

[श्री वाजपेयी]

इससे उनकी प्रतिष्ठा और बढ़ेगी। एक गलती हुई है। अब उस गलती के अनुसार अगर बेरू-वाड़ी जाता है, तो हमें यह अनुभूति होनी चाहिये कि भविष्य में हम इस प्रकार की और गलती नहीं होने देंगे।

कभी कभी मुझे लगता है कि विदेश मन्त्रालय शायद हमारे प्रधान मन्त्री को छोटी छोटी बातों के बारे में ठीक और समय पर परामर्श नहीं देता। पथरिया जंगल का सवाल खड़ा हुआ था। प्रधान मन्त्री जी से पूछा गया कि पथरिया जंगल का एक हिस्सा पाकिस्तान को दिया जा रहा है, वहां कितने लोग रहते हैं, तो उन्होंने कहा कि वहां कोई रहना नहीं है। जब उनसे कहा गया कि वहां कुछ लोग रहते हैं, तो उन्होंने कहा कि रहते तो हैं, लेकिन मुसलमान हैं। मैं यह प्रधान मन्त्री के उत्तर में से बता रहा हूं। जब उनको कहा गया कि मुसलमान नहीं, वहां हिन्दू भी रहते हैं, तो उन्होंने कहा कि रहते होंगे, मैं पता लगाऊंगा। मैं समझता हूं कि छोटी छोटी बातों तक जाने के लिये शायद उन को समय नहीं होगा, लेकिन उनके जो सलाहकार हैं, जो विदेश मन्त्रालय है, उन्हें छोटी छोटी बातों के सम्बन्ध में भी उन्हें पूरी जानकारी देनी चाहिये, क्योंकि कभी कभी छोटी छोटी बातें दृष्टि से ओझल हो जाती हैं। इसलिये बड़े और गलत फंसले हो जाते हैं।

उपा.स. महोदय : क्या माननीय सदस्य और समय लेना चाहेंगे ?

श्री वाजपेयी : जी हां, मैं कुछ तो और कहना चाहूंगा।

उपा.स. महोदय : तो फिर वह कल अपना भाषण जारी रख सकते हैं।

17.03 hrs.

ASSISTANT SUPERINTENDENTS' EXAMINATIONS*

Shri P. K. Deo (Kalahandi): Mr. Deputy-Speaker, Sir, in this debate I do not hold any brief of any individual, but I take this opportunity of having some ambiguity clarified. This debate relates to the Assistant Superintendents' Examination which was held in 1959 under the auspices of the Union Public Service Commission. In reply to my question No. 1275 during the last session the hon. Deputy Minister replied that all the qualified candidates of the 1955, 1957 and 1958 examinations had been absorbed as Assistant Superintendents. He further stated that a final decision had been taken in this regard so that all those who had qualified in the 1957 and 1958 examinations had been taken and no one had been left over. According to this decision all those who qualified in 1959 also should have been taken in as Assistant Superintendents, but I beg to submit that there has been a departure from the pronounced policy of the Government which they have followed since the inception of the departmental examination.

Let us see what is the character of this examination. From the various records and in view of the fact that so far, whosoever has qualified in this examination or has secured 45 per cent of the marks, has been absorbed. I find that the character of this examination is qualifying. It is not a competitive examination or a competitive test. I beg to submit that a wrong notion has been created in the mind of the Minister that the character of the examination is competitive and the list of qualified candidates which is published, lapses every year. But, that is not a fact. My contention has been further corroborated by the fact that the left-overs of 1955 have been

absorbed in 1958. It goes to prove that in 1955, all those candidates who qualified in the examination could not be absorbed because there were no vacancies and later, when vacancies arose, they were automatically absorbed. If it was a competitive examination, there was no question of declaring 292 candidates as qualified in 1955, when the vacancies were only 20. From this, I beg to submit that the contention of the Minister is not consistent with the realities.

Similarly, a list of all the qualified candidates in 1959 should have been published and they should have been absorbed as vacancies arose. But, this has not been done in 1959. There has been a partial publication of the list of qualified candidates. Only a list of 78 candidates has been declared, even though, as a matter of fact, many more than 78 have been qualified and have secured the requisite marks or had qualifications prescribed by the U.P.S.C. The withholding of the publication of the full list has created a good deal of disappointment and frustration in the staff. That is but natural.

