीख एप्लीकेशंस सबमिट (प्रस्तुत) करने के लिये रखी गई है यानी १५ जून तक, इसको एक्सटेंड (बढ़ा) कर दिया जाये।

मैं यह भी चाहता हूँ कि इसमें बंद हैडराइटिंग (कुलेख) के लिये नम्बर काटने की जो बात कही गई है, इसको हटा दिया जाये इसमें कुछ रिलेक्सेशन किया जाये। जिनका हैडराइटिंग खराब है उनके नम्बर नहीं काटे जाने चाहिये।

आपने यह भी कहा है कि सुटेबल (उपयुक्त) तथा अनुभवी व्यक्तियों के केस (मामले) में जिनकी अच्छी सबिस् रही होगी, परस्नेलिटी टैस्ट (व्यक्तित्व परीक्षा) में कुछ रिलेक्सेशन दिया जायगा। मैं समझता हूँ कि यह एक बग टर्म है, (अनिश्चित निबन्धन) है तथा इसको कोई पक्की डेफिनिशन (परिभाषा) होनी चाहिये।

**Shrimati A. Kale (Nagpur):** I would like to draw attention to Rule No. 9 of these Rules which is like this: It will be open to the Government of India not to appoint to the Service a woman candidate who is married, or to require such a candidate who is not married to leave the service in the event of her marrying subsequently, if the interests of the Service so require.

Most emphatically I protest against this rule. If you do not want women in this service, you must stop their being recruited. What is the use of making them appear for the examination, appointing them and then removing them from service on such a ground as this? Because, after all, marriage is a natural consequence, and if you are going to do this I do not know what will happen. One result of this is likely to be that

as regard these women who are very ambitious, you will encourage them to be immoral, or they will have to leave such a fine service and the opportunity of serving the country.

Women are serving in all other services. They are not debarred from the teaching profession, the nursing profession, the medical profession and other professions of similar nature. If they are not debarred from those services, why should they be debarred from this service? That is what I want to ask the hon. Minister. I therefore appeal to the hon. Minister to eliminate this particular rule and allow women to function in this service as efficiently as they can and to prove their merit.

**Shri M. S. Gurupadaswamy (Mysore) :** I want to know why in the application forms they have asked the candidates to provide particulars in respect of the religion to which they belong. Also, in column 14 they have asked the candidates whether they are Anglo-Indians or not. I want to know what purpose will be served by getting such information. I can understand that if the candidates should state their nationality, they should be citizens of India. But I want to know the purpose for which these two columns have been added in the application.

**Shri Veeraswamy (Mayuram—Reservé—Sch. Castes) :** For the past five years since the beginning of this Parliament I have been putting a question on the recruitment of Scheduled Castes to the I.A.S., I.P.S. and I.F.S. cadres, but the answers have been very bitterly disappointing to the Scheduled Caste Members. Till now only one or two Scheduled Caste candidates have been recruited to the I.P.S. and I.A.S. cadres. On the 3rd of this month I put a question to the hon. Minister in the Home Ministry whether the Government would take steps to see that more representation is given to the Scheduled Castes from out of the four hundred posts under the emergency recruitment, and the answer was that he expressed his fear whether the 12½ per cent. prescribed for the Scheduled Castes would be reached. I want to know why the Government should hesitate to recruit Scheduled Caste graduates to fill up at least the prescribed quota fixed for the Scheduled Castes.

I express my gratitude to the hon. the Home Minister for having relaxed the pay limit relating to the Scheduled

Caste and Scheduled Tribe candidates. I would also like to urge upon the hon. the Home Minister to relax this pay limit in the case of Backward Classes also, as my hon. friend Mr. Thomas has suggested.

And I do hope that the hon. the Home Minister will see to it that the Committee to be constituted to recruit the four hundred candidates to the emergency I.A.S. cadre recruits enough Scheduled Caste candidates to fill up the percentage fixed by Government. I do hope that the hon. Minister will not come to this House to disappoint us and say that suitable candidates were not available from among the Scheduled Castes. I appeal once again to the Home Minister to see that the best candidates from among the Scheduled Caste candidates are recruited to fill up the 12½ per cent. I hope at least fifty posts will go to them.

