

and what has happened in Kumher. The whole House should condemn the incident when 25 tribal workers were killed. Shri Jaswant Singh has referred to the CBI Inquiry. An inquiry was instituted by the Madhya Pradesh Government but not a single culprit has been arrested.

MR. SPEAKER: I am calling Questions now.

SHRI BASUDEB ACAHRIA: The tribal were killed in Rajasthan

MR. SPEAKER: Now, that is enough, Shri Acharia. You have had enough, please sit down. *(Interruptions)*

SHRI BASUDEB ACAHRIA: That is why we want the Question Hour to be suspended immediately. What has happened in Kumher in Rajasthan should be taken up.

[*Translation*]

SHRI RASHEED MASOOD (Saharanpur): Mr. Speaker, Sir, whether it is an issue of Kumher or Bhilai or of Bihar.....*(Interruptions)* All these issues are serious.....*(Interruptions)* The people who are dividing the country in the name of religion and caste should be condemned.....*(interruptions)* Whether it is the statement of B.J.P., Janata Dal or of the Congress, we should be most cautious about the dividing forces. I would like that the Question Hour should be suspended. There are some other issues also. The House has its own dignity and that dignity should be maintained. These issues should be taken up after the Question hour. Not only the issue of Kumher but other incidents of atrocities on Harijans and minorities should also be taken up along with it.

[*English*]

MR. SPEAKER: Please understand. It is not possible to take up all the matters at one and the same time without properly putting them before the House. If you want one matter to be taken up, there are others who would like other matters to be taken up.

(Interruptions)

MR. SPEAKER: I am not replying to you. I am trying to give directions about the proceedings in the House. Now enough is enough. Let us go on with the Question Hour. I call upon Shri Vijayaraghavan.

(Interruptions)

SHRI ANBARASU ERA (Madras Central): Sir, I am on a point of order.

MR. SPEAKER: There is no point of order in Question Hour.

(Interruptions)

[*Translation*]

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, when the leader of the Opposition as well as the Members of the Congress are prepared for the discussion then what is the objection to the Chair.....*(Interruptions)*

[*English*]

MR. SPEAKER: We will take it up later. Thank you very much for cooperating after half an hour's discussion.

SHRI SOMNATH CHATTERJEE (Bolpur): Sir, please, fix appropriate time for this.

MR. SPEAKER: Shri Vijayaraghavan.

11.36 hrs.

ORAL ANSWERS TO QUESTIONS

[*English*]

Civil Services (Preliminary) Examination, 1992

*1. SHRI V.S. VIJAYARAGHAVAN:
SHRI RAM NARESH SINGH:

Will the PRIME MINISTER be pleased to state:

(a) whether there have been allegations regarding the leakage of a question paper of the Civil Services (Preliminary) Examination, 1992;

(b) if so, the facts of the case;

(c) the action taken or proposed to be taken in the matter.

(d) whether there have been such leakages in the past also; and

(e) if so, the remedial measures taken/proposed to be taken to prevent such leakages?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): (a) to (e) A statement is laid on the Table of the House.

STATEMENT

The UPSC have received a Memorandum on 17th June, 1992 from an organisation called Joint Action Committee claiming to represent students of different universities demanding cancellation of the the Civil Services (Preliminary) Examination held on 7th June, 1992 on the grounds that there was a leakage of the General Studies Paper at Allahabad.

2. The facts of the case are that the Preliminary Examination was held on 7th June, 1992 and the General Studies paper common to all candidates commenced at 2.30 p.m. and concluded at 4.30 p.m. After the commencement of the examination at one of the Centres in Allahabad, one of the invigilators was found photo-copying the General Studies Paper (C&D series). The matter was reported to the police and the official was arrested. The original test booklet as well as the photo-copied version was seized by the police at 3.00 p.m. The photo copy of the test booklet was made at the instance of the Controller of Examinations of the U.P. Public Service Commission who admitted having instructed the invigilator to photo copy the test booklet in order to

strengthen then the question bank of the State Public Service Commission. The Controller of Examinations who was also the Supervisor of the examination center, was also arrested by the police.

