

statistics to suit their political slogans. I would also like to quote some statistics to prove that we are going in the right direction and that we are proceeding cautiously.

15 hrs.

Mr. Deputy-Speaker: The House will hear the hon. Member tomorrow. We many take up the discussion now.

MOTION RE: REPORT OF U.P.S.C.
FOR 1956-57

Shri Harish Chandra Mathur

(Pali): I beg to move:

"That the Report of the U.P.S.C. for the year 1956-57 and Government's Memorandum thereon, laid on the Table of the House on the 9th December, 1957, be taken into consideration."

At the very outset, I wish to make it clear that it is not my intention to focus the attention of the Government or of this House on one particular case where the Government has considered it necessary to disagree with the advice given by the U.P.S.C. Not that I am in agreement with the decision taken by the Government in this particular case, but it has never been my contention and I am prepared to concede that the Government has got a right and responsibility in this matter. In discharging this responsibility which devolves on them, they have sometimes for certain extraordinary reasons to be given by them, to disagree with the Commission in the discharge of that responsibility. If we look at the figures, we will find that even for disciplinary action about 118 cases were referred this year as against 58 cases last time to the Commission. Out of these 118 cases, Government has only disagreed with the Commission in one individual case. Thus, there is very little complaint against Government for disagreeing with the Commission as such.

I am going to deal with the larger issues much more important, certain basic fundamental issues, with which we are concerned in the administration. Now, it is common knowledge that the standard and moral of the services is deteriorating. We have got to fix the responsibility or investigate the causes for this falling standard and falling morale. It is on the advice of the independent Commission that Government makes appointments. It is on the advice of the Commission that the Government makes promotions. It is on the advice of the Commission that the Government takes disciplinary action. In all these matters of appointment, promotion and disciplinary action, Government acts on the advice of the Commission and this special responsibility and function has been given to an independent body which enjoys a special position and status in our own Constitution, so that they may conduct themselves in a manner that a healthy atmosphere is generated in the services, so that the services feel secure and are ensured justice and are in a position to discharge their responsibilities in an independent manner. We have to consider whether it is so; whether the services have played their part.

I do not make any general statement of condemnation. But as I said in the beginning, it is common knowledge that anybody who is in intimate touch with the services will tell you that the services have not played their part. What are the reasons? I would ask the hon. Home Minister to let us know whether he has held any consultation in this matter with the U.P.S.C. I would strongly urge that in consultation with the U.P.S.C. they might appoint a study team or a working team to investigate into the causes and take necessary steps to remove those causes. The U.P.S.C. have not referred to this matter, but they have made a pointed reference to their difficulties in recruitment. They have been making this remark from year to year but this year, I would

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specially invite the attention of the Government and this House to the observations made by the U.P.S.C. to the fact that they did not get proper material for recruitment. It would be better for me just to refer to that portion of the report: They say:

"The Commission have to point out their experience that the present system of education leaves much to be desired so far as the development of the mind and attitudes of the candidates is concerned. The ton of discipline, the level of academic achievement to be aimed at and the methods of promotion from lower classes to higher classes have all, no doubt, a bearing on the standard of education... It should be seriously examined whether the present educational system provides adequate facilities and opportunities for the enlargement of the mind and development of the character and personality of our students."

So, they have asked for a serious examination of the problem. They also say:

"The remarks of the examiners on the performance of candidates in the written examinations of the Commission make depressing reading."

They further say:

"As for the services where candidates of a younger age group are required, the results have been very disappointing."

It is after the tenth year of our independence that the U.P.S.C. makes the observation not only that the material is poor, but they have very serious doubts about the system of education. They have not only expressed serious doubts, but they are almost categorical that there is no chance, no scope, for the development of the personality and character and no possibility for the proper material to be produced. It is in

this context that I would like to know whether as desired by the U.P.S.C., the Home Minister has been able to examine this matter. They have made a definite recommendation that this matter should be examined. May I know whether the hon. Home Minister has had any consultation with the U.P.S.C. and with the Education Ministry and has taken any steps to examine this particular observation made by the U.P.S.C.

I will pass on to another very important and significant matter. You will observe from this report that in the various cases for recruitment referred to the U.P.S.C., they found it impossible to find suitable candidates in a large number of cases. They have given them in the appendix, more than 140 cases.

An Hon. Member: 173 cases.

Shri Harish Chandra Mathur. In 173 cases they could not find suitable candidates for appointment. Now, it throws a very great responsibility on the Government. Why is the state of affairs like that? I say the responsibility rests on the Government because, if you analyse the list of the 173 cases, we will find that most of them are required for technical jobs. If you refer to the fourth report of the U.P.S.C. for 1953-54, you will find that the U.P.S.C. had made a very specific observation and recommendation to the Government.

"Considerable number of science graduates and research scholars are joining these services. The Commission would like to repeat..."

They were only repeating in their fourth report. Three years have passed.—

"that a properly attractive scientific career should be provided for our science graduates, particularly for those who show any promise of research. Otherwise the scientific and technical personnel required for implementing the various development

projects will continue to be inadequate."

This observation was made. I would like to know whether any action was taken on this so that we may not find ourselves face to face with the situation in which we find ourselves today.

I am very happy today that the hon. Prime Minister made a statement after the question hour regarding the scientific and engineering service and the research service. It appears to be independent of these observations. In the tenth year of our Independence when we are faced with certain difficulties and we feel the impact of ideas from outside where there is also much scientific research all around, he has felt himself compelled to give thought to this matter. He made a statement and I think that something will be done about it. If proper attention had been paid to the report of the U.P.S.C. and its recommendations four or five years earlier, we would not have found ourselves in such difficulties. Even today, the heads of the departments of science subjects, eminent scientists who have put in 25-30 years of service are blocked at Rs. 1,250, whereas hundreds of persons in the administrative side, much junior in calibre and in every other respect, are getting anything between Rs. 1,500 and Rs. 2,500 or even Rs. 3,000. This is the state of affairs that has continued. You can take stock of the situation. In any free and economically developed country, it is only those people, scientific and engineering people, who are engaged in the productive activities and they are better paid and given a place of honour and pride in the society. It has not happened here.

I shall again invite the attention of the hon. Minister to the proviso to article 320(3) under which a recommendation was made by the Commission in 1951. Certain proposals had been submitted so that the Government may come to a decision as to which of the jobs are to be taken out of the purview of the U.P.S.C. and

which the U.P.S.C. is entitled to examine. Year after year, in every report, the Commission has made a pointed reference to it. I have taken the opportunity of discussing the reports of the Commission more than once on the floor of the other House. I pinpointed the attention of the hon. Home Minister on this matter. You are not only ignoring the recommendations of the U.P.S.C. but you are also debarring the Parliament of the right to take a decision on this particular matter. These rules under the article I referred to have got to be laid on the Table of the House. Parliament has been denied the right of a decision and a judgment in this matter as to which of the jobs are to be taken out of the purview of the Commission. While discussing this matter in 1956, the hon. Minister gave me a definite promise that it would be done very soon, that he would be able to take a decision and that the decision would be communicated. I have got before me what he said on the floor of the House. He gave me a categorical assurance but even to this day, unfortunately, no action has been taken on the matter.

I would again like to refer to another matter and invite the attention of the hon. Minister to another Article in the Constitution to which I think his attention has never been drawn—article 321. Certain additional powers could be given to the Commission by the Government. I say that his attention has not been drawn to this article because the Government does not think in terms of giving more powers to the U.P.S.C.; it is thinking in terms of curtailing the powers which it has got.

The Government had considered it fit and necessary to make a reference to the Commission in cases where extension in service had to be granted. My hon. friend says that he has done it under an executive order. He has the right to withdraw it by an executive order. A very special reference was made to this point in a previous report of the Commission and it said that this practice of

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granting extension in the services is highly undesirable and demoralisation. I will read out what had been stated in the report:

"The Commission felt that the propriety of the decision, to the extent it would affect adversely the existing incumbents of the services, was not free from doubt and also consider that Government's decision is likely to have undesirable repercussions on the morale of the services. The Commission brought their views to the notice of the Government who stated in reply that they had considered the matter carefully but felt they should adhere to that decision."

I feel very strongly in this matter. In our developmental activities, I know the Government may find it necessary to retain the services of certain staff. They may be short of engineering staff. I would not mind the raising of the superannuation age from 55 to 56, 57 or 58, whatever it is. It is really unfortunate that we cannot have uniformity even in this matter. Here is a State, U.P. which raises the age to 58. It is different in other places. We must have some sort of a uniformity in this respect, if it is possible.

So far as the Central Government is concerned, they have taken a very wise step. If they find that it is necessary to retain certain services or experienced persons, they raise the age of superannuation to 58. If the hon. Minister so feels and thinks that the longevity of life is such that even after 55 our officers are fit enough to be retained in service and that in the developing economy, their experience is needed, it is much better to raise the superannuation age. I am all for it. You can raise the age for the technical staff from 55 to 58. But I am very much against the extension of the other services. It is highly demoralising. It demoralises the person concerned and the other persons who wait for a chance in

place of the person about to retire but does not know whether he is going to retire or not. If the Government could not agree to this for any reason, I would repeat that a reference should be made to the U.P.S.C. for the extension. He says it was an executive order. I would request him to take advantage of the article which I have just quoted and give statutory powers to the U.P.S.C. in this respect so that we are not faced with such matters.

Now, Sir, if you read the *Seventh Report* you will find the tone and temper of this report to be very different from the previous ones. Even when there is a case of legitimate grievance it has either made no observation or has slurred over it. That is the case even with regard to this question of exemption under article 323 to which I have just now referred. You just read it, Sir, it makes amusing reading to see how they have slurred over the whole matter, about the temporary appointments and other matters.

We had a sort of enquiry in other matters and, though the Home Minister might deny, we know it for certain that the Law Commission did make a recommendation about the deterioration in the High Courts. I make a mention of this particularly because, if democracy is to be sustained, these two institutions, particularly our judiciary and our public service commissions must be above suspicion. They must not only be honest but they must command the confidence and respect of the people. They do not have it today, I venture to submit. Even though we were all checked down when we talked about the High Courts, when an investigation was made it was found that it was not so. The same is the case with regard to the States, particularly the public service commissions in the States, and the standard is not the same as we would expect it to be in the Centre also. I made this point and I was supported by a veteran

like Pandit H. N. Kunsru who, I am sure, can be trusted to take a very dispassionate view of the matter.

Sir, it is a very important matter. I do not impute any motives, but I wish the Home Ministry to take particular care to see that these institutions function in such a manner that they command a great respect in the country, that they command the confidence of the people who are concerned with them. It is not only enough that they are just and honest, it is necessary that they command the confidence and respect of the people. They should conduct themselves in such a manner that they command the respect of the people.

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, let the hon. Member be careful about making any aspersions or criticism about the U.P.S.C.

Mr. Deputy-Speaker: Certainly. I am also very careful in listening to him because it is a very delicate matter. But, so far, he has tried to tide over the difficulties, as he has criticised the Government in making appointments. He says that he is not casting any aspersion on the honesty or integrity of the Commission. He has been keeping within those bounds and, therefore, I had no occasion to interfere.

Shri Datar: But he is almost treading on the ground which he had been trying to avoid.

Mr. Deputy-Speaker: He is treading on the boundary only, but he is not inside. But there is one thing that I have to say. The hon. Member has almost taken 25 minutes. He has to conclude now because there are other hon. Members who would like to speak.

Shri Harish Chandra Mathur: I will conclude in a minute. In this

Seventh Report you will find, Sir,—and that is common knowledge—that they were making certain appointments in respect of steel plants, Kharagpur Technical Institution and so on. The Report says:

“The Commission ceased to recruit persons for posts in the Indian Institute of Technology, Kharagpur and the Government managed iron and steel projects, when the former was constituted as an autonomous Institute like a University...etc.”

It raises a very important issue because we are expanding on the public sector and in this public sector all these institutions and so many autonomous bodies are coming into existence. The jurisdiction of the U.P.S.C. is being withdrawn from them. I do not know whether the Government would like to give them this jurisdiction under a special provision, but the present position is that it is being withdrawn from all these institutions and most of the appointments are made without consulting them. There has been lot of public criticism about it, even by persons like Shri C. H. Bhabha who was at one time a Minister at the Centre. While speaking in Bombay he said: “These are kingdoms of corruption”. I do not know what cases he had in his mind and what justification was there, but it will have to be considered that there is no great satisfaction about the appointments on these autonomous bodies. And, if the jurisdiction of the U.P.S.C. is to be taken away, I think some machinery will have to be devised which will have some confidence of the people.

Mr. Deputy-Speaker: Motion moved:

“That the Report of the U.P.S.C. for the year 1956-57 and Government's Memorandum thereon, laid on the Table of the House on the 8th December, 1957, be taken into consideration.”