In reply to part (c) of my question, the Minister stated that the recommendations for appointment on the basis of the examination held by the U.P.S.C. is made at their discretion and the Government do not interfere. I do not expect that the Government should interfere. Rather, we are anxious that the independence of the U.P.S.C. should be maintained at every cost. At the same time, I beg to state that the facts stated by the Minister are far from truth. We are given to understand from reliable sources that the U.P.S.C. has intimated to the Ministry that the list of 78 candidates which has been published as a result of the 1959 test is not exhaustive and they can further go down in the list and submit full details of the qualified candidates to the Ministry if a reference is made to the U.P.S.C. by the Home Ministry. The result of the non-publication of the entire list of qualified candidates

has led to these following things. Firstly, all those candidates who have qualified themselves in the 1959 examination and who have been officiating in the superior posts for all these long years, have been reverted and secondly, they have been subjected to repeated examinations every year. That means, they will have to appear in the same examination every year even though they passed the examination in 1959. That would be the result of the non-publication of the whole list of qualified candidates in 1959. Naturally, their preparation every year for the same examination will dislocate their household affairs and may ultimately affect their efficiency. It is also very awkward to ask the Assistants to prepare themselves for yearly examinations like their children preparing for their school examinations, even after passing and qualifying themselves.

I do not want to interfere with the independent character of the U.P.S.C., but at the same time I request that a reference be made by the Home Ministry to the Commission to publish the entire list of the candidates who have qualified themselves in the 1959 test, and that they be absorbed when vacancies arise. I do not say they should be absorbed all at once, or that it is incumbent on Government to absorb them all together, but as and when vacancies arise, they may be absorbed. By this I do not think any administrative problem will be created. Rather, it will help matters and create confidence in the staff, as they will know where they stand.

For these reasons I request the hon. Minister to clarify the position. There is absolutely no occasion for him to disagree with the suggestions I have made.

Some Hon. Members rose—

Mr. Deputy-Speaker: Only Shri Shukla has given prior notice.

Shri Harish Chandra Mathur (Pali): I have.

Shri Tangamani (Madurai): I have sent a slip.

Mr. Deputy-Speaker: They are not put down here. Yes, Shri Mathur, if he has given notice.

Shri Harish Chandra Mathur: I do not consider it to be a happy thing to have to advocate the cause of members of the staff in the Secretariat. It is not at all a healthy thing. But this question came before the House in the form of a certain principle, and I wish to remind you and the House that while discussing the U.P.S.C. Report on 5th September, 1960, I had referred to this matter and pointed out how unjust and inconsistent Government had been, and how the U.P.S.C. had acquiesced and fallen in line with the Government. My friend, the hon. Minister, objected to my accusing the U.P.S.C. for this, but, as I submitted at that time, my main objection was that if the Ministry wanted to take a very inconsistent and unjust point of view, I had at least expected that the U.P.S.C. would stand out and act independently.

Mr. Deputy-Speaker: The hon. Member desired to put a question or two. Now he is making a speech.

Shri Harish Chandra Mathur: This is just the background in which my question will have to be framed. Otherwise, I would not have even participated in this.

Mr. Deputy-Speaker: My only difficulty is: if the background is so long, the question would be longer still.

Shri Harish Chandra Mathur: I might assure you I will take only two minutes.

If what my hon. friend who has just now spoken has stated is correct, that the U.P.S.C. had not taken that attitude at that time that the Commission has now written to the Ministry that the list is not exhaustive and that it is prepared to release

the entire list of qualified candidates, then the whole aspect changes. Then it becomes a straightforward matter so far as I can see it.

Now my question comes, and it is only three lines. If it is so as has been given out by my hon. friend that the U.P.S.C. does not insist on this and that the list could be released as it should be, as in the past, may I know why all the qualified Assistants are not being absorbed as was done as a result of the previous three examinations? Why is there any inconsistency? Secondly, why should the list of all the qualified candidates not be released, and why can they not be absorbed, as was done on the three previous occasions? How is the matter different, if the U.P.S.C. does not stand in the way?