3. Immediately on receipt of the information the UPSC deputed one of its senior officers to Allahabad for conducting an enquiry. The findings of the enquiry revealed that the test booklet consignment reached the examination centre on 7.6.1992 between 1.30 p.m. to 1.40 p.m. In accordance with the prescribed procedure, the sealed test booklets box was opened at 2.00 p.m. As per the recovery memo recorded by the police, the time of the seizure of the test booklet and photo copied version was 3.00 p.m. i.e. after the commencement of the examination. The UPSC have therefore come to the conclusion that there was no reason to believe that there had been a leakage of the question paper before the commencement of the examination compromising its integrity. A decision has, therefore, been taken by the UPSC not to cancel the examination.

4. The CBI have been asked to carry out a further investigation in the matter and the UP Govt. have been requested to hand over the investigation of the matter to the CBI. The investigation of the CBI would relate to the criminal liability of those responsible and if a prima facie criminal case exists, to prosecute the responsible persons. The question papers of the Civil Services (Preliminary) Examination held in June, 1991 were believed to have been leaked out before the commencement of the examination, the UPSC cancelled the examination and held a fresh examination at a later date. The case was also handed over to the CBI for investigation..

5. The UPSC is considering various measures to strengthen the security of the examination system.

SHRIV. S. VJAYARAGHAVAN: Sir, the statement shows that photocopying was done after the examination was started. This shows that there was no leakage of the paper. Then, why has the matter been given to the CBI for inquiry?

MR. SPEAKER: If you have understood his questions, please answer. Otherwise, he can repeat his question.

SRIMATI MARGARET ALVA: The hon. Member wants to know if we feel that there has been no leakage why have they handed it over to the CBI. I would like to point out that on the 7th of June 1992, an FIR was filed by the students at 8.30 p.m. in the night saying that the examination paper of the afternoon's General Studies paper had been leaked out. Sir, an immediate inquiry was conducted. The paper was from 2.30 p.m. to 4.30 p.m. And in the meantime, also police had filed a seizure memorandum in the police station saying that a person was caught photocopying the afternoon paper of General Studies in a photo copying shop close the centre in Allahabad. The FIR was filed by the students and we have held an internal inquiry and it has been found from all the events that after the questions paper had been distributed, the Controller of Examinations, who was the supervisor, gave one question paper to his supervisor to make a copy because he said that he wanted to strengthen the question bank of the U.P. Public Service Commission. The examination had started at 2.30 p.m. and the paper was seized at 3.00 p.m. as per the police report. But since the students have filed an FIR and since we would like to clear the whole issue, we asked permission from the U.P. Government on the very next day to hold CBI inquiry into the whole incident. We have got permission to conduct the inquiry only yesterday, that is on the 7th of July. And, therefore, the inquiry had started and we would like that an independent inquiry into this incident is conducted.

SHRI V.S. VIJAYARAGHAVAN: There are general complaints about the leakage of the question paper in the Civil Service Examination. In today's *Times of India*, there is a report about the leakage of the paper. In the situation, what steps are being taken to see that the integrity of the examination is protected.

SRIMATI MARGARET ALVA: Sir, every step possibly by the UPSC is being taken to protect the integrity of the examination. Let me explain. In the preliminary examination, 3,50,000 young people appeared. I may just mention the number of centres that are being covered in this preliminary examination. There are 41 centres and 849 sub-centres. Now the examination is conducted by the UPSC. But we used the State Public Service Commissions to conduct the examinations for us in the different States and the local administration in the Union Territory.... The papers are sent in sealed packets right through. They come to the examination hall only one hour before the examination and are supposed to be opened within half an hour in the presence of the supervisors and the students who are there. This is possible. And this is what we found in these cases. The preliminary examination has 48 sheets. And at the end of the examination, they are all answers which are to be marked there. The new model questions are of objective type where only the markings are made on a front sheet. But, as per the rules, the entire question sheets are supposed to be returned at the end of the examination because they do not want the question bank to become common. Therefore, even though the number of these sheets are returned, one or two sheets are torn out and carried by students in their pockets. It may be possible that out of three lakh fifty thousand, one or two sheets are taken out of the hall. After the examination is over - this was the 7th examination which took place - today half a page of one sheet of the examination was printed in the newspaper and we are told that this was leaked before the examination. So, it is difficult for us really to say that it was a leak because there is one sheet any one can carry in a pocket after the examination. Every year something is being done; a sheet is being produced and we are told that there is a leakage. We are convinced that there has been no leakage. But, since the question has been raised, a CBI enquiry has been started and the FIR was filed by the students which is being investigated by the U.P. Investigating Agency.