[Mr. Deputy-Speaker]

Of course, there will not be any voting on it. We have got two hours for discussion out of which 25 minutes have already been taken by the hon. Mover. May I know how much time the hon. Minister will require?

Shri Datar: About 20 minutes.

Mr. Deputy-Speaker: No reply is needed, I suppose.

Shri Harish Chandra Mathur: No, Sir.

Mr. Deputy-Speaker: Therefore, we have one hour and 15 minutes for other Members who desire to participate in this discussion. Then 10 minutes for each Member would suffice. In that case, perhaps, we may be able to accommodate some Members though not all even in that case. Now, Shri Vasudevan Nair.

Shri N. R. Muniswamy (Vellore): I am one of the movers, Sir

Mr. Deputy-Speaker: It has been moved already, and he is only one of the participants now.

Shri Vasudevan Nair (Thiruvella): Mr. Deputy-Speaker, Sir, going through the report of the Public Service Commission relating to 1956-57 one is faced with a very strange phenomenon. That is, the Public Service Commission selects candidates and makes certain recommendations but the appointments do not take place in time. The Government takes months and, perhaps, sometimes years to make the actual appointments. In this particular report there is a relevant part. For I.A.S., foreign service, police service and other central services in 1956-57 the Public Service Commission selected 340 candidates. But what is the position with regard to actual appointments? Till now, that is till the time the report was submitted to the Government, out of these 340 candidates only 166 appointments

have been made. We would like to know from the hon. Minister why there is the delay in actual appointments.

I believe there is one particular reason for this delay. Even after selection are made by the Public Service Commission there is a laborious process. The Home Ministry would like to know the character and antecedents of the selected candidate. As far as I know enquiries are made about the character of the selected people. And, who makes this enquiry? The great police department under the Home Ministry. They are the guardians of law and also character. We all know that the final decision is based on a report actually sent by a police constable. That is what happens. We know there are several cases of corruption also in this respect, because a police constable can send up a good report if he is pleased to send that report.

An Hon. Member: It costs only Rs 2.

Shri Vasudevan Nair: Rs. 2 or Rs 20, but it is a fact in our country.

Mr. Deputy-Speaker: That would differ, of course

Shri Vasudevan Nair: We have got such experience. Therefore, my submission is that we should finally do away with this notorious practice. Let the recommendations of the Public Service Commission be final. What is wrong in that? When the Public Service Commission interview candidates I hope they are getting some conduct certificates from the candidates. If they are not getting them now, let them get such conduct certificates from the professors or teachers of the concerned candidates. Let us depend on our teachers and professors more than on the police constables under the Home Ministry. I believe this delay in appointment is because of this notorious practice that exists in our country. I would request the hon.

Minister to consider this question seriously and to do away with this practice. Fortunately, in our country, now there is a least one State which has done away with this practice, and the Home Minister knows which States it is. I need not mention the name.

Now, I would like to pass on to another question that was raised by my hon. friend Shri Harish Chandra Mathur, that is, the autonomous corporations, the private companies under the Government. The appointments in these bodies or in many of these corporations, as far as I know, are not made by the Public Service Commission. The recommendations are not sent in by the Union Public Service Commission and we hear lot of things about appointment, promotions, etc. in these corporations, in these private companies under the Government. I think we should think of some formula to have a uniform policy, uniform rules, etc., with regard to the appointment and promotions in these institutions.

I ask the Minister why he should not bring in those institutions also under the jurisdiction of the Union Public Service Commission. Of course, the Union Public Service Commission will have to be strengthened further and it will have to be given more staff and there will be some more expenditure. But all the same this practice will be a good one according to me. I request the hon. Minister to consider this question also.

Then there is the very important question which relates to not hundreds but I think to thousands of employees under the Central Government. During the discussion in the last Parliament also, one hon. Member raised this question, the question of temporary employees who are temporary not for one or two years but for ten or fifteen years.

An Hon. Member: Permanently temporary.

Shri Vasudevan Nair: Yes. The Minister while replying to the debate last time, assured the House that even though they are temporary, their future is quite safe in the hands of the Government. If they are going to be in service for a number of years, why should not the Government take steps to make them permanent? Why should not their case be referred to the Union Public Service Commission in time and they be made permanent? Ours is an expanding economy and we are in need of more and more people. Employment potential is growing and in this situation, I think we should not allow these people to be hanging in the air like this. We should take their case into consideration and do something in the matter.

As my hon. friend told the House, in this particular report under review, there is only one case where there was some difference of opinion between the Government and the Union Public Service Commission. But as representatives of the people we come to know that there are certain irregularities in the actions taken by the Government. I had occasion to know some of these things. I do not wish to refer to any particular name. For example, I would like to get some explanation on some of these things. The Union Public Service Commission advertised for the post of a News Editor in the All-India Radio. There was a written tests and an interview on 28th and 29th January, 1958. But I hear that the appointment is already made; but the man appointed is not one among those who appeared for the test and who interviewed the Commission. We would like to know, if not at this time but at least in future, on some other occasion, what the reason for this particular appointment is.

I know another case in the Railway Ministry. Certain clerks were promoted as assistants and there the seniority of the clerks was not taken into consideration. It has a history of four or five years. I do not know

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why the Railway Ministry has not referred these cases to the Union Public Service Commission

In another similar case, in the Railway Board itself, the Union Public Service Commission was referred to and they gave a decision, and in that decision, they took into consideration the question of seniority. In this particular case also, those people affected by the decision of the Railway Board have complained several times, and they would like the Government and the Railway Ministry to refer that to the Union Public Service Commission.

There is another very strange case with me. I do not know why the Home Ministry is not even in the habit of sending replies to letters on very serious questions. For example, there was an examination for appointment to the regular temporary establishments of Assistant Superintendents in May, 1955, and a particular person—A—was intimated by the Union Public Service Commission on 14th August, 1956, that he passed the test with rank. He sent in an application, he waited and waited. He sent the application to the Home Ministry on 7-9-1956. But till now he has not even got a reply. The application was sent on 7-9-1956.

There is another strange feature since then. After that, in 1957, the Union Public Service Commission conducted another test, and already more than 400 people have been appointed. That is what I hear. This particular gentleman is not appointed yet. The Minister need not appoint him but I would request him to send the gentleman at least a reply to his letter. I think the Ministry will take into consideration these questions and do whatever is needed in these matters.

Mr. Deputy-Speaker: Dr Sushila Nayar. The first bell will be rung after 9 minutes and then another bell within a minute thereafter.

Dr. Sushila Nayar (Jhansi): I assure, you Sir, that I shall try not to take more than ten minutes. But your bell upsets me so much that my thoughts are dispersed completely.

I am very glad that we are discussing the report of the Union Public Service Commission. The aspect of recruitment, promotions, security of services and the standards of services are most important. There is a general feeling in the country both with regard to the standards of efficiency and integrity of our service, that there is a deterioration of the politicians. It is necessary to protect the services against interference with the honest and dispassionate discharge of duties. If the general public is convinced of these two aspects, there will be a lot of satisfaction as well as smooth running of the machinery of administration.

The administration has to be run through the services. There is no gainsaying it. At the same time, everyone admits, including the services themselves, that the standards have deteriorated very considerably during the ten years of Independence. We have to find out why it is so. The Union Public Service Commission is the custodian of both these aspects that I have mentioned: (a) that efficient, honest, reliable men are recruited and (b) that promotions and the conditions of service are secure and there is no interference on the part of politicians with regard to these matters so that they can function without any difficulty in their respective spheres.

With all due respect to the Union Public Service Commission, I would be failing in my duty if I did not say that in both these aspects, the general public feels that the Union Public Service Commission has not come up to 100 per cent expectations. I would

add that the Union Public Service Commission is treated with greater respect than the State Public Service Commissions are, but, at the same time, even the Union Public Service Commission is not today considered as Caesar's wife—above suspicion.

Mr. Deputy-Speaker: I am afraid that....

Dr. Sushila Nayar: I am not casting any aspersions. I am only voicing the general feeling. I am asking the Government....

Mr. Deputy-Speaker: If we say that the Commission is not above suspicion—Caesar's wife—then certainly we do insinuate that there is something dishonest.

It is not permissible to criticise the UPSC here, because it is a body that has been constituted under the Constitution. We can criticise the Government; but not the way in which the UPSC proceeds, it conducts itself, the decision it has taken, "this is wrong or that is right", That would be beyond our scope.

Dr. Sushila Nayar: I have not said that they are right or they are not I am just saying that today this is the general feeling, and the Government has not taken note of that feeling, find out the causes of that feeling and remove those causes, so far as they can be removed.

I hope you will give me extra the couple of minutes that you have taken yourself.

Mr. Deputy-Speaker: The hon. Member has wasted another minute.

Dr. Sushila Nayar: I was just going to explain why some of these aspersions are cast. One of the reasons for inefficiency or rather sub-standard recruitment is that there is a defective machinery which the Government has placed at the disposal of the Union Public Service Commission. I have seen the Public Service Commission in other countries. It is a huge establishment, a huge de-

partment. They are busy; they work all round the year. It is not that they meet once in a month, once in two months or once in three months, doing other jobs and in between taking care of the appointments also. That is not enough. They must have a department, a sufficient establishment of a very reliable and high calibre, which can carry on this work continuously.

Here what happens. On the one hand, the UPSC does not have sufficient and proper machinery. On the other hand, the procedures laid down by the Government are so terribly defective that it leads to considerable delays, delays of months. I have been a Minister myself and whenever we asked the UPSC for the recruitment of staff, say medical men, it took us at least eight to nine months before we could get doctors. Now, hospitals cannot run without doctors for eight to nine months. What happens? Somebody has to make temporary appointments in the meantime.

These temporary appointments are not, naturally, made with the same care as the UPSC does. Then ultimately, applications come to the UPSC, and they are screened. Naturally, they will think: this man has been working there, for six months or eight months; why not give him preference? Therefore, that standard which we expect of the UPSC cannot be maintained because of this defect on the part of Government in not supplying them with proper machinery on the one hand, and not revising their procedures to cut down the delays on the other, so that recruitment can be carried out rapidly.

As a matter of fact, we have made the suggestion that the UPSC may have a list of all trained people. Why not the UPSC have a close liaison with the Universities, with all the training institutions, the Education Departments and know all the people

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roughly that are available for proper classification for appointment? They can find out who are the trained personnel, what are the qualifications of the trained personnel etc. so that out of the trained personnel they can fill up the appointments, of course, by making proper selections according to whatever rules there may be. In other words, the UPSC has to be the counterpart of the Planning Commission for the planning of the personnel?

It is not enough that the UPSC, as today, advertises for a particular post, gets applications for that post and then takes whoever is available. The UPSC should be enabled to get full information of all the talents, all the trained personnel available in the country and be in a position to help the Government to make the best use of them. That is the method used in some of the other countries.

Then, some of the Government departments, some of the institutions set up by the Government, have got large number of posts outside the purview of the UPSC. In technical institutions like the All India Medical Institute and others they say that the UPSC does not know how to select technical people and they are not capable of making proper selections.

I would suggest that we should set up a scientific committee, and that committee has to make proper appointments. My plea to the Government is that they should have a proper, elaborate machinery for the UPSC with wings for each type of recruitment, whether it is medical, scientific, engineering or any other branch. They may also associate scientists and others from outside, as they try to do now. In this manner, all the appointments should be brought within the purview of the Commission.

Secondly, now we are having one UPSC at the Centre and separate Service Commissions in the States. My submission is that there should

be only one UPSC and the other Service Commissions in the States should be wings, branches or sections of the UPSC, which can be worked in a regional fashion, because of the vastness of the country. But, complete separation as two Service Commission is not, I think, desirable and is not capable of giving us the best results.

Lastly, it is the job of the UPSC and of the Government to draw the best talent available in the country for the services and for the administration of the country. To do so, it is necessary that the top salaries that they give, whether it is an educational institution or a technical institution or administration are on par. Today, as has been pointed out by others—I would not elaborate it—the administrative services are at the top. That is not so in any other country in the world. In every other country it is the scientist that is at the top, the educationist, the man who is going to train your personnel, that is at the top, and not the Government Secretaries and so on that are at the top.

Lastly, I would just like to remind the hon. Home Minister about the committee which they set up for the revision of recruitment rules. That committee worked for nearly two years and submitted a report. The report of that committee is lying on the shelves of the Government. No careful consideration has been given to it, and no action has been taken on it. So, I would request the Home Minister that that report may be discussed in this House

Shri Surendranath Dwivedy (Kendrapara): Mr. Deputy-Speaker, this is the Seventh Report of the UPSC that we are discussing now. If one goes through the previous reports, it will make very painful reading, because one would find that the complaint made, or rather the difficulties that have been pointed out, by the

Commission from time to time remain as they were. The Home Ministry has not paid any attention whatsoever to things, excepting perhaps raising the strength of the UPSC.

