the property has been taken over, we shall certainly look into them and take immediate steps to see that no injustice whatsoever is done

An appeal has been made that this limit should be enhanced. The House will appreciate that if we want these claims to be settled as early as possible and, again, if we enhance the limit, the whole thing will be delayed further Right from May, we gave a notice which was publicised and, if we want that these claims should be disposed of as early as possible, any more extension is not going to help I hope, the House will bear with me on this count.

These were some of the important points that were raised by my hon friends I can certainly assure them that a humanitarian view, as has been pleaded, will be taken I wish I ccu'ld have rendered better justice But my hands are tied because of the earlier decision, because of the earlier system as was evolved. In the present set-up, as to what could be done, to that extent all endeavours shall be made and justice will be speedily rendered.

With these words, I commend the Bill for the consideration of the House

MR CHAIRMAN The question is

"That the Bill to amend the Ene my Property Act, 1968, be taken into consideration"

The motion was adopted

MR CHAIRMAN The House will now take up the clause-by-clause con sideration of the Bill There are no amendments I understand that some amendments were sent by Mi Bashir Ahmad today But according to the rules, they should have been sent at least a day earlier Therefore, they have not been admitted

Now, I take the clauses and put them to vote of the House

The question is

"That Clauses 2 to 11 stand part of the Bill"

The motion was adopted

Clause 2 to 11 were added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI MOHAN DHARIA I beg to

"That the Bill be passed"

MR CHAIRMAN The question is "That the Bill be passed"

The motion was adopted

16 45 hrs.

STATUTORY RESOLUTION RE DISAPPROVAL OF BANKING SER-VICE COMMISSION (REPEAL) OR-DINANCE, 1977

AND

BANKING SERVICE COMMISSION (REPEAL) BILL

SHRI SAUGATA ROY (Barrackpore) I beg to move the following Resolution

"This House disapproves of the Banking Service Commission (Repeal) Ordinance, 1977 (Ordinance No 10 of 1977) promulgated by the Vice-President discharging the functions of the President on the 19th September, 1977"

Mr Chairman you will notice that the leader of our Party, Shri Yeshwantrao Chavan, is also present here He will participate later in this discussion because our Party is taking this matter of repealing the Banking Service Commission very seriously If I may point this out to you, when this new Government came to power, we assured them that we would not oplegislations which were pose the brought forward during Emergency and which were of a retrograde nature You will remember, when the Bill repealing the Prevention of Publication of Objectionable Matters Act was passed, the Congress Party wholeheartedly supported it Only yesterday we were discussing the Advocates (Amendment) Bill, and though we

[Shri Saugata Roy]

had some reservations, we did not oppose that But now, if I may emphatically state, our Party wholeheartedly opposes this Ordinance and this Bill that has been brought forward by this Government In short, this is a retrograde step, this is reactionary step, this is a step to back to where we were in 1969 after the nationalisation of the 14 banks which changed the whole picture of our economy If I may go a little fur ther, in 1969,—if I remember correctly, Shri Morarji Desai was the Finance Minister then-a Banking Commission was appointed by the Govern ment of India This Banking Com mission had four emment reople, bankers, as members Mr RG Saraiya, Chairman, Mr M Ramanand Rao, Member, Mr Bhabatosh Dutta, Member and Mr V G Pandarkar Member-Secretary This Banking Commission submitted its report on January 31, 1972, and in a letter to the then Finance Minister, Shri Y B Chavan, the Chairman of the Banking Commission said this

"Shortly after the establishment of the Commission, the fourteen major Indian banks were nationalised. This was a landmark not only in the history of banking but also of the socio-economic progress of our country. We have taken this development into account in our report and made our recommendations in the new economic context. We trust that Government will find our recommendations of some use in shaping the future of the banking structure in India and banking and credit policies."

I read out this letter because this signifies that the report of the Banking Commission is very much relevant in the context of today as no new bank has been nationalised since 1969

I would now refer, in brief, to the terms of reference of this Commission and the recommendations of the Banking Commission in several respects. Among the terms of reference of the Banking Commission was this

"To review the existing arrangements relating to recruitment, training and other relevant matters connected with manpower planning of bank personnel and to make recommendations for building up the requisite professional cadre of bank personnel at all levels of management"

When this Commission submitted its report in 1972, what did it say with regard to appointment and recruitment in banks? The Commision very clearly stated that a Banking Service Commission was necessary in this country to centralise recruitment, to bring uniformity and to step mal practices