[Translation]

SHRI RAMNARESHW SINGH: Mr. Speaker, Sir, through you I would like to know from the hon. Minister the outcome of the CBI enquiry conducted into this matter last year and whether an enquiry was also conducted into the internal functioning of the commission and conduct of its officers.

[English]

SHRIMATI MARGARET ALVA: It is a known fact that last time it was found that there had been a leakage. Therefore, the students were given one more chance and the examination was conducted again for that year after the CBI enquiry. (Interruptions)

A CBI enquiry was conducted last time and in that case it was found that the employees in the printing press and the post office were in league and the papers had been removed in the Ranchi Press and because the report said that there had been a leakage, we conducted the examination again and all those who had appeared were given one year's relaxation to be able to appear once again. Therefore, last year we did concede that there was a leakage. This year we see no reason to believe that there has been a leakage. But the CBI has been asked to enquire into the whole thing.

SHRI Lal .K. ADVANI: This malady of leakage of question papers is becoming very serious. When it affects ordinary examinations even then it has very deleterious consequences. But, when it goes to the level of the UPSC, the entire credibility of the examination system is undermined.

I recall that this is not the first time that something of this kind has happened. It happened in preceding year also. I do not want to go into all that happened last year in 1991. But, it made the Prime Minister make a categorical statement saying that he would see to it that hereafter steps are taken to conduct all UPSC examinations centrally and that the centralised examinations with the help of electronic gazettes would enable

printing of question papers together and delivering them to candidates simultaneously all over the country. He said this would also eliminate the possibility of leakage in question papers. This was an assurance given by the Prime Minister immediately after the leakage occurred last year. One year has elapsed since then and today we are face to face with another situation where the allegation is that there has been a leakage. The hon. Minister says that 'no', 'nothing', there has been no leakage and what has happened is a technical flaw etc. though it is noteworthy that the Controller of Examinations has been arrested on that account. The Controller of Examinations who was also the Supervisor of the Examination Centre was arrested by the police. Something foul has taken place. What exactly that foul practice is? You say the CBI will find out but what is in the meanwhile to be the fate of the candidates who appeared in the examination? They feel that they have been cheated and, therefore, they say that when there is *prima facie* evidence to necessitate the arrest of the Controller of Examinations, why can't you cancel the examination and hold it again. Otherwise merely to tide over the difficulty, to appoint a CBI inquiry and think that the matter is over, I think this is not fair to the students. The students may be justified to demand cancellation of this examination. What is the Government's response to this?

SHRIMATI MARGARET ALVA: Sir, I want to say that we are not contemplating cancelling the examination at the moment. An enquiry has been ordered and I am sure you will agree with me that we are talking about three and a half lakh students and just because in one centre somebody makes a noise and says something has happened there, unless it is proved that this happened before the examination started, the examination cannot be cancelled.

The Controller of Examinations was arrested for the simple reason that there has been a gross violation of the guidelines regarding (Interruptions).

MR. SPEAKER: You do not have to reply to his interruption.

SHRIMATI MARGARET ALVA: The point is that the guidelines were violated and an F.I.R. was filed. On a criminal complaint he was arrested and immediately released on bail. The question is that if it is a leak, it should have been before the examination started. Even the report said that it was at three o'clock in the afternoon, after the examination had started at 2.30, and it has been admitted by all the eight supervisors that the packet was opened in their presence in the examination hall. The moment the packets were opened, the memo was signed by all the supervisors saying that they were present when the packet was opened and the distribution started. It was after the distribution was over, after 2.35, that he said he gave the paper to the Supervisor to get two copies made of a particular C and D series which was there so that they could strengthen the U.P. Question Bank for future examinations. In order that we may be very clear about it that we asked for the permission of the U.F. Government to start a CBI inquiry immediately. They refused at the beginning but now yesterday they have agreed that they will give permission to us to conduct the inquiry and the inquiry has started. I think it would be only fair that we have an inquiry independently, looking to what the complaint says, and then say whether is something wrong.