As has been pointed out by my hon. friend, Mr. Mathur, regarding the regulations that are to be framed under article 320(3), an attempt has been made as early as 1951 and criticisms have been made in Parliament. Still, I do not understand why the Government has not been able to frame regulations as to which are the appointments which will be beyond the purview of the Public Service Commission. You will find that even in the Seventh Report there are certain cases for which advertisements have been issued, interviews have been fixed up and yet suddenly Government has issued notice cancelling those appointments. Government takes them away from the purview of the Commission. If you will refer to para 21, you will find that for 28 posts advertisements were made, but cancelled after interview, and for 8 posts recruitments were cancelled after interview.

The UPSC itself says that there has been wastage of a good deal of time and labour of the Commission, because there is always a pressure for speed in the disposal of cases. I do not know why this is happening every year. It is just possible, because in the case of autonomous corporations and others Government decided at a late stage that they should not come within the purview of the UPSC. But even then the interviews were already held. What prevented the Government from making these appointments after the decision of the Public Service Commission—at least in cases which were referred to them?

Then you will find that about the regularisation of temporary appointments it is said in this report that this year there was no reference at all. No such cases seem to have

occurred as none was received by the Commission for regularisation of temporary appointments, whereas in previous years there were hundreds of them. May I know whether any temporary appointment was made during the year? Is it a fact that all temporary appointments that were there have been regularised? Why is it that in this year no reference was made regarding these?

Then regarding disciplinary cases, you will find from the report, when it refers to them in para 27, that there is an abnormal increase of cases. Cases of what nature? All the cases are of the same type which were pointed out before. I want to know what steps have been taken to see that these things are not repeated. It is not a question only in the report. In the memorandum that the Government have submitted, they have pointed out that there is only one disagreement. That is not the point. The point is whether we have given sufficient consideration to the views expressed by the Commission from time to time.

You will find again that regarding non-consultation with the Commission there is a case of a railway officer, which is mentioned here. The Commission almost came to a decision, but suddenly the hon. Railway Minister made an announcement in the Parliament and they took a decision themselves without referring it to the Commission. The Commission observes in its report: "We are still unconvinced why this matter was not referred to us."

There are many cases like this which shows that the Government has not given proper regard to the intentions of the constitution, which had created this public Service Commission.

I would like to point out another thing about the recruitment of officers and other things. It is complained and there is a feeling that certain areas of our country suffer from a disadvantage in the recruitment of

[Shri Surendranath Dwivedy]

the All-India Services. This matter has been agitating the minds of the people and, as has been pointed out by the previous speaker, there is a feeling—I do not know how far that is correct but there is a feeling—that proper consideration and proper scope is not being given to all places. Why is it so? I feel that the entire recruitment policy has to be gone into. The Home Ministry has very recently decided that no marks should be given for personality tests. So far as it goes it sounds very well, but the Public Service Commission itself says that they have pointed out how the standards of education in different Universities differ and as a result of which the candidates are not up to the mark. Therefore, they say in their report:

“So long as the system of education in schools and colleges does not serve this purpose adequately, the personality tests whatever may be their imperfections, will have to play an important role in the selection of candidates for public services.”

This is a thing which they have insisted upon and merely saying that no marks are necessary for personality tests will not do. I want to know whether the Government have ever considered this matter in the Education Ministry as to how our universities would come up to the standard expected of the candidates.

Here we have a valuable report of the Public Services (Qualifications for Recruitment) Committee. In this Committee also this matter has been considered and they say:

“We recommend that the Public Service Commission should publish annually tabulated results of the examinations held by them analysing the marks obtained by candidates from different universities in different subjects. Results thus tabulated would speak for themselves and the long-term trends would clearly

indicate the quality of the products of the different universities in different subjects in which they are trained.

I want to know whether the Home Ministry has asked the Public Service Commission to supply us with such tabulated documents. If this is done, probably we will be able to know what is the standard prevalent in different universities and what are the defects, so that some steps may be taken to remove them and other persons, who feel aggrieved, may be able to come up to the standard. That is one thing which should engage the attention of the Government very seriously.

I would also expect, besides merely giving us the memorandum where they disagree, the Government, while submitting its report to the Parliament, to give us a fuller account of the entire thing, i.e., how far they have been able to implement the recommendations or suggestions of the Public Service Commission from time to time and how far it has been able to serve the purpose for which it is set up.

Shri N. R. Munisamy: Mr. Deputy-Speaker, Sir, at the outset I thank the Commission and its staff for the volume, variety and the nature of work which they had to handle during the last one year. From the report I find that they had interviewed about 45,000 and odd candidates and held 25 examinations and if we add to it other candidates, who appeared before the Service Commissions in the States, it may reach a lakh of candidates. We can see the volume and the variety of the work that they have been doing. Ordinarily, we have got this Commission for the purpose of selecting the candidates for the Public Services as well as civil services, but in the nature of the work during the last four or five

years, I find that there has been a good deal of change. The functions that the Government have to discharge and the various activities that it has recently undertaken require them to recruit personnel for administrative services required to conduct the industrial concerns and commercial operations, cultural activities and various social service schemes. So, when we examine these positions I see that the methods that they adopted with regard to the selection of the candidates for the services would be suitable for selection or adopting some method for the selection of candidates for other new types of work which is wanted.

This lands us into a controversial subject and that is the *viva voce*. The Public Service Commission, in its report, has stated that due to the inadequacy of certain curriculum in the schools and colleges, there is not much development with regard to the character and as regards the personality of the students. So, they never wanted to give up the personality test. While retaining the personality test, i.e., what you call as the *viva voce*, we have to maintain certain principles and it has to answer certain purposes, which they should keep in mind. I find that there is a good deal of difference with regard to the method and principles that the Service Commission adopt at the time of interview. At the time of interview—I can give you one or two illustrations, but let it not be taken for granted that that is what is happening—suppose a person applies in response to an advertisement for appointment of Professor of History or anything, he is asked: Would you draw a parallelogram having given four sides or would you draw a parallelogram having given two diagonals? You can see whether a Professor of History would be able to say something about mathematics. Again, if a mathematics student had been there, he would have answered that it is wanting in one other data and he cannot draw it.

Suppose in connection with some other appointment, say for the appointment of a Statistician, a question is put as regards the general test: What is the seat of the Goddess of Learning or what is the *vahana* of Saraswati. He will naturally blink and say that it is swan, or that it is lotus, or that it is a peacock. But not having general knowledge probably he may say something wrong. These things happen. I am saying only by way of illustration. They should have some principles and purposes. They must see, while putting a question that it satisfies the purpose for which the candidate is sought for,—not some question extraneous to the subject for which the candidate is sought for. I request that the Commission should adopt certain principles and these principles must satisfy some purpose which they should keep in mind.

16 hrs.

In this connection, I can only say with a view to see that selections are rightly made, the Public Service Commission should have stenographers there and the questions should be recorded just as you see in the court where something is said to the Judges. These must be recorded. Then, we can find out from the records which we can peruse whether the question was rightly put and the answer was right. Otherwise, we would be in a mess. We cannot say whether the selection was good or bad. There is a complaint that selection is not right. They have a right to select as they like and they have a right to commit error. If it is not possible to have stenographers, you can at least have tape-recording of the entire proceedings only for the purpose of knowing whether the questions and answers were right. That is only for the purpose of satisfying the people. This being democracy, the people should be satisfied that they are selected rightly. That would be referred to later on. That is only for the purpose of seeing that certain principles have been adopted. In the absence of it, I would only say that

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they are subject to various criticisms which we are not going to accept.

Since the volume of work is so much, instead of having one Public Service Commission, I can only say that we can have a Public Service Commission for Industrial concerns, one for Postal services, one for Social and scientific services, something on the lines of the Railway Services. There is no use having one Public Service Commission and asking them to select candidates. Sometimes I find, though they are in full strength, it is quite possible, to ask a few Members to sit and select candidates and some of them may not suit for the purpose for which they are asked to make the selection. To avoid the difficulty they should have some experts. I find in the Sixth report last year, in pages 12 and 13, mention of experts not connected with the Ministry or organisation at the time of the interview. It is ordinarily taken to be a third party. He is an expert. He need not be from the Ministry or organisation for which the selection is made. In one or two cases where the Ministry is represented, the person interested in the job is also put in. He has to give his own recommendation regarding the candidates that appear before them. It must be a totally different man. They must carry out the undertaking stated in the Sixth report.

Whenever they send some persons from the department, they should see that an Assistant Secretary or Deputy Secretary is sent but not an Under Secretary for the reason that responsible man is necessary. For want of proper persons, what they do is, they send some other allegedly responsible man who has not got the proper status and he recommends his own candidate. To avoid this, it is better they have certain principles and they must adopt them without any fear or favour.

It has been stated by other Members that they should be like Judges, because they have been appointed by

the President though at the instance of the Home Ministry. It must also seem that they do justice. At the time when they give advice under article 323, though their decision happens to be in the form of an advice, that should be regarded as a judgment. It should not be ordinarily reversed or modified by the Government in the way in which it has been done though it has been only in one case, which my hon. friend the Mover of the Motion approved. I would only say that it is a sad instance where the Government had done it. If they had approved of it they could have given greater status to the Commission even though the disapproving was in one out of 10,000 cases.

Shri Harish Chandra Mathur: I did not approve of it.

Shri N. R. Munisamy: He does not approve of it. I am glad that he is one with me.

I shall refer to only two or three points. Interviews may be spread out in the different State capitals instead of being conducted in Delhi. I find they are conducted in Delhi. If they are spread out, the expenses will be saved.

Shri Ranga: It will help the candidates.

Shri N. R. Munisamy: Continuance of irregular appointments mars the sanctity of service and opens room for favouritism. I refer to page 9 para 24. I only request that irregular appointments need not continue. That would only lead to some other difficulties.

On an analysis, I find that—I am referring to Appendix XVII, page 57 the best students of some of the largest and oldest Universities, for example Calcutta and Bombay are not attracted to the services. I could not find any reason for it, whether the Delhi University supplies large number of outside experts than other Universities and whether this accounts

for the comparative success of the Delhi University students.

The other point is, wastage consequent on the Government's cancellation of requisitions after advertisement and interview of candidates. This means that after having spent so much of money, it is no use withdrawing the requisition. Much money is lost to the exchequer. My next point is whether appointments made by contract through so-called experts instead of by open advertisement and competition are not likely to increase favouritism and nepotism, and about appointment of persons connected with and known to big persons. This is stated in Appendix XI. I only say that it should not be like that.

The interval between advertisement and calling of persons for interview to fill up the vacancies is sometimes inordinately prolonged. This should be avoided.

The last point that I would like to place before you is this. There is a recent controversy with regard to official language. I only request that the Government should make a declaration here and now that the examinations should be continued to be conducted in English. There should be no abrupt change in the medium of examination. I only say this for the purpose of maintaining efficiency. The whole Commission is intended to maintain efficiency and recruit good administrators. Not that English is the only thing by which you can maintain efficiency. I only wish that the Government should make a declaration that English will be the medium.

श्री राजराज सिंह (फ़िरोजाबाद)

उपाध्यक्ष महादय, पब्लिक सर्विस कमीशन की स्थापना विधान-निर्माताओं ने पब्लिक सर्विसिज में दक्षता और निष्पक्षता लाने के लिये की थी। जब हम उस की सातवी रिपोर्ट पर बहस कर रहे हैं, तो हमें यह देखना है कि विधान-निर्माताओं की यह भावना कहा तक

पूरी हुई है। मैं श्रीमान का ध्यान संविधान की धारा ३२० की तरफ़ दिखाना चाहता हूँ :

"It shall be the duty of the Union and the State Public Service Commissions to conduct examinations for appointments to the services....."