Shri Tangamani: If the left-overs of the two examinations in 1955 and 1957 were absorbed later, as per Home Ministry's Order No. M.4|47|57|CSS| 24th July, 1958, why could the same procedure not be adopted for the 1959 examination?

What is the action proposed by Government to remove the anomalies, in the light of the views expressed by the House on 5th September, 1960, when the report of the U.P.S.C. was discussed here?

What is the objection of Government to maintaining a waiting list of those persons who had passed the 1959 test, for absorption as and when vacancies arise?

Is it true that the U.P.S.C. is prepared to release the list of qualified persons, in addition to the 78, already submitted in regard to the 1959 test?

If normally qualified persons are to sit again and again in the test, will it not constitute injustice, and if so, why should they not be exempted from new tests?

Shri Morarka (Jhunjhunu): I want to seek a clarification from the hon. Minister on one point, and then I

want to put a question. The clarification that I want to seek is this. Is it a fact that candidates who appeared once in the examination and had passed, because they could not be absorbed, had to appear in the examination next year? And is it a fact that even though in the subsequent examinations, they had failed twice or thrice, still, on the basis of the first examination, they were absorbed? If that is so, then what is the point in having the subsequent examinations? That is the clarification which I want. I want to know whether that is a fact.

The question that I want to ask is this, namely why in respect of the candidates who appeared in the examination in 1959, the list has not been published. What is the demand of those candidates? Is it not that they only want that a similar list be maintained, and as and when vacancies arise they be absorbed? If that is the demand, why should the hon. Minister think that this demand is unreasonable, and why is this request not granted?

Shri Vidya Charan Shukla (Baloda Bazar): My point has been touched upon by Shri Morarka, but I would like to say that two specific questions must be clearly answered by the hon. Minister to remove the doubt from our minds. The first point is whether the full list of the candidates who qualified in the 1959 examination has been given to the Home Ministry or not, or whether the U.P.S.C. are holding back a part of it, and if they are holding back, whether they are holding it back on their own volition or at the express will of the Home Ministry.

The second point is what particular objection the Home Ministry has in maintaining a waiting list of people who have qualified in the examination so that they could be absorbed as and when vacancies arise in the future.

Shri Thanu Pillai (Tirunelveli): May I know whether there has been

a change in the policy of appointing Assistant Superintendents. In 1955, there was a waiting list kept; probably, in 1959, there might have been a change, or the qualifications might have been better, namely that only the persons getting the first few ranks might have been appointed. If that is so, has any decision been taken by Government in this respect, and if so, when?

The Minister of State in the Ministry of Home Affairs (Shri Datar): A number of questions have been put to me, and I shall try, within the time at my disposal, to clarify the whole position. In the first place, I may point out that there is no question of a candidate qualifying in the normal sense of the term. Let us understand this point very clearly. This is a departmental examination.

Shri Thanu Pillai: We do not understand it.

Shri Datar: I am making that clear. The hon. Member will understand it if he follows me for some time. If the hon. Member starts with a preconceived notion, then, I cannot help. Let the hon. Member follow what I am saying.

This is a departmental examination held for the purpose of having on what is known as the Regular Temporary Establishment List a number of persons, whose percentage also has been fixed, according as the vacancies arise. I may point out in this connection that we have what is known as a Regular Temporary Establishment of Assistant Superintendents. They formerly belonged to Grade III.

17.19 hrs.

[MR. SPEAKER in the Chair]

Now, the two Grades, namely Grades II and III have been combined. But that does not make any distinction, so far as this question is concerned.

Whenever we had to take in the names on the Regular Temporary

[Shri Datar]

Establishment List, then, there were two methods that we followed, in regard to selection. We took, firstly, from what is known as the seniority list. We have a selection board which takes into account the seniority and rejects those who are unfit and then a list is prepared of half the numbers, so far as the RTE List is concerned.

In respect of the other list we have got what is known as the departmental examination. And, the departmental examination is held by the U.P.S.C. at our instance. Formerly, the departmental examination consisted of certain written tests, then a personality test and then also the assessment of the work of every candidate on the basis of the personal or confidential records. This is point No. 1.

The second point is that in such cases we find out what is the probable number of vacancies that are likely to be filled in. If this point is appreciated, much of the misapprehension will disappear. It is not the question of.....