About electronic examinations, we have worked on this. The whole plan of action has been.....(Interruptions). The plan of action for the electronic system is ready. The question is that of logistics - the equipment and the necessary infra-structure to be created. I am sure, the Prime Minister will make an announcement about this.

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, there was a simple question by Mr. Advani that the Controller of Examinations was arrested. What were the charges on which the Controller was arrested. The hon. lady Minister says that he was just arrested because an F.I.R. was filed. So, can you arrest anybody for any reason? Without any reason he was arrested. So, let her tell whether he was arrested and what was the

reason. For violating guidelines, nobody is arrested. If the Government is arresting people for violating guidelines, I think most of the Finance Ministry people would have been arrested and had been sent to jail. So, for violating guidelines, everybody in the Finance Ministry will be in Tihar Jail because you have stated that all the guidelines have been violated. So, do not give answer which creates more confusion. Answer specifically what were the charges against the Controller of Examinations.

SHRIMATI MARGARET ALVA: I want to be very clear about this. We have not asked him to be arrested. He was arrested by the local police station in U.P. There was an F.I.R.(Interruptions) Some hon. Members: Why?

SHRIMATI MARGARET ALVA: Let me answer. If you want to listen, please listen. Sir, there was an F.I.R. filed saying that question papers had been found outside the examination hall and had been seized by the inspector when they were being photocopied. That was the criminal charge that the examination papers had leaked out and had come out. That was the F.I.R. that was filed. Therefore, the local police arrested the people who said that they had done it and were immediately released on bail after recording their statement. There was an agitation. The police station was gheraoed by the students. They insisted that those who are responsible should be arrested. They were brought to the police station. Their statement was recorded and then they were released on bail. (Interruptions)

SHRI HARI KISHORE SINGH: Sir, what the hon. Minister is talking is all * (Interruptions)

MR. SPEAKER: That is not forming part of the record.

(Interruptions)

SHRI HARI KISHORE SINGH: I withdraw my remarks and apologise for it. (Interruptions)

MR. SPEAKER: You should be careful with the words.

(Interruptions)

SHRI HARI KISHORE SINGH: Sir, the hon. Minister has stated that the newspaper has published only one sheet. I have, in my possession, the entire bunch. The question paper was leaked at 2.45 p.m.

AN HON. MEMBER: Please lay it on the Table of the House.

SHRI HARI KISHORE SINGH: With the permission of the Chair, I can lay it on the Table of the House. Let there be a proper enquiry by you. I request you to examine all the complaints.

MR. SPEAKER: What is your question?

SHRI HARI KISHORE SINGH: I agree with Shri Advani that the examination should be canceled.

MR. SPEAKER: It has to be your question and not Advaniji's question.

SHRI HARI KISHORE SINGH: I support that. I want to know whether the Government is contemplating to put all the papers before you and whether the Government is prepared to cancel the examination or not.

SHRIMATI MARGARET ALVA: Sir, the hon. Member himself conceded that the leakage took place at 2.45 p.m. That is what I was saying. *(Interruptions)* The examination started at 2.30 p.m. The papers were distributed in the examination hall and after the students have started their examination, one spare copy was sent out by the Controller of Examination for making copies. I am admitting it. The point is that the examination started 2.30 p.m. The examinees were inside the hall after which the paper went out in violation of the guidelines. He was arrested because the F.I.R. which was filed was under the Official Secrets Act and under breach of trust. He was arrested under these two charges. *(Interruptions)*

SHRI SAIFUDDIN CHOUDHURY: Sir, it is not proper for the hon. Minister to say that the question paper has not been leaked when an enquiry is going on. That is to prejudice the enquiry. The point is that every time when this kind of allegation came in the past also, similar kind of reaction was given by the Government or by the U.P.S.C. Later on it was proved that the allegation was true. The examination had to be canceled. When the Minister was not a Minister, sitting somewhere else she used to write also demanding cancellation. The then Prime Minister also acceded to it.