इस रिपोर्ट में हम पाने हैं कि एक नया तरीका निकाला गया है डायरेक्ट रिक्लूटमेंट बाई इन्टरव्यू। संविधान का यह कहना है कि पब्लिक सर्विस कमीशन जो नियुक्तियों का काम करेगा, वह केवल परीक्षा लेकर किया जायगा और ऐसा कोई काम नहीं होगा, जिसमें भीषे भरती की जाय। अब पब्लिक सर्विस कमीशन ने एक नई बात निकाली है। मेरा मंशा उसकी आलोचना करने का नहीं है, लेकिन मे इतना जरूर निवेदन करना चाहता हूँ कि पब्लिक सर्विस कमीशन ने जो भीषे भरती का तरीका निकाला है, वह तरीका संविधान की भावना के खिलाफ़ है। संविधान ने उसको सिर्फ़ यह हक़ दिया है कि पब्लिक सर्विस कमीशन परीक्षा लेगा और परीक्षा लेने के बाद उम्मीदवारों का चयन करेगा, लेकिन डायरेक्ट रिक्लूटमेंट की जो बात की गई है, उसमें संविधान की भावना का निरादर होना है। यही नहीं, इसमें उम अशंका को भी बढ़ावा मिलता है, जिस की तरफ़ इस मदन के कई माननीय सदस्यों ने ध्यान दिलाया है, अर्थात् राष्ट्र में इस तरह की भावनाये छाती है कि मही लोगों को शायद नहीं लिया जा रहा है। तो मैं निवेदन करूंगा कि गृह मंत्रालय इस बात को ध्यान दे और यह व्यवस्था करे कि भीषे भरती की बात न हो।

संविधान में यह बात नहीं लिखी हुई है कि कोई जबानी परीक्षा—बाइवा बोसी—भी होगी, कोई इन्टरव्यू भी होगा। इन्टरव्यू की यह व्यवस्था बहुत दिनों से—ब्रिटिश काल से—चली आ रही है। जो लोग उम्मीदवार के रूप में आते हैं, उनका पर्सनैलिटी टेस्ट किया जाता

[श्री अजराज सिंह]

है, उनके व्यक्तित्व की जांच की जाती है, जिनमें बहुत सी बातें देखी जाती हैं—क्या वे टाई लगाना अच्छी तरह जानते हैं, क्या उनको कपड़े पहनना अच्छी तरह आता है, उनके बोलने का तरीका क्या है, इत्यादि। जहां तक नौकरी में कर्मचारियों को लेने का सवाल है, उसमें इन चीजों की कोई मदद नहीं मिलती है। संविधान में यह साफ़ तौर से नहीं कहा गया है कि परमनेलिटी टेस्ट होना चाहिए। इसलिए इसकी आवश्यकता नहीं है। मैं यह निवेदन करना चाहता हूं कि यदि हम अपने समाज का ढांचा देखें, तो पता लगेगा कि कुछ पिछड़े हुए लोग ऐसे हैं, जिन को उस तरह से कपड़े पहनना नहीं आ सकता है, जिस तरह से कि उन लोगों को आता है, जो कि सदियों से आगे बड़े हुए हैं, जो कि अच्छे कपड़े पहनना अच्छी तरह से बोलना और धाराफ़्त से बोलना जानते हैं।

इस तरह की बातें जो पिछड़े हुए लोग हैं, नहीं कर सकते हैं। इसी संबंध में मैं माननीय गृह मंत्री महोदय का ध्यान घाटिकल १६ के नव-घाटिकल ४ की तरफ़ दिलाना चाहता हूं जिसमें यह लिखा है:—

"Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State."

हमने यह विधान किया है कि जो बैकवर्ड क्लासिफ़िकेशन के लोग हैं, जो पिछड़े हुए लोग हैं, उनके लिए विशेष व्यवस्था हम करेंगे। यह व्यवस्था कानून के द्वारा होती है और ऐसे लोगों को सर्विस में ज्यादा से ज्यादा नियुक्त किया जाया था। लेकिन इस विधान को बनाते हुए आठ साल हो गए हैं फिर भी अभी तक गृह मंत्रालय की तरफ़ से इस तरह का कोई भी

कानून लाने की कोशिश नहीं की गई है जिस में यह व्यवस्था हो कि बैकवर्ड क्लासिफ़िकेशन के लोगों को विशेष तौर से ज्यादा से ज्यादा नौकरियों में लेने की कोशिश की जाएगी। इस समय हमारी सर्विसिमेंट की जो बनावट है, जिस तरह से उनका गठन हुआ है, उसमें तो ऐसा देखा जाता है कि जो रिप्टी कर्नेक्टर का लड़का होता है, या कर्नेक्टर का लड़का होता है, या कमिश्नर का लड़का होता है, वह अवश्य ही या तो डिप्टी कर्नेक्टर बन जाता है, या कर्नेक्टर बन जाता है या कमिश्नर बन जाता है। इस तरह से इन लोगों का एक अलग से वर्ग बन गया है और इसी वर्ग के लोग सर्विसिमेंट में पहुँचते हैं। मैं बतलाना चाहता हूं कि हमारे मुल्क में और भी लोग हैं जिनका चाहे शासन में हिस्सा न हो, चांकि नौकरियों में आने के इच्छुक हैं। हमारे यहां जो जनसंख्या है उसमें मिनिस्ट्री हर पांच साल के बाद बदल जाती है फिर चाहे जो पार्टी इस वक्त हकूमत करती है वहां में रिप्टी में क्यों न आ जाए, लेकिन मिनिस्ट्री अवश्य बदलती है। पांच साल के बाद हर सरकार वैधानिक तरीके से बदल जाती है। लेकिन स्थायी सर्विसिमेंट के जो लोग हैं वे जब तक उनके रिटायर होने का वक्त नहीं आता, सर्विस में लगे रहते हैं। जब उनका नौकरी की अवधि समाप्त हो जाती है या जब वे ५५ साल के हो जाते हैं तो उनका रिटायर कर दिया जाता है। तब तक वे लोग रहते हैं। अमल में मुल्क पर शासन करने वाले मही लोग होते हैं।

लेकिन आम लोगों में से कोई भी सर्विस में नहीं पहुँच पाता है, किसान का लड़का उसमें नहीं पहुँच पाता है, मजदूर का लड़का उसमें नहीं पहुँच पाता है, पिछड़े हुए जो लोग हैं वे सर्विस में नहीं पहुँच पाते हैं और वे यह शिकायत करने लग जाते हैं कि हमारा यह राज नहीं है, यह राज हमारे जरिये नहीं चल रहा है। विधान के जिस घाटिकल में यह

व्यवस्था की गई है कि हम बैकवर्ड क्लासिफिकेशन के लीगो को अधिक से अधिक नौकरिया देगे, उस धोर कोई ध्यान नहीं दिया जा रहा है। इस धोर शासन का प्रबन्ध ध्यान जाना चाहिए।

पब्लिक सर्विस कमिशन की रिपोर्ट में इस तरह की व्यवस्था भी होनी चाहिए थी कि इस साल जो लोग सर्विस में लिए गए हैं उनमें से कितने लोग ऐसे हैं जो किसानों के लड़के हैं, कितने ऐसे हैं जो मजदूरों के लड़के हैं, कितने ऐसे हैं जो मध्यम वर्ग में आए हैं और कितने ऐसे हैं जो सर्विस में लग हुए हैं उनके बेटे हैं। मेरी निश्चय यह है कि जब से हम आजाद हुए हैं, खास तौर से जब से हमारा जनतन्त्रवादी विमान लागू हुआ है, उस वक्त से लेकर आज तक हमने ज्यादातर शहरों के लोगों के लड़कों को ही अधिकतर नौकरिया में लिया है और जो लोग गांवों के रहने वाले हैं जो पिछड़े हुए हैं उनको उपेक्षा की है। जब से यह कहना शुरू हुआ है कि हमें पब्लिक सर्विस कमिशन की आलोचना करू। लेबन में डोगा प्रश्न कहूंगा कि जो व्यवस्था की गई है, जो तरीका अपनाया गया है, खास तौर से परगनालटी टेस्ट का और वाईवा बोमी का जिममें जिनका चार नम्बर दे दिए जाते हैं उनकी वजह से उन लोगों को नौकरिया नहीं मिलती हैं, जिनको हम आजाद में अधिक नौकरिया देना चाहते हैं। अगर वाकई में हमका यहाँ पर उल्लिखित करना है, वाकई में हमका मुन्क का आगे बढ़ना है, तो हम यह देखना पड़ेगा कि एम. ल. ग. जो बिछड़े हुए हैं, जो बैकवर्ड हैं, उनको किस तरह में अधिक से अधिक सभ्य में नौकरिया में लिया जा सकता है। मैं चाहता हूँ कि कमिशन अपनी रिपोर्टें राष्ट्रपति महादय को देना है उसमें इस तरह की व्यवस्था होनी चाहिए कि जो नियुक्तिया हुई हैं, उन्हें वे जम्मा दस में भी की गई हों, उनमें उन लोगों का जो पिछड़े हुए हैं किलबे स्थान दिए गए हैं ताकि हमें यह पता चल सके कि किस हद तक हम बैकवर्ड क्लासिफिकेशन के लोगों को आगे ला रहे हैं।

आर्टिकल ३२० के सब-आर्टिकल ३ का जो प्रोविजा है, उसमें यह व्यवस्था की गई है कि रैग्युलेशन बनाये जायेंगे। मैं कहना चाहता हूँ कि अब भी कुछ स्थान ऐसे हैं जिनके बारे में कमिशन की राय नहीं जानी है आज तक जिन रैग्युलेशन का बनाने की व्यवस्था की गई है, नहीं बनाय गये हैं। मैं पूछना चाहता हूँ कि पिछले आठ बरसों में हमने कितने हजार लोगों का बिना कमिशन से पूछे हुए रख छोड़ा है? मैं यह भी जानना चाहता हूँ कि हमने उनको क्यों रखा हुआ है? इस तरह में हमारा जो विधान है, उसका हम निरादर करते हैं और यह निरादर में नञ्च निवेदन करना चाहता हूँ नहीं होना चाहिए। मैं आपको यह बतलाना चाहता हूँ कि सन् १९४६ में कमिशन ने अमिस्टेट्स की जगहों के लिए एक कम्पिटिटिव टेस्ट किया था और विज्ञापन में यह दिया गया था कि सिर्फ़ मी जगहों के लिए यह टेस्ट लिया जा रहा है। उसको केंद्रों में आदमी भर्ती करने में लेकिन इतक वावजूद चार मी और टेम्पोरेरी जगहें बना ली गईं और चार मी आदमियों को अस्थायी तौर पर भरना कर लिया गया। मैं बतलाना चाहता हूँ कि कमिशन के इतिहास में कभी भी इस तरह की बात नहीं हुई है। कमिशन द्वारा जो मिफारिश होती है, उसमें अस्थायी क वारने वह नहीं होती है। जो लोग भी रखे जाते हैं स्थायी तौर पर रख जाते हैं लेकिन यहाँ पर चार मी आदमी अस्थायी तौर पर एक्वाइट कमिशन के जरिये किए गए। इस तरह का जो जो भी धोर गृह मंत्रालय का ध्यान जाना चाहिए।

हम यह भी जानते हैं कि चाहे गृह मंत्रालय हो, चाहे विदेश मंत्रालय हो, चाहे प्राइम मिनिस्टर्स सेक्रेटरीएट हो, सभी में ऐसे लोग हैं जिनकी पदोन्नति बिना कमिशन से पूछे कर दी गई है और कर दी जाती है। जिस उद्देश्य को लेकर पब्लिक सर्विस कमिशन की स्थापना की गई है वह उद्देश्य इस तरह

[श्री ब्रजराज सिंह]

से अच्छी तरह से पूरा नहीं होता है। इस तरह से मे समझता हूँ हम विधान का निरादर करते हैं। मे चाहता हूँ कि आर्टिकल 3 के सब-आर्टिकल के प्राविजो में जो घोषणा हुई है, उसके मुताबिक हम रैग्युलेशन बनाये और बतलाये कि किन किन सर्विसिस को हमें इम्प्यट करना है, कौन सी सर्विसिस हैं जिनके बारे में कमिशन की राय नहीं ली जाती है। मे चाहता हूँ कि कोई भी सर्विस एसी नहीं होनी चाहिए जिस के लिए कमिशन की राय लिए बगैर नियुक्ति की जा सके। साथ ही जितनी भी औटोनोमस कारपोरेशम हम बना रहे हैं उन कारपोरेशम में जितनी भी नियुक्तियाँ हो, वे सारी कमिशन के जरिये होनी चाहिए। यह मे इसलिए कह रहा हूँ कि यह ब्यवस्था की गई है कि जो पब्लिक सर्विस कमिशन है वह सभी सर्विसिस के लिए परीक्षाएँ लेगी और अपनी भिफारिशें करेगी।

Shri Thimmaiah (Kolar-Reserved-Sch. Castes): There are a large number of spheres of appointment which do not come under the Public Service Commission. For example, the Planning Commission has an army of officers, and posts have been created in the Planning Commission without the consent and concurrence of the Public Service Commission. Similarly, there are many autonomous bodies where the appointments are made without any reference to the Public Service Commission. All these should come under the purview of the Public Service Commission. If they do not come under the purview of the Public Service Commission, the reservation order made for the Scheduled Castes' and Scheduled Tribes' representation in the services will not be put into practice, and it will work as an injustice to the Scheduled Castes and Scheduled Tribes. This suggestion the Government should consider.

An hon. Member from the Opposition referred to the fact that in the case of every appointment in the Government of India a police report is called for before the appointment is confirmed. I have seen from experience that this leads to a lot of corruption. There are instances where even a factory worker has to bribe the police to get a good report from them, and it is a nuisance in the Government of India service that this should take place even for confirming a small man in course of time.