Shri Thanu Pillai: May I put a question, Sir.....

Mr. Speaker: Let him finish.

Shri Datar: Let me finish. Let them put questions later.

Mr. Speaker: Let the hon. Minister finish and then the hon. Member may put a question. The hon. Members may note down the points.

Shri Datar: All the hon. Members have already put their questions, a number of questions.

Shri Rajeshwar Patel (Hajipur): You are introducing a thing which is not a fact....

Mr. Speaker: All that I will say is this. This is not the way in which to put things. I will not allow hon.

Members to interrupt. Let them note down their particular points.

Shri Morarka: All right, Sir.

Shri Harish Chandra Mathur: We shall be happy if the hon. Minister answers the questions that we have put.

Shri Datar: I know the nature of the questions that have been put to me. The first point that I was trying to place before the House was this. It is not like an ordinary examination where the whole list of qualifying candidates has to be published. This is a departmental examination and the number of persons to be taken in is approximately settled first and in some of the notifications, the U.P.S.C. even mentions those numbers. But what happens is this. We take in a larger number in view of the fact that there are more vacancies. So, hon. Members would appreciate that it is not possible to absorb all the qualified candidates. Marking is not a matter for us; it is entirely within their discretion. For the written test and in the personality test—which has now been abolished since 1959 and for the assessment of the personal record, the U.P.S.C. lays down certain marks and on that basis they prepare the list and certain names according to our requirements are submitted to us. If, for instance, we require only a certain number, then naturally the whole list need not be sent at all.

Sometimes, what happens is this. We mention the approximate number in the notification and say that the number of seats to be filled in the RTE is 20 or 30 and so on. The U.P.S.C. gives a list which consists of this number plus something more for the purpose of ascertaining whether we can absorb more persons. These examinations were held in 1955, 1957, 1958, 1959 and in 1960 also. In 1955 we found that we could absorb far more than what the U.P.S.C. had given us. We took some more per-

sons immediately. Some persons were left over. The hon. Member here asked me whether a candidate who had appeared once at one examination can again appear.

Shri Morarka: The question was this. A candidate who appeared and passed in the first examination was not then absorbed. He appeared subsequently. But he failed in the subsequent examination and yet on the basis of the first examination, he is absorbed.

Shri Datar: These examinations are held like this, they have been held four or five times. In 1955 the U.P.S.C. gave us 290 names.

Mr. Speaker: The simple point seems to be this. These people have gone round and circulated some memorandum and so on. Examinations were held in these years and lists were published. There is no quarrel about the 50 per cent basis. A list was published in 1955 and some were absorbed immediately. There was a surplus and they were taken over later. Similarly, let us say, 1957 list also was completed. Now, there is a surplus from 1958 and 1959 list. A rule has been framed that hereafter no lists will be published and only those candidates who are selected will be absorbed. The only point seems to be this. They want that those names which have been published till now should be absorbed. In the future, if you do not like, do not publish or publish the names of those for whom there are vacancies immediately. As a compromise, I would suggest to the hon. Minister that he need not put himself to the difficulty of publishing all the names and creating expectation in their minds that they would be absorbed. That is for the future. So far as the existing surplus is concerned, they may be absorbed.

Shri Rajeshwar Patel: There are no surplus that way. In the previous years 45 per cent was the qualifying marks. They indicated to the U.P.S.C.

that they needed so many. The U.P.S.C. gave them 192 names and they absorbed the 192.

Shri Datar: Because in that year we can do so.

Shri Rajeshwar Patel: There was only one case of one person....

Mr. Speaker: Each year examinations are held. Are they not held?

Shri Rajeshwar Patel: The surplus would be only if the result is published in entirety—the result of the 1959 examination. The unfortunate part of it is that a kind of intimation has been given to the U.P.S.C. not to publish the entire list which they were doing before and which was the practice with the U.P.S.C.... (*Interruptions*).

Shri Datar: That is not the correct position. The hon. Member has been making certain statements which are not correct.

Mr. Speaker: My feeling is that a compromise can be effected. This year an examination may be held and the number of persons qualified may be published. There may be vacancies only for 50. Hitherto the qualifying marks were given. It was said that if a candidate got 40 per cent he will be considered qualified.

