

Creation of All India Services

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*249. **SHRI KUSUMA KRISHNA MURTHY:**

SHRI LALJI BHAI :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) what are the specific reasons for Government in not implementing the provision of the All India Services Act, 1951 to create All India Services in the field of Medicine and Health and Engineering; and

(b) whether Government have any proposal to create an All India Service in any other field ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) A number of State Governments who had earlier agreed to participate in the two Services resiled from their stand and expressed doubts about the need to have All India Services in these fields. Besides, addition to the list of All India Services would not be consistent with the Govt.'s policy of decentralisation.

(b) No, Sir.

SHRI KUSUMA KRISHNA MURTHY : There are as many as 20 States agreed for the creation of All India Services in the fields of Medicine & Health and Engineering. Only two States have declined to this proposal. Apart from that, there is a growing frustration in these branches of learning because they are continuously being denied the opportunity of serving in All India Services. Besides that, what significance are we giving for the majority opinion in our democratic set-up? I want the Government to take a realistic view of all these factors and bring a proper legislation to create All India Services in these branches of learning.

SHRI S. D. PATIL : In the beginning, that is, in 1951, when there was a Conference of Chief Ministers—in August 1961—all the States had unanimously agreed for the constitution of the Medical and Health Service and the Indian Service of Engineers. But subsequently after the 1957 elections, they backed out and they have put forth several reasons. The prominent among these reasons are, they have demanded decentralisation of recruitment to All India Services, some have raised the grounds of State autonomy, and several other arguments were advanced. All these arguments which were advanced were laid on the Table

of the House on 25-8-1976 when there was an Unstarred Question by Mr. Vasant Sathe Qn. No. 1492.

SHRI KUSUMA KRISHNA MURTHY : I would like to know whether these Services were existing earlier as All India Services in the pre-Independence era and if they were in existence, what were they called.

SHRI S. D. PATIL : In the pre-Independence era, all these seven services were in existence. But subsequently when the Constitution was amended, only two Services were kept under article 312. Then subsequently the All India Forest Service was constituted on 1-7-1966, and the rest of the Services were postponed for one reason or another; the last postponement was on the 26th January 1977 by the ex-Prime Minister; when it was about to be published in the Gazette, somehow under her instructions that action was stayed and they were not constituted. Now the Cabinet of the Janata Government has taken a decision not to pursue the matter because it is its thinking that several State Governments are of different complexion and they have got their own objections for the constitution of these Services and also that it is inconsistent with the policy of decentralisation.

श्री लालजी भाई : अध्यक्ष जी, मंत्री महोदय ने प्रश्न का साफ़ उत्तर नहीं दिया कि क्या किसी अन्य क्षेत्र में अखिल भारतीय सेवा बनाने का सरकार का कोई प्रस्ताव है, जैसा कि प्रश्न के (ख) भाग में पूछा गया है। उन क्षेत्रों के नाम क्या हैं जो घोषणा हो चुकी है और उन क्षेत्रों के नाम क्या हैं जो घोषणा होने वाली है, आप करने वाले हो। अगर नहीं करने वाले हो तो क्या कारण है? कारण तो बहुत सारे बताये हैं राज्यों के भी और केन्द्रीय सरकार के भी, लेकिन इन कारणों के बावजूद भी इस सेवा को आप कब तक लागू करेंगे और कब तक इन सेवाओं के अन्तर्गत नियम लागू करेंगे ?

SHRI S. D. PATIL : I have already replied to this question. However, I will add that the present Government's thinking is that they do not want to pursue the matter of constituting any more All India Service because there are objections from the various States; in view of that, it will not be desirable to pursue with that. As far as part (b) of his

question is concerned, I have already said that it is not under the contemplation of the Government to constitute any more All India Service.

श्री लालजी भाई : मेरा दूसरा प्रश्न है।

अध्यक्ष महोदय : नहीं, दूसरा प्रश्न आप नहीं पूछ सकते।

The second question has already been question to ask.

श्री लालजी भाई : मैं उसी का जवाब पूछ रहा हूँ। मंत्री महोदय ने नहीं कहा। जो इस सेवा के अन्तर्गत सरकार ने घोषणा की है उस घोषणा के अनुसार भी वह कानून लागू नहीं किया, इसका क्या कारण है ?

SHRI S. D. PATIL : There is no declaration of obligation in respect of constitution of these Services. Only the Act was amended in 1963 for the constitution of Indian Forest Service, Indian Medical & Health Service and the Indian Engineering Service.

श्री लालजी भाई : 1975 में घोषणा की है, आपको मालूम ही नहीं है।

PROF. P. G. MAVALANKAR : The Minister has said on the one hand that the government's policy is one of decentralisation and on the other hand, he also says that there are differences of opinion among the States and, therefore, he is not doing it. I do not know which of the two is more valid. And I do not know how the differences come into the picture.

Is it not a fact that since 1950 there are as many as 55 All India Services already in operation of which nearly two dozen have come since 1950.

Mr. Speaker, Sir, this kind of an institution of All India Services does lead to proper planning of careers and experts becoming available to government and an all India integrated administration in various fields.

In view of all this, will he not see the value of creating more All India Services including an Indian Parliamentary Service because there is no Indian Parliamentary Service. A proposal for an Indian Parliamentary Service was mooted as far back as 1950 with the beginning of the First Lok Sabha. From the first Speaker

onwards this has been mooted. I do not know why the government is not going into the question of All India Services.

THE PRIME MINISTER (SHRI MORARJI DESAI) : There can be different views in this matter. That I grant.

If you really want to see that the autonomy of the States has to be maintained and not encroached upon, then this question of All India Services should not be extended further at all. I have no doubt about it in my mind, and the States also oppose it. Both reasons are valid. Not only that, one or two States now want me to dismantle even IAS and IPS. This goes to the other extreme. One must not pursue this question further.

About Indian Parliamentary Service also, if all Assemblies agree, we may consider it.

Indo-Czech shipping pact

*250. **SHRI YADVENDRA DUTT :** Will the Minister of SHIPPING AND TRANSPORT be pleased to state :

- whether an Indo-Czech Shipping pact has been signed ;
- if so, its terms and conditions ;
- and
- (c) the rates to be charged on goods shipped by either party ?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM) : (a) No, Sir. The bilateral merchant Shipping Agreement between India and Czechoslovakia has not yet been signed.

- (b) and (c). Do not arise.

SHRI YADVENDRA DUTT : Is it a fact that negotiations are under way as I see from the reply and you want to get certain points clarified.

Sir, Czechoslovakia is a land-locked country. They do not have a port of their own. They have a treaty with Trieste and use their Pola harbour as also the port of Dobronovik of Yugoslavia. Will he keep in mind during the negotiations their special demand for special rights arising out of their land-locked position which may be not conducive to our own economic point of view? And, if negotiations are going on, how long will he take to have the negotiations completed and signed ?