**पंडित ठाकुर बस भागव (गुड़गांव )** सबसे पहले मैं जनाब की तबज्जह कास्टीट्यूशन की दफा १६ की तरफ दिलाना चाहता हूँ जिसमें दिया गया है :

“There shall be equality of opportunity for all citizens in matches relating to employment to any service under the State.”

तो मैं अर्ज करूंगा कि यह जो प्रापर्टी की क्वालीफिकेशन रखी गयी है यह नहीं लगायी जानी चाहिये। यह unconstitutional है।

दूसरी बात में यह अर्ज करना चाहता हूँ कि जहाँ तक बैंकवर्ड क्लासिफ का ताल्लुक है उनके लिये तो यह क्वालीफिकेशन लगाना किसी भी तरह मुनासिब नहीं हो सकता।

तीसरी बात मुझे यह अर्ज करनी है कि आपने २५ से ४० तक का जो ग्रुप रखा है इसमें ३५ से ४० वालों को फायदा रहेगा और यंगर पीपिल के साथ डिस्क्रिमिनेशन होगा।

चौथी बात मैं यह अर्ज करना चाहता हूँ कि जहाँ तक बैंकवर्ड एरियाज का सवाल है, जैसे कि हरियाणा, वहाँ का तो कोई आदमी तीन सौ रुपये का नौकर ही नहीं होगा किन्तोंकि पचासों सालों से वहाँ के लोगों को नौकरियां नहीं दी जा रही हैं। उनके खिलाफ भी डिस्क्रिमिनेशन होगा।

[पंडित आकुरदास भागव]

आखिर में मैं यह अर्ज करना चाहता हूँ कि हमको देश के अन्दर जो सबसे अच्छा आदमी है उसको लना है। यह जरूरी नहीं है कि जिसके पास जायदाद हो वह सबसे अच्छा आदमी हो। इस वास्ते यह कायदा देश के मफ़ाद के खिलाफ भी होगा।

**Shri Velayudhan:** As far as the Scheduled Castes are concerned, it is my feeling that there should be no income limit.

There is another point. In the application form, there is a column which reads "convicted by any court for any offence—say, yes or no." This is not suitable or proper. There are a lot of difficulties experienced by these candidates.

**Some Hon. Members:** *rose.*

**Mr. Speaker:** Order, order. Only one hour was allotted. We have exceeded it and we have taken almost two hours.

**Shri Thanu Pillai (Triuneveli):** I want only one clarification.

**Mr. Speaker:** No clarification now. The hon. Home Minister may reply.

**Pandit G. B. Pant :** Mr. Speaker, I feel that the reasons which have weighed with the Home Ministry and the Government in framing these rules have not been fully appreciated. I am not sure if they are even fully known to the hon. Members. So far as the normal recruitment to the I.A.S. is concerned, that is not affected by these rules. We have annual recruitment for the I.A.S. and other Central services when we want to find the best young men in the country to start their career, year after year and there we have no such conditions or restrictions. On an average, 7,000 applicants appear in the examinations and about 200 are selected.

Now, we have to make a special recruitment in order to meet an emergency. They are posts of responsibility which have to be filled by experienced men. The brilliant cadre has been depleted and exhausted and here at the Centre we have no men who can be appointed to the posts of Deputy Secretaries, etc. from the I.A.S. As has been the practice in the past, there are many posts today that are filled temporarily or otherwise. So, this emergency recruitment is intended in order to discover suitable talent and experience for

filling the posts of responsibility without any prolonged term of training, that is, the men who are selected must be competent to join the posts and undertake the responsibility almost forthwith. That is the purpose and that is the reason.