Shri Datar: Qualifying marks are never given; they are inferred by the candidates.

Mr. Speaker: We will assume it is so. But the names of those persons who have qualified, whatever may be their marks, are published.

Shri Rajeshwar Patel: It would be all right if the hon. Minister.....

Mr. Speaker: Order, order. Why are you in a hurry? Now, yearly examinations are being held. If in a particular year the names of all those persons who according to the U.P.S.C. had qualified were published, in that year itself it might not have been

[Mr. Speaker]

possible for the Government to absorb all of them. In the meanwhile the examination for the next year is held. In that year also the names of qualified persons are published. While making appointments that year preference is given to those persons who qualified that year and if there are any surplus vacancies persons who qualified in the previous year are absorbed. In the past three years there has been no surplus. There was one examination held sometime in 1959 where also the names of persons who qualified have been published. A rule has now been made that hereafter the names of persons who qualify will not be published and appointments will be made to the vacancies that exist on the results of examinations. It is said that people would be absorbed and there would not be any patent surplus.

What I would suggest is, whatever may be the rule that is going to be observed in the future, so far as the past is concerned those whose names have been published may be absorbed. An impression has been created in their mind that they will be absorbed in future years as and when occasion arises. Let them all be absorbed.

Shri Datar: So far as 1955-57-58 candidates are concerned they have all been taken though we were not bound to take them. Now, merely because they have been taken my hon. friends desire that something more should be done. So far as 1959 is concerned, I should like to make a clarification. We told the U.P.S.C. that we required 50 names. They gave us 78 names.

Shri Thanu Pillai: Why did they give?

Shri Datar: Out of consideration for these people, for the candidates whose names were given, we have absorbed already all the 78 names. What hon. Members now want is that we should call for a further list from the U.P.S.C. and then consider all

the qualified candidates. That is entirely wrong. (*Interruption*).

Mr. Speaker: If all of you talk together you will make confusion worse confounded. The hon. Minister will look into this matter. So far as the present year is concerned, if all the 78 have been absorbed there is no quarrel.

Shri Datar: They have been absorbed.

Mr. Speaker: I do not think hon. Members want a fresh list to be published now.

Shri P. K. Deo: No, Sir, a complete list should be published giving the names of all those who qualified in the 1959 examination. The UPSC has already said that the list they gave was not exhaustive. They have got a full list of qualified candidates. The entire list should be published and all of them absorbed as and when vacancies arise.

Mr. Speaker: I shall argue for the hon. Minister. Does the hon. Member say that this must be the rule for the future.

Shri P. K. Deo: In the other years the entire list of qualified candidates was published.

Mr. Speaker: If after one examination it is found that all the persons who qualify in that examination cannot be absorbed in that very year and no further examination is held till all of them are absorbed by the Government....

Shri Datar: That is not so.

Mr. Speaker: I am arguing in favour of the hon. Minister. If no other examination is held till all of them are absorbed, it can clearly be said that the object of that examination was to get them absorbed before another examination was held. But the examinations are held every year. The object of the examination is this. Last

year, a number of people who had absolutely no qualification or had only very little qualification and were not up to the standard were selected, because the selection largely depends upon the kind of candidates available. This year, candidates who were first class, first, appeared. Therefore, the other people who were selected years ago ought not to have precedence, so to say, over the new comers. That is the object of these selections from year to year. All that can be done in future is, let not an impression be created that all those people will be absorbed.

So far as 1959 is concerned, call for all those persons who had qualified and exhaust the list, and let it be understood by this House and also by the UPSC that hereafter those lists would not be published. It must be seen that you get the list containing those names of persons who have qualified, whoever they are, and according to the number of vacancies, they alone will be taken. There should be no question of passing them over to the next year. Otherwise, these examinations will be a farce. Let the Minister be definite.

Shri Datar: There is no question of the examination being a farce. We require a certain number of men, and the UPSC sends a large number.

Mr. Speaker: If any expression has been used by me, let it not go against those poor fellows. What I say is, no Act is made retrospective. There are desires and expectations created. After all, these are all Section Officers, and some of them have acted for three to four years already.