The members of the Joint Action Committee of the Students organization of different Universities have come and have made specific allegation. They are demanding judicial enquiry into it. They have no faith to UPSC bureaucrats. It is a lucrative business to leak question papers. It will destroy the backbone of our administrative system. I request you to take it very seriously and find out the truth about it and before that do not say that the question paper has not been leaked.

THE PRIME MINISTER (SHRI P.V. NARASIMHA RAO): Sir, what my colleague has been telling Parliament is the version of the U.P.S.C., obviously. Now there are two versions. One version says, one F.I.R. says, that this photo-copying took place at 1.30 p.m. If it is 1.30 p.m. it is a clear case of leakage. If it is at 3 p.m. it may or may not be a leakage but it is not really fatal to the examination. This we can conclude only after making an investigation by the C.B.I. which is being done. So, what I would like to submit to the House is that whatever she has just stated is culled out from what the U.P.S.C. has reported. This is the position. Let us not understand it as if she has taken the responsibility on herself and I am taking the responsibility on myself. If that had been so, there would be no investigation at all. So, this is the position at present and about the point raised by Advaniji, I still feel that the only effective way of dealing with this problem which has now outgrown to such an extent that there is no other way of dealing with it is,

to resort to the electronic method. I have taken up this matter personally; we had several meetings with the experts, they came up with certain models, they were tested and they were generally found to be right, but the potion is that it needed a little more money and a little more organisation. The infrastructure has been asking a little more time. I would very much hope and wish that this will be the last examination by the previous method and I would personally try my best to see that the electronic method is switched to even if it means a little more money and a little organisation.

DR. KARTIKESWAR PATRA: Sir, the hon. Prime Minister has stated categorically that it might have been leaked before 1.30 p.m. and it might also have been photocopied after 2.45 p.m. or 3.30 p.m. All these things are going on now and the students are very much agitated. I want to know whether punishment will be imposed on the guilty after the inquiry. I also want to know whether a decision will be taken to cancel the examination.

MR. SPEAKER: That has already been replied.

SHRI RAM KAPSE: Mr. Speaker, Sir, it is the prevalent practice even in the Board Examination that upto half-an-hour, the question paper cannot be carried out even by the students appearing in the examination. The hon. Minister must be knowing this. It is reported that at Three O'clock, even the photocopy was available. So, the matter should be taken up seriously and it should not be repeated again. Therefore, I request the hon. Minister to take the matter seriously and as far as the CBI is concerned, a decision should be taken as early as possible, in the interest of the students appearing for the examination.

SHRI MARGARET ALVA: It is because that we had taken it seriously we requested the Uttar Pradesh Government for permission on the 9th of June itself. But unfortunately, they refused permission and it is only on the

6th of July evening, that is, on 7th I got the letter, that permission had come to us to hold the inquiry and we had started looking into it.

SHRI CHETAN P.S. CHAUHAN: Sir, what the hon. Minister has said, I am sorry to say, is partially true. The fact is that the question paper did not leak at 2.45 p.m., it had definitely leaked before 2.00 p.m. because the report which I have received says that there was no electricity at that particular time in Allahabad on that day. The persons who had photocopied had gone to the seventh photocopying person and then only this question paper was photocopied.

MR. SPEAKER: Please let us understand that the Government has said that they are investigating into it.

SHRI CHETAN P.S. CHAUHAN: The Minister has said that only one or two pages are copied. I have got the full question paper of September, 1991, running into 38 pages. So, will the Minister take into account all the facts which have been brought out and cancel the examination? The students are really agitated, there are thousands of students sitting in the Boat Club and they are going to demonstrate. It is a question of able students who should come into the examination and it is a question of the credibility of the Union Public Service Commission.

MR. SPEAKER: The question is already answered.

SHRI CHETAN P.S. CHAUHAN: I will again ask the Minister whether she will still consider cancelling the examination.

MR. SPEAKER: She has said 'no' to it and for the first part 'yes'.

SHRI P.V. NARASIMHA RAO: I am very grateful for the valuable evidenced furnished by the hon. Member. I will ask the CBI to contact him and take more details from him in order to facilitate the inquiry