The Second Five Year Plan has already started working. Even when the First Five Year Plan was under operation, there was a gap and deficiencies had to be filled up. The work is suffering for want of proper personnel. In these circumstances, special importance has to be attached to experience. That is why we have provided for recruitment from what are called age groups of a higher order—over-aged group recruiting, as it is called. Up to 24, that is, those who are between the ages of 21 and 24, can appear in the regular examination. Here, in order to give a chance to everyone we had started from 25, that is, persons who have completed the age of 25 but who have not yet completed the age of forty can appear for this recruitment. So, there is a fifteen years' span.

Now, the recruitment is to be from two channels or reservoirs, as you may call them. One is what is roughly called the open market recruitment—not that it is confined only to persons who are found in the streets or in the market but it is to distinguish this sort of recruitment from what might be regarded as recruitment from the services proper. The total number we may have to recruit may probably be about 385 or 386. We expect to recruit from this open market about 100-125. If we find more men, we will be able to have them also but from our experience of the emergency recruitment of 1948-49, we feel that it may not be possible to get more than 100, or on the outside, 125 men. That is, 100-125 men have to be selected from among the applicants.

We should not adopt a procedure which will result in the disappointment of a vast number. We must see that there is a fair and reasonable chance for those who are given an opportunity of appearing in this examination and that they have a fair opportunity of competing and succeeding in this ordeal or trial, whatever you may call it. So, we have prescribed certain conditions. The criterion of income by itself is not of very great value. But, how to measure experience? How to find out a man who has some experience? So, it was felt that if you link it up with the income that is drawn, not from property

owned, but a person's personal income, that would be an indication of his experience. So, that element of income was introduced.

**Shri V. P. Nayar** (Churayinkil) : The scales of pay differ in various States.

**Pandit G. B. Pant** : I have listened to that. I will come to that.

So far as the scales of pay are concerned, so far as official recruitment is concerned, that would not make much difference because, where the State executive service has a lower scale, there too, their men will find a place in the I.A.S. They will be sent up by them and they will be promoted. But, here we are concerned with the open market.

What we have to consider is this. Even if you allow many of these men who have had experience but very low scale of salary today, is there any chance of their succeeding? If there is little chance, then you are not conferring any privilege on them, but it may ultimately prove to be to their disadvantage. It is just possible, I cannot deny that one in a million may prove an exception, but ordinarily one would not expect any such results.

8 P. M.

Now, as we have just been told, already requests for 30,000 application forms have been received. Many more are bound to come. Ordinarily, we have only 7,000 candidates and from among them we have to select 200. Now 30,000 figure has already been reached; it is likely to go up to 40,000; it may go up to 45,000 and we have to select only 100 or 125. Will these people have much of a chance if you give them an opportunity? I am afraid there is not much possibility of that.

But I say that there is a strong feeling in this House, and considering the element of distinction between North and South that has been introduced, I am inclined even to depart from what would be an equitable way of dealing with this matter in order that there may be no such suspicion in any quarter. Above all we have to maintain the unity and integrity of the country, and everything else is secondary. So we may have to make some change.

I am in favour of exempting Scheduled Castes and Scheduled Tribes candidates completely from this condition

of income so that they need not be required to show that they have any income whatsoever. Similarly, I am inclined to exempt all graduates who have passed in the first-class from this condition. Whatever be their income, because of their intellectual equipment they may be admitted. That will enable us to get the best men we can. As to the Scheduled Caste candidates, they are also being given an extension of 5 years, that is, they can appear up to the age of 45 while for others age is limited, it is 40. We have a rule which provides similar exemption up to 3 years for political sufferers in the past. So they may appear up to the age of 43. That was the only concession made in their favour in the past and that may be continued even now.

As to the general income level, because of the strong feeling that has been expressed by the members from the South, I am prepared to consider the advisability of reducing it from Rs. 300 to Rs. 200. That, I think, will meet all possible hardships that might be imagined.