Shri Morarka: Some of them are 40 to 45 years of age and they take these examinations.

Mr. Speaker: They are asked to take the examination. I do not know how many of us will pass if such an examination is held for us!

Shri Morarka: They are made to appear every year..

Mr. Speaker: I will appeal to the hon. Minister this way: after all, these people are salaried people. and the smaller the salary, the larger is the number of their children and the larger the family. He may stretch the point in their favour and absorb all of them and say that in future such lists will be confidential and only against such vacancies as are falling vacant from time to time they will be taken. For the next year, there will be another examination. But do not frustrate those people in regard to their expectations which may be right or wrong.

Shri Datar: There is a slight snag here. When we wanted names of 50 persons, the UPSC gave us 78 names. Now, it was perfectly open to us to have absorbed only 50 in the place of 78. But the hon. Member says that we should go back upon the procedure and we should request the UPSC to have their marking standards revised.....

Some Hon. Members: No, no.

Mr. Speaker: What they say is, according to them, there was a qualifying examination. You judge those people according to the qualifying examination, and whoever passes in it, absorb all of them this year. Hereafter, from next year onwards, take only those people in the order of priority, for whom there are vacancies.

Shri Datar: My difficulty is this. The UPSC have given us a list of 78 people as qualified candidates.

Shri P. K. Deo: It is not exhaustive.

Shri Datar: What the hon. Member assumes is that the list is not exhaustive or it has not been exhausted. (Interruptions).

Mr. Speaker: Order, order. If hon. Members go on interrupting, nothing will happen. By bamboozling, the hon. Minister is not going to be cowed down. The hon. Minister is sufficiently strong and will take care of himself. I am here to help him if necessary!

[Mr. Speaker]

All that I would say is, he can get it corrected, if he thinks that hon. Members are in the wrong. Let him ask the UPSC about the number of people who had qualified. The Ministry asked for 50 but they supplied 78 names. Let there be a reference to the UPSC to find out whether there were any other men also who had qualified.

Shri Datar: There are two difficulties in the way. One is that the UPSC have given us a list of 78 persons who had qualified. What the hon. Members desire me to do is to again approach them with a view to request them to revise their list.

Some Hon. Members: No, no. (*Interruptions*).

Mr. Speaker: The hon. Minister may differ in his conclusions. So far as facts are concerned, it is one thing to say that a man is a graduate—every man who takes a degree is a graduate—and another thing to say that there were 50 vacancies and 78 were taken. For 50 vacancies, 1,000 candidates appeared and it may be that 1,000 people qualified. How do they assess?

Shri Datar: According to their own standards.

Mr. Speaker: The hon. Members want to request the hon. Minister to ascertain from the UPSC whether there are any more, according to their standards, who have passed, but they gave only 78 names because there were 50 vacancies.

Shri Datar: I was trying to point out one more point. The question is whether we have so many vacancies to be filled. For making provision for a large number of these qualified candidates from the UPSC, we have reverted a number of persons. That also should be noted, and kindly taken into consideration. We take half the number from the seniority list and half the number from the examination list. We cannot go on reverting a number of persons.

Shri Morarka: Who wants you to revert them? You have to keep a waiting list.

Mr. Speaker: The hon. Minister may take some of these matters into consideration. It is now 5.40 and normally we do not have quorum after 5. But a number of hon. Members on this side and that side are taking interest in this matter. After all, it is not a rich man that is sought to be helped. It is the poorer section. Rightly or wrongly an expectation has been created in them that if they are qualified, they will be absorbed. Whatever might be the difficulty, this will be the last chapter. A new practice may be adopted, as a matter of compassion, so far as these young men are concerned; they have served for a long number of years.

Shri Datar: This is the result of compassion. We take people from 1955. (*Interruptions*).

Mr. Speaker: The hon. Minister must take note that the hon. Members who have spoken on this matter are so young; they have no personal interest. It is on account of compassion for those poor people. An expectation had been created in them and they cannot go home frustrated. I hope the Minister will agree.

Shri Datar: I would not agree, because there are a number of difficulties. I shall consider the whole matter. I am making no promise at this stage. It is very difficult to make a promise for the reason that the number of vacancies is limited.

Mr. Speaker: Every year it is so.