These appointments are advertised in all the English papers, but I request the Government to see that they are also advertised in the regional languages, in the local papers of the States

Next I shall come to the representation of the Scheduled Castes and Scheduled Tribes in the IAS, IFS, IPS and all the big services. You know that neither in the British period, nor in the Moghul period, nor in the Medieval period were the Scheduled Caste people represented in the Government services or anywhere, and these big posts were all the monopoly of the higher caste people. After the Congress Government came into power, they were kind enough to reserve a certain quota for the Scheduled Castes and Scheduled Tribes. I only submit that the Public Service Commission should understand why this quota has to be reserved for the Scheduled Castes and Scheduled Tribes, how far the Scheduled Caste boys can compete with the candidates of the other castes who are brought up in a good atmosphere, who are given good education and whose economic condition is better than that of the Scheduled Caste people. Then the Public Service Commission will be able to assess the comparative merits of the Scheduled Caste candidates and other candidates properly.

The intake of the Scheduled Caste people into the IAS and IPS is very poor. In 1955 the selected 68 candidates for the IAS of which only nine were from the Scheduled Castes. That is a good number. I thank them that at least in 1955 they selected eight from the Scheduled Castes and one from the Scheduled Tribes for the I.A.S. In 1955, for the I.P.S., they have selected 115 candidates, but no Scheduled Caste candidate and no Scheduled Tribe candidate has been selected. Similarly, in 1956, they have taken 102 candidates into the I.A.S., but no Scheduled Caste has been taken. For the I.F.S., they have taken 48 persons, but no Scheduled Caste candidate has been taken, and no Scheduled Tribe candidate has been taken. For the Central Services, they have taken about 293 candidates in 1955. But what is the position even at the end of 1957 so far as the Scheduled Caste candidates are concerned? There are only 8 Scheduled Caste candidates in the I.A.S., and one Scheduled Tribe candidate and one Scheduled Caste candidate in the I.F.S., and 13 Scheduled Caste candidates in the Central Services. So, you can see how poorly we are represented in the Central Services.

I agree that the merit of the Scheduled Caste candidates may be less than that of the general candidates. Suppose a candidate gets sixty per cent of marks, then he is a first class candidate. Suppose another candidate gets 76 or 80 per cent, his merit is more than that of the other candidate, but both have passed in first class, and yet the man who has scored 76 per cent, or 80 per cent is considered to be a better candidate than the one who has scored only 60 per cent. Therefore, I submit that the U.P.S.C. should insist only on the minimum qualification and the minimum standard of efficiency so far as the Scheduled Caste candidates are concerned, and they should adopt a

liberal attitude towards the Scheduled Caste candidates and see that the intake of the Scheduled Castes into the All-India Services is increased as far as possible.

I now come to the selection of officers to the All-India Services from the State Services. Though other officers who are contemporaries are selected for the I.A.S., our officers are never selected for the I.A.S. Even if the State Governments recommend the names of our officers for the All-India Services, their names will be put down last in the list, with the result that in the long run, their names will be omitted and they will not become I.A.S. officers. Of course, I am grateful to Shri Datar who sometimes sympathises with me and sees that even if the Scheduled Caste candidate is below the list.....

An Hon. Member: He always sympathises.

Mr. Deputy-Speaker: All these complaints are also against the Minister.

Shri Thimmaiah: Even if the name of the Scheduled Caste candidate is the last, he has tried to help him. I am grateful to him for that. I hope the U.P.S.C. also will have the same sympathy as the Minister, towards the Scheduled Caste candidates. I now come to the *viva voce*. I have no faith in this *viva voce*. If the very same examiners who interview candidates and put them questions were asked to come under a *viva voce*, I think all those examiners will utterly fail.

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Mr. Deputy-Speaker: Such aspersions should not be made when we are discussing the Report of the Union Public Service Commission.

Shri Thimmaiah: Shri N. R. Muni-samy referred to that, and, therefore, I thought I could also refer to that. I am making no insinuations.

***Expunged as ordered by the Chair.

Mr. Deputy-Speaker: If Shri N R. Munisamy had done that, that was wrong on his part too

Shri Ranga: Where is the aspersion in this?

...

Mr. Deputy-Speaker: The last sentence would be expunged

Shri Datar: That sentence where the hon Member said that they themselves could not have passed should be also expunged

Mr. Deputy-Speaker: I thought that was only a general question when he said that in the *visu voce* examination some questions are put, and if those questions were to be put to the examiners they might not themselves pass. Perhaps, that was not particularly meant for the Union Public Service Commission. But when he came to the last sentence, that was different. It is very objectionable, and it shall not go into the records.

Shri Thimmaiah: Government were pleased to appoint a Scheduled Caste member on the UPSC. We are very grateful to them for that. I hope the Scheduled Caste member will be associated in the selection of candidates for all the reserved posts for Scheduled Caste candidates including those in the IAS and the IFS. I understand that only the Chairman of the UPSC selects the IAS and IPS candidates, and the other members have no hand in it. I hope that all the members will have a chance to interview the IAS and IPS candidates also in addition to the others that they are interviewing.

I now come to the All India Engineering Service. The Prime Minister made some reference to it in the morning. I am glad that Government are going to introduce the All India Engineering Service. Today, if a boy passes the BSc and appears for the IAS examination and passes it, he comes up as a big officer in the IAS whereas a man who passes BE will not even get a job, and he has no

scope for entering into any All India Service, and he has to rot in the State Government as an overseer or as an assistant engineer. Therefore, I would request Government to think over this matter and see that this All India Engineering Service is introduced as early as possible so that the people with merit in the technical field are also given a scope to rise up as I.A.S. officers or as I.P.S. officers and so on. I think that is very essential, as we have now established a lot of industries, and we require technical personnel for our development purposes.

Lastly, under the emergency recruitment scheme for the IAS and the IPS, I believe that about hundred candidates are going to be selected, and so many press-notes have been issued by Government about the probable number of Scheduled Caste candidates to be selected for the I.A.S. Grade I and Grade II. I hope Government will do justice to the Scheduled Caste candidates by selecting a greater number of Scheduled Caste candidates both for Grade I and for Grade II of the IAS.

Mr. Deputy-Speaker: That is an appeal to the Home Minister.

Shri Ghosal (Uttar Pradesh): Almost all the points have been traversed by the hon Members who have spoken before me. So, I would like to mention only one or two points.

The first is in regard to the regularisation of the appointments of those who begin their service on a temporary basis. The rule is that every case has to be referred to the UPSC within one year from the date of appointment. But that is not being followed, as will be evident from Appendix XVI. This will show that almost all the cases have been referred to the Commission long after the date on which the reference should have been made. In some cases, in spite of repeated reminders from the Commission no reference has been received by them. Item No 5 was one such case. So far

as item No. 34 is concerned, it is strange that though the due time for reference was in 1961, still it was referred in 1966 only, that is, long after a period of five years. This sort of thing should be removed. As has been pointed out by Shri Harish Chandra Mathur, atleast the orders and directions of the judiciary and the U.P.S.C. should be scrupulously followed by Government.

16:27 hrs.

[Mr. SPEAKER in the Chair]

I now come to the second point as to how the departments like to avoid taking the permission of the U.P.S.C. Generally, no reference is required if the appointment is for a period below one year. What happens is this. Firstly, the appointment is made for a period of three months, and then it is extended in two or three instalments, and thus the appointment is extended to one year, and thereafter the reference is made to the U.P.S.C. At the time of final selection, when there is a question of experience, the new applicants, though they are qualified, cannot get any opportunity of being selected, because they have no experience, and they are less qualified, but those who have had the opportunity of serving for three months and more are absorbed and they get the chance.

My request to the Minister would be to see that all the qualified persons are initially given the chance and appointed, and thereafter only the question of training or experience should arise.

There is another grievance as regards the time taken for the recruitments. A long time is taken by the U.P.S.C. in getting the posts advertised, and recruiting the candidates finally for the new appointments. The matter should be expedited, and the time-lag should be shortened.

I now come to the point that has already been mentioned by Shri N. R.

Munisamy. And that is regarding the apprehension felt by the educated youth at least in my State. I do not know why the brilliant students of the Calcutta University and the Bombay University are not coming out successful. I cannot say anything about the Bombay University, but so far as the State of West Bengal is concerned, the educated youth there have a sense of frustration because they have got an apprehension that unless there is some shipharish or recommendation they would not be able to get the job, and that some kind of provincialism is working, and I hope that this apprehension will be made unreal.

In this connection, I would like to mention another thing. Of course, it is not quite relevant here, but still I would like to say that in our State the State Public Service Commission is almost a titular body, because the Government never . . .

Shri Datar: Why should the State Service Commission be brought in here?

Shri Ghosal: Naturally I like to mention about it

Shri Datar: We are dealing with the U.P.S.C.

Shri Ghosal: There should be some supervisory power. It may be done by amending the Constitution

Mr. Speaker: There is no good referring to State Service Commissions, in this connection. We are only concerned with the Union Public Service Commission's Report. Possibly he says that generally on an all-India basis—without referring to the State Public Service Commission—the selection everywhere is the same. Therefore, we must infuse confidence.

Shri Datar: He used the word 'titular' or something like that.

Mr. Speaker: It is a statutory body—that was what he meant. 'Titular' means statutory body.

[Mr. Speaker]

Of course, you must so manage these things as to infuse confidence in the mind of the public. There is no nepotism at all. Merit will always shine. Ultimately, marks that are given ought not to drown the merits. All these are matters which could be referred to easily without directly attacking any particular State. I think the hon. Member meant all that.

Shri Ghosal: I am not attacking the State. I am referring to the sense of frustration among the educated youth of West Bengal. That frustration is due to the working of the State Services Commission and also the attitude of the Union Public Service Commission. Therefore, a sense of frustration is there. At least that apprehension should be removed from their minds. For that reason, I was suggesting that some sort of supervisory power might be conferred on the Union Public Service Commission so that the State Public Service Commissions may function properly, so that all scope for apprehension is removed in the future.

Mr. Speaker: Does he suggest a unitary All-India Public Services Commission with branches in various States so that hon. Members may have an opportunity to criticise all of them here?

Shri Ghosal: I do not like to say that. But I would like that at least supervision of the Union Public Service Commission should be there over the State Public Service Commissions.

As regards quasi-permanency, it is given on completion of three years' approved service. It is granted by Government in consultation with the Commission wherever direct recruitment to the post in question is within the purview of the Commission. On 1st April, 1956, 432 cases were pending with the Commission and 1,192 fresh cases were received during the year.

I would like to point out that there has been a complaint that the U.P.S.C. are not getting sufficient financial aid for having their set-up running quite well and also getting things done expeditiously. Therefore, my suggestion would be that at least the Union Public Service Commission should be financed more liberally so that they can function quickly in order to avoid delay, and also confusion among the applicants.

श्री सिंहासन सिंह (गोरखपुर): अध्यक्ष महोदय, मुझे इस सम्बन्ध में यह कहना है कि हम देश में इस बात की भावना लाने में सफल नहीं हुए हैं कि जो कोई भी किसी नौकरी में लिया जायेगा तो अपनी योग्यता के कारण लिया जायेगा। एक आदमी ने मुझे बतलाया कि उस ने अपने लड़के से पूछा कि वह पढ़ता क्यों नहीं है। उसने जवाब दिया कि पढ़ कर क्या करेगा? सिफारिश से पास हो जाऊंगा और नौकरी भी किसी की सिफारिश से मिल ही जायेगी। यह भावना देश में आज फैली हुई है। कभी कभी तो बड़ा खेद होता है जब हर एक आदमी हम लोगों के पास पहुंचता है और कहता है कि बगैर सिफारिश के कहीं पर कोई काम नहीं होता। इस लिये इस बारे में गवर्नमेंट को निश्चित रूप से ध्यान करना है। या तो गवर्नमेंट खुद अपनी कमेटी बना कर ऐप्वाइंट करे या पब्लिक सर्विस कमिशन से करे। दोनों के बीच में ऐसा होने से घपला आता है। गवर्नमेंट डिपार्टमेंटल तौर से ऐप्वाइंट कर लेती है, फिर पब्लिक सर्विस कमिशन को मामला जाता है कि इसे पास करो। कभी कभी पब्लिक सर्विस कमिशन पास नहीं करता और कभी कभी मजबूर ही जाता है कि जो आदमी दो या तीन वर्ष से काम कर रहा है उसे क्यों न पास किया जाय। अभी इस रिपोर्ट में ऐसे आदमी का जिक्र है जो दो तीन वर्ष तक इन्फार्मेशन डिपार्टमेंट में रहा। तब तक वह पब्लिक सर्विस कमिशन के पास नहीं भेजा गया। भेजा तब गया जब कि वह