I have no desire to keep out anybody. We want as wide a field of choice as may be possible. Still I am not very happy over this as I do not think that these people will gain much by our lowering the income, because they will have to be tested against others who are paid today or who are earning today Rs. 500, Rs. 600, Rs. 700, Rs. 800 or Rs. 1,000 or Rs. 1,200. Those people will naturally be in a better position to impress the Emergency Recruitment Board than others.

But as you wish to give them an opportunity of proving their capacity or incapacity, whatever it may be, I would not like to come in the way.

We had no intention of keeping out the Defence Services. I think the Defence Department will itself look into the matter and see if there are any persons in the Defence Services whom they would like to recommend for consideration by the Special Recruitment Board. In this connection, the Defence Services, as you know, have their own importance and the Defence Services must have the opportunity of making the first screening themselves and seeing as to who can be spared and made available for service elsewhere.

**Shri Boovaraghassamy (Perambalur):** Is there no relaxation in the case of backward classes?

**Pandit G. B. Pant:** So far as backward classes are concerned, there has been no sort of concession made in the matter of service anywhere yet, and even, who are backward classes and who are not, is by itself a moot problem. If we were to enter into that question today, then this entire process of recruitment will have to be postponed, I know not, by one, two, three, four, five or ten years. I cannot say exactly because even the Commission has not been able to give us any precise criterion for determining as to who should be regarded as belonging to the backward classes. But, I believe, when this limit is reduced to Rs. 200, then everyone who tries to have his luck tested will have a chance of finding an opportunity for doing so.

Some reference has been made to women candidates. Women candidates are free to appear for recruitment just as the men candidates are. Whether in future any developments may make it difficult for them to continue in service, with due regard to the duties that they may owe to others more near and dear to them, that would be considered when the occasion arose. At present the question does not arise at all. They are qualified and they can appear just like others. That does not affect their eligibility today and they are welcome. I would be happy if a good number of women could be recruited.

**Shrimati Renu Chakravartty (Basirhat):** Are we to understand that efficiency will be the criterion or will it be that by the mere fact that a woman gets married she will be said to be inefficient?

**Pandit G. B. Pant:** A woman's being married would be, I think a proof of her stability. But, whether it should always be a qualification for her running about and doing police work, that is a different thing. About that perhaps opinions may differ and one may have to see whether they would always be suitable for such work. But I would like to remove any handicaps and obstacles that might be in the way of women. I have no desire to place any impediment in their way. The more of women there are, the marrier are all others.

**Shri Thanu Pillai:** May I know whether a candidate who fails in this examination will be considered for appointment to this cadre of service?

**Pandit G. B. Pant:** If he satisfies other conditions, this failure will not come in his way.

**Shri Kamath:** As regards Army Officers.....

**Shri Radhelal Vyas rose—**

**Mr. Speaker:** Order, order. We will go to the next business.

#### EMPLOYEES' PROVIDENT FUND ACT

**Shri T. B. Vittal Rao (Khammam):** Mr. Speaker,.....

**The Deputy Minister of Education (Dr. M. M. Das):** Sir, there is another item before this. It will take only two minutes.

**Mr. Speaker:** We are taking up the half-an-hour discussion now.

**Shri T. B. Vittal Rao:** Mr. Speaker, I am thankful to you for allowing me this opportunity to raise this half-an-hour discussion in connection with the delay on the extension of the Employees' Provident Fund Act. First of all, I would like to draw the attention of this House to the following paragraph appearing in the First Five Year Plan in the chapter on labour. In para 55 it is stated:

"The Act at present applies to six major industries employing 50 or more persons—Textiles, Iron and Steel, Cement, Engineering, Paper and Cigarettes. As soon as experience is gained and the scheme is placed on a sound basis, it should be extended in gradual stages to all the industries employing 50 or more persons during the period of the Plan"—

that is, the first Five Year Plan, and "A programme for the purpose should be drawn up."

Today, we have got only 15 lakhs of workers who have come under this Act. The remaining 14 lakhs of workers governed by the Factories Act do not come, and also, two lakhs of workers engaged in the mines other than coal mines do not come under this