Shri Datar: You have given a correct answer to my friends about keeping a waiting list. To keep a waiting list is extremely undesirable.

Mr. Speaker: This will be the last waiting list. Hereafter there will not be a waiting list. (*Interruption*). Am I creating an impression that the hon.

Minister is hustled? I hope he has said whatever he has to say.

Shri Datar: I am not hustled, nor shall I allow myself to be hustled, as you have said.

Shri Thanu Pillai: May I draw your attention to what happened in the 1957 and 1958 batches? In one batch, there were 20 vacancies only, but 292 people were announced and they were absorbed.

Shri Datar: That was their good fortune.

Shri Thanu Pillai: It is his own version. 20 vacancies were notified and 292 were recommended by the UPSC. All of them have been absorbed. Why this year has the UPSC withheld part of the result, when they have passed? Privately they have intimated them that they have secured the necessary qualification marks. Here we are creating a situation.....

Shri Datar: I would request the hon. Member not to make any reference to the so-called private information. That is entirely against the rules. That is entirely against discipline. If the hon. Member makes any reference to private information, it will not be fair to the services either.

Shri Thanu Pillai: May I know whether the UPSC have stated that they are prepared to submit a further list of those who have obtained 45 per cent. marks?

Shri Datar: How does the hon. Member know the contents of the letter that the UPSC had written? That is against the rules.

Shri Morarka: On a point of order. Sir, you have given a ruling that hon. Members can bring information from whatever sources they like. If the hon. Member is not correct, let the hon. Minister say so.

Shri Datar: This is against the discipline of Government servants, that

should be noted very clearly. (Interruptions).

Shri Tyagi: The maintenance of discipline on the part of the Government servants is the job of the Ministry. It is for the Ministry to see that their letters, original or copies, do not leak out. It is not for Members of Parliament to look into that aspect.

Shri Datar: But I hope hon. Members will help us by not bringing in private information.

Shri A. M. Tariq (Jammu and Kashmir): Sir, on a point of order. When you are in the Chair is it proper for a Minister to turn his back and speak to Members of Parliament on discipline of Government servants like this?

Mr. Speaker: That is too small a matter.

Now, I fully remember that on a prior occasion when some information was brought in here.....

Shri Morarka: Shri Feroze Gandhi was speaking then, and Shri Nath Pai had raised a point.

Mr. Speaker: I said then that whatever might be the information in the possession of hon. Members, they are entitled to freely refer to it in this House. But, at the same time, it is equally not desirable that these people should go round, look into the files and convey information to Members, who in turn make a reference to it in the House. But hon. Members are entitled to refer to it, irrespective of from whatever quarters it comes.

Shri Datar: I seek your co-operation in this matter, Sir.

Mr. Speaker: The hon. Minister is a lawyer himself. He knows that even if by theft a document is brought in court, on the ground that it is brought in by committing theft it does not become inadmissible, except in the case of ancient documents where cus-

[Mr. Speaker]

today is necessary. Of course, it is very wrong on the part of people to supply confidential information. At the same time, there is no meaning in saying by the hon. Minister that no information ought to be given to this House. The hon. Minister is entitled to say "I am not going to consider this matter". If people look into the files and convey to others the names of those who should come in the normal manner etc. the little sympathy that the hon. Minister has for these people will be blasted. Of course, he is entitled to say "No". True, hon. Members also should not encourage the bringing in of any information that is absolutely confidential between Government and its various departments and they should not normally be brought into the House in any shape or form. But if they bring it, I do not think there is any irrelevancy in it. But I would say that normally it should not be done as a matter of policy.

So far as this particular matter is concerned, he may ascertain from the

Union Public Service Commission whether there are more qualified persons according to them and they supplied only 78 names because Government have asked for 50 names. If there are other qualified persons, he must make a list of waiting persons and once that list is exhausted, hereafter he may strictly adhere to the other principle. The list need not be published; he may ascertain it from the UPSC and provide for them without any obligation to have a waiting list and then undergoing all these difficulties. That is the simple point urged here. The hon. Minister will look into this matter and give his best and sympathetic consideration to these matters.

17.50 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, December 20, 1960|Agrahayana 29, 1882 (Saka).