बंधसार प्रोद्योग दे कर भेजा गया। भेजा इस विषये क्या कि पब्लिक सर्विस कमिशन उसको निकाल नहीं सकता था, उसको रखना ही था। तो आज यह भावना हमारे देश में फैली हुई है। गवर्नमेंट का कर्तव्य है कि इस भावना को दूर करे और विश्वास उत्पन्न करे कि हर एक आदमी अपनी योग्यता के कारण ही किसी नौकरी को पायेगा, सिफारिश की बिना पर नहीं।

पब्लिक सर्विस कमिशन ने भी अपनी रिपोर्टों में बड़े खेद के साथ लिखा है कि उनके सामने जो परीक्षार्थी जाते हैं उनकी योग्यता बड़ी न्यून होती है। स्कूलों और कालेजों में डिमिशनल बिगडी हुई है। मेरी दृष्टि में इसका मूल कारण यही है कि लोगों के मन में इल्मीनान नहीं है। हम को उनमें अन्दर यह इल्मीनान बगाना है कि कोई आदमी अपनी योग्यता के कारण ही उच्च स्थान प्राप्त कर सकेगा। इस सम्बन्ध में मैंने एक सवाल किया था कि जो गवर्नमेंट के कारपोरेशन्स बने हैं उनके अन्दर आई० सी० एम० और आई० ए० एम० आफिसर्स कितने आ गये हैं और उनमें आने के पहले उनकी योग्यता क्या थी। गवर्नमेंट ने इसका जवाब दिया कि १७ ऐसे आफिसर्स नियुक्त हुए हैं जिनमें केवल एक की योग्यता यह थी कि वह पहले सिदरी में ऐम्पाइंट हुए। बाद में वह नगल में ऐम्पाइंट हुए। कोई और योग्यता किसी व्यवसाय या किमी इंडस्ट्री की नहीं है। गये हैं वहाँ काम करने के लिये और उनको उस बात का कोई तजुर्बा नहीं। हमारे बहा जो आई० सी० एम० या आई० ए० एम० आफिसर हो गया वह हर एक काम जानता है, यह मान लिखा गया है। वह पब्लिक सर्विस कमिशन के सामने गये या नहीं इस सवाल का जवाब यह मिला कि एक नया केंडर बनाया जा रहा है, वह पब्लिक सर्विस कमिशन के सामने आवेंगे। पब्लिक सर्विस कमिशन के सामने भेज दिया गया है कि वह चुनाव करे। इस के माने यह है कि इन ऐम्पाइंटमेंट्स के लिये गवर्नमेंट

चाहती है कि पब्लिक सर्विस कमिशन देखे। अगर वह बीज कमिशन के सामने भेज दी गई है तो गवर्नमेंट को कुछ बातों पर विचार करना है। लोगों में यह भावना कायम है कि किस तरह लोगों का ऐम्पाइंटमेंट हुआ, किसी कमेटी के जरिये हुआ या किसी व्यक्ति विशेष के प्रभाव में हुआ। इन बातों में मैं आदमी का नाम तो नहीं लूंगा नेकिन एक आदमी ऐसा है जिसकी तन्स्वाह जो है उसके ऊपर ३०० रुपये अलाऊम और अधिक है। पहले तो अलाऊम है, फिर तन्स्वाह और अलाऊम को मिला कर २० प्रति शत अलाऊम है। मेरी समझ में नहीं आता कि यह अलाऊम किस तरह का है मिलाई के डिप्टी मैनेजर है उनकी ग्रेड पे स्केल पे ३०० रुपये, एडीशनल स्पेशल पे ग्रेड पे और स्पेशल पे मिला कर उनके ऊपर २० परसेन्ट है। यह स्पेशल ग्रेड उनको मिला है। आप समझ सकते हैं उन को अफसर बनने देख कर कोई भी दूसरा अफसर सोच सकता है। कि मैं क्यों मैं अफसर बनू बम्बई में एल० आई० सी० में कामच साहब हैं। उनको बम्बई का स्पेशल अलाऊम मिलता है। उनको बम्बई की पे और अलाऊम मिला कर उस पर अलाऊम मिलता है। इस तरह में आप आदमियों को देते हैं। आप आज इन्कवायरी कर रहे हैं। पता नहीं वह आज भी एल० आई० सी० के नेचर-मैन हैं या नहीं मूडडा कांड के बाद। मूडडा कांड के सम्बन्ध में बहम के समय गवर्नमेंट की तरफ से कहा गया और बहुत सही तरीके से कहा गया था कि हमारे अफसरों में मारल टोन बना रहे इस लिये उनके सम्बन्ध में कुछ नहीं कहना चाहिये। मैं भी चाहता हू कि मारल टोन बना रहे, और वह तभी बना रह सकता है जब हर एक अफसर यह समझे कि उनकी योग्यता में ही उनकी तरक्की होगी, वह किसी की सिफारिश से तरक्की नहीं कर पायेगा। आप अपने आदमियों के अन्दर यह भावना पैदा कीजिये कि नीचे के आदमियों को प्रमोशन उनकी योग्यता के अनुसार मिलेगा। अगर पब्लिक सर्विस कमिशन को उनके फेब्रिके, जैसा कि आप करने जा रहे हैं, तो

[श्री सिंहासन सिंह]

उसमें दिक्कतें नहीं होंगी। इस लिए आपको निर्णय कर लेना है। अभी कहा गया कि क्लाज ३२० सब क्लाज ३ के अन्दर जो रेग्युलेशन बनना है वह आज तक नहीं बना है। लेकिन बीर रेग्युलेशन के ही भरती होती जा रही है। अगर रेग्युलेशन बनाकर पार्लियामेंट से मजूर करवा लिया गया होता तो भी कुछ चीज होती उसका कोई चैनल होता, लेकिन ऐसा नहीं किया गया है कोई ठीक चैनल नहीं है लेकिन भरती चल रही है। पब्लिक सर्विस कमीशन भी इस बारे में शिकायत करता है और सरकार और कमीशन दोनों में मध्य हो रहा है और इससे हम देश में यह भावना भी भर रहे हैं कि पहुंच और सिफारिश चल रही है। पब्लिक सर्विस कमीशन कहता है कि हमारी बात मानी गयी या नहीं मानी गयी। एक इंजीनियर के मामले में आपने कमीशन की बात नहीं मानी। उसके लिए आपको साधुवाद देना है। अगर इसी तरह से और कसों में ब्याल किया जाये तो मैं समझता हू कि हमारे देश में जो चारों तरफ से बोझ करपान सुनायी देता है वह भी मिट जायेगा। इस इंजीनियर को आपने इस आधार पर अलग कर दिया कि उससे मिठाई के बारे में कहा था लेकिन खेद है वह नहीं कर सका और उसने एक सी रुपये का नोट देना चाहा था। इस अपराध पर उसको अलग कर दिया गया। पब्लिक सर्विस कमीशन ने कहा कि यह ऐसा अपराध नहीं था कि अलग कर दिया जाय लेकिन आपने उस बात को नहीं माना। इसके लिए सरकार साधुवाद की पात्र है। लेकिन और भी बड़े बड़े अपराधी तरफकी पाये हुए पड़े हैं।

पटनायक साहब ने मूदडा कांड में बहस करते हुए उस अधिकारी के सम्बन्ध में बड़ी बड़ी बातें कही कि उसने डिफेस स्टोर में इतना अच्छा काम किया और इस प्रकार उन अधिकारी को साधुवाद मिल गया।

मैं अधिक समय न लेकर गवर्नमेंट से यह अपील करना चाहता हू कि गवर्नमेंट कुछ

निर्णय कर ले। आज वस बरस हो नवे हम क्ला ३२० के अनुसार कार्रवाई नहीं कर रहे हैं। सरकार को बतलाना चाहिए कि वह ३२१ के अनुसार काम करेगी या नहीं। कब तक हम इस बचले में पड़े रहेंगे। उधर रेग्युलेशन भी नहीं बनाया गया है उधर भरती भी हो रही है। इस विषय में गवर्नमेंट को निर्णय कर लेना चाहिए।

पूर्व दिल्ली की मन्त्राणी महोदया ने कहा कि वहा पर भी सही काम नहीं होता। तो इसान की कमजोरी तो हर जगह है। उन्होंने यह भी कहा कि उनके पास काफी आदमी नहीं है। आदमी प्राप देन नहीं और फिर शिकायत करने हैं कि आदमी काफी नहीं है। लेकिन मैंने रिपोर्ट को पढा है। उसमें तो कमीशन ने यह शिकायत नहीं की है कि उसके पास आदमियों की कमी है इस लिए भरती नहीं कर पाते। उसकी यह शिकायत नहीं। आपने जितने आदमियों की मांग की उसने भरती किये। हो सकता है कि उनमें कुछ कमी बेशी हुई हो। जितने आपने डिस्प्लिन के केसेज भेजे उनको कमीशन ने देखा। हो सकता है कि उनके वहा आदमियों की कमी हो। अगर ऐसा है तो कुछ और आदमी भरती कर दीजिये। आज कल तो सभी डिपार्टमेंट बढ़ रहे हैं। लेकिन मैं चाहता हू कि प्राप यह निर्णय कर ले कि प्रायन्दा जो एम्वाइटमेंट होंगे वे पब्लिक सर्विस कमीशन के द्वारा होंगे। अगर प्राप किसी खास केटेगरी को अलग करना चाहते हैं तो रेग्युलेशन बनाकर और पार्लियामेंट का एप्रुवल लेकर उसके अनुसार प्राप भरती करे।

मैंने एक सवाल किया था उसके जबाब में मुझे बतलाया गया था कि १८०० आदमी सेंट्रल गवर्नमेंट में बैकडोर से भरती किये नये। अब प्राप समझ सकते हैं कि १८०० आदमियों का इस तरह से भरती करना कोई थोडा की बात नहीं है बल्कि कलक की बात है। इस तरह का एम्वाइटमेंट प्राप जीध में जीध बन्ध

करें और जो भी भरती हो वह कमीशन के द्वारा हो। इनके हम सब को भी राहत मिलेगी क्योंकि हमने सिफारिश करने के लिए कहा जाता है।

एक बात में और कहना चाहता हूँ कि जो आपके नौकरियों की भर्ती के फार्म होते हैं उनमें एक कालम यह बना हुआ है कि जिसमें भरना होता है कि उम्मीदवार किमी एम० पी० एम० एल० ए० या मैजिस्ट्रेट से मनद पेश करे कि वह उमको कितने बर्षों में जानने है और इसके लिये वह अपनी दरखास्त करे। आप इस चीज को निकाल दीजिये। हमको मजबूरन इस कालम में दस्तखत करने पड़ते हैं। मैं तो सत्य और झूठ के बीच में लिख देता हूँ "मम टाइम्स"। तो आप इस कालम को निकाल दें। क्योंकि नौकरी देने पर बाद में भी आप पुलिस द्वारा उसकी जांच करवा ही लेते हैं। इस कालम के कारण देहात वालों को बहुत नुकसान होता है क्योंकि वे किमी मैजिस्ट्रेट, एम० पी० या एम० एल० ए० के दस्तखत कराने में असमर्थ रहते हैं और इस कालम को समय के अन्दर नहीं भर पाते और इस लिए उनकी भर्ती रह जाती है। इस लिए मैं चाहता हूँ कि आप इस कालम को निकाल दें। ऐसा करने में देहात के लोगों को बहुत राहत मिलेगी।

Mr. Speaker: The House will sit for sometime more; I will give 5 minutes for Shri Parmar who belongs to the Scheduled Castes.

Shri K. U. Parmar (Ahmedabad—Reserved—Sch. Castes): Sir, here is the Seventh Report of the U.P.S.C. On reading the report, I am disappointed that proper representation has not been given to the Scheduled Caste and Scheduled Tribe candidates.

It is said that in regard to engineering there is a shortage of persons. I may bring to the notice of the hon. Home Minister that there is one Dr. Saha who has been trained in Russia for a period of 12 years. He was

given the Royal Chartered Engineer's Degree for his efficient work which was praised in Russia. He has been in India since 1938. He applied many times to the U.P.S.C. and he was not called for interview. But, due to good luck he was invited in 1955 or 1956 and was taken in the Bhilai plant and as he belongs to the Scheduled Castes he was thrown out. No justice has been done to the man.

It is also said that intelligent persons or qualified persons from Scheduled Castes are not available. I know of a person from my own constituency who is a B.A., LL.B. and an advocate. He sat for the competitive examination. He passed the examination along with other caste Hindu candidates. But in the viva voce—I do not know what type of examination it is—he was failed. Again, in the special recruitment examination, the same man appeared and he passed; but, until now nothing has been heard. The poor man is serving as a clerk in the Labour Welfare Department of the Bombay State. He was not selected, I presume, because he might not have got any influence. I have got the limitation that I should not criticise the Union Public Service Commission but what can we do when these things are going on and our interests are not safeguarded?

The U.P.S.C. also takes considerable time when a post has to be filled. An advertisement is published in the papers days before. Thereafter the examination takes place and after six months, the candidate is called for interview. Then, after he is selected, that person is not intimated immediately or within a reasonable time. When he is informed that he is selected, Government takes considerable time in confidential enquiry, in finding out whether the man has got any relation in the Congress party or the ruling party. (Interruption). I have got concrete examples of this. That is why I say this. When the U.P.S.C. specifically mentioned that a person should have three years of field work for the post of Assistant Scheduled Caste Commissioner, I do not know

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why some persons having no field work have been selected with the consultation of our custodian, the Commissioner for Scheduled Castes and Scheduled Tribes.

If these things happen, where will the Scheduled Castes go and complain? When you are not prepared to give them proper justice, where shall we say this thing? The hon Minister will be thinking that an Opposition Member has no business but to criticise. But the fact cannot be denied, Mr. Speaker, that unless we have men in the Congress party we do not get justice.....

Mr. Speaker: Order, order I hope and trust that all parties will have a chance to come into the Government one day. Apart from that, I should say that all that I am called upon to do here is to allow reasonable debate consistent with the Rules of Procedure. The Public Service Commission is a statutory body appointed under the Constitution. The hon Member can refer to the general rules; he can say *viva voce* should not be there; that persons who stand first should not be prevented somehow or other. He can say that by *viva voce* you are going to shut out a man. The hon Member can talk on all these points which are principles. He can ask how is it that a Scheduled Caste man is not available?

These are all points all right. But to say that something has been done on account of so and so, is imputing dishonesty to the Public Service Commission. I will not allow that. Hon. Members can certainly refer to particular rules and regulations. There are many other things also. He can say as to what proportion ought to be given, whether the percentage ought to be so or not, that within a reasonable time the applications ought to be disposed of, whether the *viva voce* should be there or not, that they should intimate the result within a reasonable time and they should not be made to wait long and so on. They may say that this causes suspicion and these

causes should be removed as early as possible. Of course he can say that the Constitution should be amended. Within the limits of the Constitution he can go on now. He can say that the Constitution should be amended so as to have supervisory body to supervise these things. All that is possible. But to say that it is open to influence and because of the Congressman and so on is attributing motives to the statutory body.....
(Interruptions).

Shri K. U. Parwar: I am very sorry. Sir. What I meant was this. Our students from the Scheduled Castes with a somewhat lower calibre than the other candidates need not be selected in competition but those who are intelligent from our community are coming forward and they have not been recruited. I request the hon. Minister to look into this.

Mr. Speaker: The hon Member can certainly say that in this report, marks obtained by the Scheduled Castes examinees must also be given so that he may know the marks given in the *viva voce* and also know why they have been detained in the *viva voce* when they are intelligent. These are all grounds of suspicion which can be removed. Or he may say that the report may be fuller. I can understand it but not the other thing.

Shri K. U. Parwar: There are some posts filled without consultation with the U.P.S.C and there also the reservation can be kept. That is why I say that even though there may be some difficulty, these vacancies should be filled through the Public Service Commission.

Shri Datar: Sir, except in a few cases, I was happy to find that the debate on this motion was held on a fairly high level. Sometimes we are tempted into certain fields where we do not take into account either the principles of restraint or dignity. Thereby, may I point out to such hon. Members with whom I sympathise, the

very cause that they have in mind is harmed.

Therefore, I am happy that various suggestions have been made and generally the debate was on a very high level. Before I deal with the various points, I shall deal with the U.P.S.C.'s report that is now under consideration. On this occasion, I should like to pay my tribute to the very fine and excellent manner in which the members of the U.P.S.C. have been carrying on their very delicate and difficult work. Under the Constitution, we have to consult them and they have to carry on their work under some difficulties. But they have done so scrupulously well. Therefore, I should like to pay a compliment to the competency, impartiality and the independent manner in which they have been executing their work. I would, therefore, repudiate the criticism as also the insinuations that were made here and there.

The Commission, as Shri Mathur rightly pointed out, is one of those institutions whose reputation has always to be kept above criticism in the higher interest of the country itself. They have been carrying on their work very well and the Government have been trying their best to find out extremely suitable persons regardless of other secondary considerations. That is the reason why Government are happy that they have found out extremely competent persons, and they are doing their work very well.

Secondly, I should also like to point out that so far as U.P.S.C. are concerned we have given them a large staff, and the suggestion that was made that the machinery was defective is not correct at all. They have got full opportunities either for advertisements or, in certain cases, for interviews. And, especially where they find it difficult to get suitable men some of the members of the U.P.S.C. have gone to other countries also and found out suitable candidates. So you will find, Sir, that the U.P.S.C. has full scope

for making quite proper and suitable recommendations after taking such steps as they think necessary. The task that they have carried on is varied and is also voluminous, and that is the reason why they require the support and the appreciation of all the hon. Members of Parliament.

I would like now to refer to certain points that the hon. Members made in the course of the debate. It was pointed out that there were certain posts for which they could not find suitable persons. Most of these posts were of a technical character. Take, for example, engineering. In this case it has been a matter of great difficulty to find out suitable number of competent candidates. That is the reason why the Ministry of Education have been carrying on correspondence and have helped a number of State Governments for starting engineering colleges and for starting medical colleges as well. With the work that they have carried on it has now become possible to a certain extent to get good engineering candidates as well as medical candidates.

May I point out, Sir, what great efforts the Ministry of Education has been doing in this respect? In so far as the candidates at Degree level are concerned, 2533 seats have been added to what was already available at the Degree stage, and at Diploma level 4225 seats have been made available. As I have pointed out, Government are taking concrete steps to see that suitable candidates are available in the country itself.

Another point also may please be noted in this connection. Before Government ask the U.P.S.C. to give their recommendations, Government have now established a body known as the Manpower Directorate. So far as this body is concerned, it finds out what would be the requirements of the Central Government—and if the State Governments require then we shall be pleased to use their good offices for the State Governments as well—for the next year. Therefore, the require-

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ments for the next year or immediate future are assessed. That is the main work of the Manpower Directorate, and where it is found that there are deficiencies, then, naturally, those deficiencies are filled in.

The UPSC are now having a recruitment on a mass scale so far as such technical posts are concerned, and the candidates are then called. If, for example, they have passed the highest examinations in engineering or other technical subjects it may not be necessary to again take them through certain examinations. That is the reason why the system of recruitment by interviews has been introduced and it is having a very good effect.

Shri Braj Raj Singh: Is it not a violation of the Constitution?

Shri Datar: Let the hon Member wait. In fact, in the case of IAS and also IPS a large number of candidates are recruited to a smaller extent on that basis, here it is on a larger extent, it is a mass recruitment.

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Shri Braj Raj Singh: Is it the answer?

Shri Datar: Let me continue. If any questions are to be put, I shall reply to them afterwards. Therefore, I would point out that Government have been planning the whole question of recruitment and the removal of deficiencies, and ultimately they are appointing such persons as and when required.

An hon Member suggested that there was some delay so far as the actual appointments are concerned. Whenever the matter comes up before the UPSC, naturally they give us their valuable advice so far as the technical qualifications and academic qualifications are concerned. Secondly, they also test or assess the potentiality of the particular candidate. That is what is called not interview, but a personality test.

Mr. Speaker: What are the offices for which this personality test is held? There is an engineer who sits

Shri Datar: An engineer is there. That is what I am coming to.

Mr. Speaker: What is the need for a personality test?

Shri Datar: So far as all such posts are concerned, there are certain administrative duties attached to those technical personnel as well, and with a view to enable the UPSC to have a correct assessment, what is done is, there are experts or advisers associated with the work of the UPSC . .

Shri Braj Raj Singh rose—

Shri Datar: Will the hon Member kindly wait?

Shri Braj Raj Singh: It is not for him to say so. It is for the Speaker to say it. I take objection to take orders from him.

Shri Datar: I take objection to his interference at every stage.

Shri Braj Raj Singh: The hon Speaker is to check me, not others.

Mr. Speaker: If I put a question, it does not mean that the hon. Member is allowed to do so. The Minister speaks to me and through me to the hon. Members. Let there be no interruption. The hon. Minister did not interrupt any hon. Member.

Shri Datar: I did not.

Mr. Speaker: Such interruptions always break the thread of one's speech. Whoever be on his legs, can he answer all the points that have been spoken so far? What is the meaning of such interruptions? The hon. Minister may go on with his speech.

Shri Datar: Therefore, what UPSC does in the first place is to assess the capacity of the man so far as his potentialities are concerned. Therefore, this personality test is not a formal test at

all. In fact, I myself once attended the personality test. To what extent the man has got general knowledge of the world, not merely academic or theoretical knowledge, will he be a proper administrator, has he got a very good grounding so far as the particular scientific and other subjects are concerned—these are the matters which are looked into, and the U.P.S.C. are extremely careful to see that they get out from the man what he is likely to be.

Therefore, this particular personality test is a very important test. Formerly, as you are aware, there were separate marks so far as the personality test was concerned and the general written tests were concerned. In some cases, a large number of failures are there and in spite of . . .

Shri M. P. Mishra (Begusarai) rose—

Shri Datar: I shall answer all questions later, after ten minutes. Not now. Otherwise, the whole chain is broken. I never interfered except when I found some undignified remark being made.

I was pointing out that in all these cases the marks for the written tests or the examinations and the marks for the personality tests are now grouped together and the man's qualification or the man's passing the examination is determined on the strength of the total marks. Therefore, there is no injustice at all.

Under the circumstances, the Commission have the advantage not only of the examiners whose number is very large, but so far as the interviews and other technical matters are concerned, they are assisted by outsiders, by advisers, whose number is 1,300 odd. Therefore, you will find that with the work of the U.P.S.C. are associated many experts as advisers. Therefore, the recommendations of the Commission are of a very competent character. After that is done, as and

when it is found that the U.P.S.C. can recommend names, naturally they take into account the man's academic qualification, his personality, his technical and other qualifications. Then, naturally, before he is appointed, Government must be satisfied that he is a man of good health and, naturally, of good character and antecedents. Some hon. Members, rather unfortunately, stated that some constable goes and that some money is given as bribe. But that is not the way in which the qualifications of the persons are found. Therefore, after full consideration the number of persons found disqualified is not very large. At the highest level, may I point out, so far as those appointments are concerned, they are made as and when required. Ours is a Government, whose activities are expanding year after year. As I have stated . . .

Shri Funnoose (Ambalapuzha): He cannot soar so high.

Mr. Speaker: Hon. Members must be a little more restrained. What is the meaning of interrupting like this?

Shri Funnoose: I just want to get a clarification. You can help us, Sir.

Mr. Speaker: The hon. Member does not want any help from me. I find there is hindrance from me.

Shri Datar: I was pointing out that here we are following the system of finding out whether Government are getting suitable men, either as administrators or as technical personnel, and great care is exercised in finding out suitable persons. As the hon. House is aware, we accept all their recommendations almost in their entirety.

Let the hon. Members note that there are so many cases, six thousand and odd, and only in one case have we departed from the advice given by the U.P.S.C. There also, it was the case of the conduct of a Government servant, which was not proper. There he had just made some preliminary preparations for offering a bribe, just

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preliminary preparations. The moment he found that the man was a strong one, immediately he stopped his effort. In that particular case, the U.P.S.C. took the view that the offence was not proved. Technically, it is correct. But here we have very clear evidence from which it was perfectly possible to come to the conclusion that the man tried to influence this particular officer for certain advantages that he wanted, so far as seniority and other matters were concerned. Therefore, while the U.P.S.C. took a view which was somewhat lenient Government took a view which was very strong. So, I desire the House to appreciate what we have done. The man has been removed from service. We requested the U.P.S.C. to look into the matter. They stuck to what they had said. Then Government considered it at the highest level—mind you, that it was considered at the Ministerial level twice—and it was decided that in the interest of purity of the administration even a preliminary attempt of offer of bribe was highly reprehensible and, therefore, the man was removed from service. I wish the House appreciates how Government are very strong, so far as the eradication of corruption is concerned

Then, I would pass on to other questions and would finish in about ten minutes. A number of hon. Members have rightly referred to the strong criticism that the U.P.S.C. have made on what they call "the falling standards of education". So far as that question is concerned, what the U.P.S.C. have stated is a matter which requires close consideration, not only by the Ministry of Education, but by the Ministries of Education in the States and by the Universities as well. Now, their complaint is against the falling standards in education, that students do not come up to that level generally to which they ought to come; they have pointed out that they get a number of candidates who are of a very

high order—some of them are very brilliant, but they have to admit that on the whole the standards have got to rise. Therefore, may I point out to this House that we are requesting the Education Ministry to consider this question, to take proper steps and, if they are so minded, they might consider it in consultation with various Universities as well.

Now, this is a subject which required a specialised study and not merely the ordinary studies that we have in the schools and colleges. A specialised study should also be there and it will be a good thing if some universities have courses for tuition so far as such students are concerned. If there is such tuition and students are brought up and are given a good training in the various subjects which are always before the public and which are always known, then it would also help the scheduled castes and scheduled tribes candidates. It is true unfortunately that their number is not rising, but as I have pointed out, we have made rules according to which we do not insist upon the highest standards, but upon the minimum standards keeping in view the requirements of the maintenance of reasonable standards. That is what we have done and therefore it is good that their number is gradually rising though it will rise more provided the scheduled castes and scheduled tribes candidates pass through a training before they appear for this examination.

I should also like to point out that all sympathy is exercised towards the legitimate claims of the scheduled castes and I repudiate what the young man on the other side said.

Shri Braj Raj Singh: What the "Member" said.

Shri Datar: I wish he had not said what he did to harm his own case. We take particular care specially when the interests of scheduled castes are concerned. We look at the matter at the highest level and we see that no

injustice is done. But, after all, they have been lagging behind for centuries for which all of us are responsible, the whole nation is responsible, but a time has come when they are coming forward and consistent with efficiency we are trying to do whatever is possible out of a genuine feeling of sympathy. In these circumstances there cannot be a case of harassment. There cannot be a case of injustice at all so far as these persons are concerned.

Then, my hon friend Shri Sinhasan Singh suggested that Government have kept out of the purview of the U.P.S.C. a number of posts. That is not correct at all. We have kept some posts at the lower levels, for example, Class III and Class IV appointments. Here also Government do not make these appointments directly. So far as the lower appointments are concerned, Government have the nominations through the employment exchanges. Government ask the employment exchanges to make nominations and generally we accept their nominations. When we do not, then naturally we put down the special reasons and then we have recourse to other cases.

So far as the temporary appointments are concerned, this is a legacy of the war period. A number of persons were taken in and naturally their number has got to be reduced by proper methods. Where in a department their number is large and that department is not likely to last long, then naturally we shall have to have recourse to retrenchment. But there also we have got certain categories or priorities according to which those persons, who are retrenched on account of the retrenchment of the department or on account of the closure of the particular work, are given a certain priority.

In addition to this what we have done is that wherever a particular department is there and that depart-

ment has got to continue, then 80 per cent of the temporary personnel are offered confirmations. Let the House kindly understand, I have informed the House long ago, that the Finance Ministry have issued a circular and that is being implemented, i.e., 80 per cent of the people are being confirmed.

Then we have got also the quasi-permanency rule according to which if a person has three years' service to his credit and his work is satisfactory then we put him in a class which is more or less analogous except in two or three matters with the class of permanent servants.

We have got now the organisation of services under the Central Government. We have got the Central Services organisation here in the Secretariat. We have got also the clerical services organisation, the stenographers services organisation and we are trying to regularise and put everything on a proper footing so far as the morale of the services is concerned.

I agree with Shri Harish Chandra Mathur that we ought to give them good conditions of service. We ought to expect full work from them. We have to exact full work from them. That is the policy which the Government have been following. They have to carry on the work as hard as possible and in a spirit of complete honesty. We have to give them good conditions. That is what we are doing.

So far as appointment of temporary persons is concerned, that becomes necessary. For example, when a post is likely to last only for less than a year, the Government make the appointment. Sometimes what happens is, though these appointments were expected to last below one year, they last for a longer period. We have made very strong rules. We have stated that whenever there are appointments which are likely to last for more than one year, immediately, we have to have the recommendation

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of the U.P.S.C. The matter has to be referred to them. Whenever temporary appointments are made, in all these cases, we have to keep the U.P.S.C. informed and we review the cases from time to time, every six months and if it is found that an appointment is likely to last beyond one year, immediately reference has got to be made to the U.P.S.C. That is the reason why in this Report, no reference has been made because very good conditions have been evolved with the consent of the U.P.S.C.

In respect of matters which were kept outside the purview of the U.P.S.C., may I point out that even before the Constitution came into vogue, we had the Federal Service Commission, and there were certain posts which were kept outside the purview of the Commission. Recently, we have revised the whole thing, and with the consent of the U.P.S.C., let the House kindly understand, we have certain categories of services which have to be kept out of the purview of the U.P.S.C. For example, if Ambassadors are appointed, are we to take the matter to the U.P.S.C.? If, for example, there are certain posts which are of a highly technical character, naturally, we need not go to them.

One hon. Member suggested that all the officers in the Planning Commission are appointed solely by the Planning Commission. That is not correct at all. The Planning Commission is also a department of the Government of India and they follow the same rules. Under these circumstances, it will be found that the Government are trying their best to see to it that their administrative efficiency is maintained to the fullest extent, subject to the requirements of certain communities, weaker sections like the Scheduled Castes and Scheduled Tribes. These are the two communities in respect of which there is reservation of a percentage not only in respect of the all-India services, but

in respect of other service, also, where the extent of reservation is larger. So far as the all-India services are concerned, it is about 12 and odd. So far as the Central and other Services are concerned, it is 16 and odd for the Scheduled Castes. The Government have kept this point in view, namely, that the services have got to be efficient, secondly, that the services have to be kept satisfied and thirdly, that we have to accept the view generally of an independent statutory body like the U.P.S.C. Taking all these things into account, the Government are trying their best to see that the efficiency of Government service is increased as far as possible.

In this connection, may I make a reference to two other organisations which the Government have? So far as the work is concerned, Government have, for the last four or five years, the organisation known as the Organisation and Methods Division. Every delay, every lack of efficiency is looked into and immediately, directions are issued and explanations are called for and the particular defect is removed. We have got also the Vigilance Division which looks into all cases that have led to corruption or are likely to lead to corruption. Therefore, Government are taking steps to see that not only is corruption detected, but corruption is prevented as well. Thus, you will see that we are trying our best to see to it that the highest efficiency is reached and that justice is done to all the persons concerned. That is the reason why we are accepting the recommendations of the U.P.S.C. to the fullest extent possible. There was only one case of non-acceptance this year, and two years ago it was two. It hardly exceeded three or four.

Under the circumstances, I would point out that so far as the work of

the U.P.S.C. is concerned, it is carried on in the highest interests of the country, and so far as the Government are concerned, we are trying to respect their recommendations to the fullest extent possible, except in a rare case where the Government thinks that a particular action by way of a departure from the recommendation of the U.P.S.C. is necessary.

Shri Surendranath Dwivedy: Sir...

Mr. Speaker: The hon. Member will hold his soul in patience.

Shri Datar: Some hon. Member indirectly brought in the question of regional representation. This is a body which cannot function on a regional basis. We try to function solely on the merit basis. The suggestion made by Shri Surendranath Dwivedy might be followed—we have no objection—to find out whether the work of any particular university requires special attention so that the students or the candidates from that particular quarter come up high in the all-India services examinations. That is a matter which can be looked into by the universities themselves, but on the whole we are having a good representation from the States. Recently I find that we are getting extremely good students, almost brilliant students. They are having general knowledge, they are having a very good capacity or flair for administrative work. Therefore, it is expected that they would make good officers either as I.A.S. officers or as police officers or as Class I or Class II officers.

That is the very reason why one hon. Member needlessly suggested that the report makes painful reading. My hon. friend Shri Harish Chandra Mathur stated that there was nothing against the Government. If I may put it in a humorous manner, he was almost disappointed that the criticism against Government was not so strong as it once was. Now, the only reason

that I point out is that not only do we accept the recommendations of the U.P.S.C. but we try to put into effect all the suggestions that they make for further improvement. That is the reason why we have here a report which says very little against Government. Even in respect of the two or three cases where there was non-consultation or non-acceptance, Government had very strong reasons.

Reference was made to one case, but there under the rules as they were interpreted in 1951, there was no need for reference when a Government servant had to be appointed from one department to the other. In that particular case it was then not considered necessary that there should be a reference. That is the reason why in 1951 no reference was made, but subsequently it was considered that it would be better and advisable to make a reference when a particular man has to be promoted to a particular place or has to be given a higher place. Therefore, it was not that the case was purposely kept back from the purview of the U.P.S.C.

Then, in the other case also as you would see, and as my hon. friend Shri Harish Chandra Mathur would agree, so far as the ex-railway officers were concerned, we reserved a certain percentage in order to meet the claims of these ex-railway officers to be taken or absorbed in the railway system of Government of India. There a certain percentage was reserved for the purpose of doing justice to these persons. There, the matter had been referred to the U.P.S.C., but the U.P.S.C. stated that under the federal financial integration scheme it was not necessary to refer the matter to them. Therefore, they said that it would not be proper for them to give any advice. They suggested that this question should be decided after consultation by the Railway Ministry with the Home Ministry, and that procedure was followed. When again a reference was made in respect of some matters, they said that this particular percentage should not

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be reserved for these people because men from the former States in other departments would raise a complaint. But so far as the ex-State Railway officers were concerned, that was necessary, and that was equitable, and, therefore, Government had to take a particular course. And the then Railway Minister had to make an announcement which was hailed with applause by all sections of this House.

So, you will find that whenever Government try to take an action, they always act in a proper way. We have never acted in an improper way. And whatever we have done is always subject to the approval of this House. From the manner in which the report from the UPSC has come and the manner in which a number of hon. Members tried to see whether there was any defect but could not find any, it is clear that we have got a clear appreciation of the action of Government not only by the UPSC but by this House as well.

I am thankful to the House for the very illuminating discussion or debate that we have had. Whatever suggestions have been made by some hon. Members will be duly taken into account, and we shall try to enhance the efficiency of Government, because that is the only object for which the UPSC has been maintained and Government will try their best to do this in consultation with the UPSC.

Shri Braj Raj Singh: A point was made in the course of the speeches enquiring whether Government have framed the regulations contemplated in article 320(3). But the Minister has not made any reference to this point.

Shri Datar: I could not follow the question.

Shri Braj Raj Singh: He has not read the Constitution.

Mr. Speaker: He wants to know why the regulations contemplated in article 320 (3) of the Constitution have not been framed.

Shri Datar: I shall reply to that.

Shri Harish Chandra Mathur: The Minister has conveniently forgotten one point.

Mr. Speaker: The hon. Member may leave that alone. What is his point?

Shri Harish Chandra Mathur: The Minister has said that it is in consultation with the UPSC that they have exempted certain posts. But what I want to pin-point the attention of the House on is that they have deprived this House of the jurisdiction to examine the rules and regulations which have to be laid on the Table of this House under article 320 (3). A recommendation or proposal was submitted by the UPSC in 1951, and, the UPSC have referred to it year after year. It may be that the Home Minister and UPSC may be agreeable to certain rules which they are following at present, but they have deprived this House of the jurisdiction to examine those rules and regulations which should have been placed on the Table of the House.

The Minister has also slurred over another question which I had referred to namely, the extension of the services of the superannuated staff.

Shri Thimmalah: From the report of the UPSC we find that they have not approved of the action taken by Government against an executive engineer who has been dismissed for having offered a bribe of Rs 100 to the Deputy Director, Administration. In such cases, does the Minister not think that the dismissed officers go to court and get acquitted, and then Government will have to pay them salary and other things? For, from the evidence, I do not understand how an Executive Engineer can offer only Rs 100 to the Deputy Director, Administration.

Shri Datar: Shall I answer the first question first? May I point out that I have already answered that question?

We had regulations before the Constitution came into force, and under those regulations certain posts were excepted. After the Constitution, the whole question had to be considered afresh. Until the new regulation came into force, the old ones continue, according to the Constitution. There was a long discussion between the Government of India and the U.P.S.C and a unanimous list of such posts has been evolved. The matter is in the last stages, and as soon as the regulations are published, a copy thereof will be kept on the Table of this House. There is no desire to keep the House ignorant of those regulations.

Every attempt is made to finalise the regulations as soon as possible. Then naturally proper steps will be taken. The point I want to impress on hon. Members is that whatever we try to exclude has the approval or the imprint of approval of the U.P.S.C. Therefore, there can be no question at all of excluding certain posts. This answers both the hon. Members.

The last question I have to answer about extension or re-employment.

So far as that question is concerned, there are various levels at which it is independently looked into. Ordinarily, as you are aware, we have got the 55 years rule in respect of superannuation. It would not be proper to extend it without full consideration, because this rule is considered generally as the proper rule so far as these administrative and other services are concerned. Under these circumstances, whenever it is found that the services of a particular officer should necessarily be extended, then not only the particular administrative Ministry but the Home Ministry and the Cabinet also go into the whole question, and then grant of extension is given, especially in the case of technical personnel. That is what we do. In the case of all these things, whenever any extension or re-employment of one year has to be had, naturally we consult the U.P.S.C. and act according to their advice.

17.32 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Friday, the 14th March, 1958.