It can be said that the Government of India took a lot of time in implementing the recommendations of the Banking Commission, but this Raiking Commission was not a Congress Commission This Commission consisted of many eminent banking experts in this country and after due deliberations for three years it submitted its report The Banking Service Commission Act, 1975 that was then enacted was only a follow-up action of the report of the Banking Commission

As regards the functions of the Banking Commission, it was mentioned in the Act

"It shall be the duty of the Commission to conduct examinations for appointments in each public sector banks to —/

- (a) posts in the cleiical and allied cadres and the junior officers' cadres, and
- (b) such other posts of, or posts in the cadres of, officers as the Central Government may, by notification, specify"

Then,

The Commission shall call for applications from such category of persons and in such manner as may be specified by it in the regulations and conduct examinations in such State or group of States as may be necessary having regard to the re quirements of Section 17 and the vacancies communicated to it under Section 12"

The original Act, enacted in 1975, did not limit the functions of the Banking Commission only to public sector banks This was because at that time it was envisaged that more banks would be nationalised and, therefore the Banking Commission must have its functions not powers to extend only to banks which will be nationa lised, but to the banks in the private sector and the banks in the cooperative sector also As a result of this, it was also incorporated in the original Act that extension of the provisions of the Act to other banking institutions could also be made It was stated

"The Central Government may if it is satisfied that it is necessary or expedient so to do, by notification specify that all or such of the provisions of this Act as may be specified in the notification (hercinafter referred to as the 'specified provi sions) shall also apply to oi in relation to, a banking company and thereupon the specified provisions shall apply to such banking com pany in the same manner as they apply to a public sector bank and references in the specified previsions to a public sector bank shall be construed as references to the banking company "

It is not necessary even to go into this voluminous report of the Banking Commission to understand the need of a Banking Service Commission If I may mention, the banks are one of the biggest employers in the public sector today The State Bank of India alone has 70 000 employees all over the country and the fourteen other nationalised banks, if I am correct, have one lakh of employees throughout the breadth and length of the country today The educated youth of today has an ambition of getting

a job in the Bank, because a job in the banks is the most profitable 30b today, it gives him the maximum money But what is the position of the educated youth now and his feeling? It is that unless you have somebody in the bank, unless you are the son of some employee in the bank, or someody in the banking heirarchy, you have very little chance of getting into the bank This is the general feeling I come from a State where the number of uneducated unemployed is the largest in the whole country I know the amount of pains that a youngman takes to get a job m a nationalised public sector bank This is because, it is not only a job that ensures him a lot of security, it is not only a job which ensures him a lot of prestige, but it is also a job m which he has a lot of future and he can get a lot of promotions

This is because the banks are expanding The organized public sector banks have expanded manifold m the last few years and a lot of employees have got promotions This was the condition under which this Banking Service Commission was formed and the original Act passed and it was the intention of the Government to bring some uniformity in the matter of recruitment in banks also and to lend fairness to recruitment to the banks It was thought that if a commission could be appointed, then this commission would be above controversy and people and especially young people would have more faith in such a Commission

MR CHAIRMAN The hon Member's time is up

SHRI SAUGATA ROY I am the mover of the resolution and I am already applying to you for extension of time I have had a talk with the Minister of Parliamentary Affairs We want to extend it by one hour This is a serious matter

SHRI C M STEPHEN (Idukkı) It is a very important Bill

SHRI SAUGATA ROY I was saying that it was thought that if only a

[Shri Saugata Roy]

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commission was there, there will be no malpractices in the banks and only after a commission was appointed, recruitment to banks would be fair like the Union Public Service Commission. In this country tales told about interference, corruption, malpractices in several public organizations. Now the widespread belief of the people is that when the Union Public Service Commission is holding an examination, it will be a fair examination and recruitment because there some justice is meted out the people.

Now what does this government do? This government comes forward with an ordinance, not even an Act. It was done, if I may use the word, furtively and by this ordinance the total purpose of the Banking Commission was sought to be nullified. We know number of cases of malpractices in the nationalised banks. The Chairman of public sector bank, the United Commercial Bank, Mr. Desai had to be removed for malpractice. After this Ministry came into power we had the occasion to raise in Parliament the cases of malpractice in a private Bank, a scheduled bank, the Vijaya Bank in which the Minister had no proper reply to our charge that malpractices were done with the support of the government....

SHRI VAYALAR RAVI (Chirayukil): They are still doing.

SHRI SAUGATA ROY: And this government comes forward with this Bill saying:

".... it was felt that a centralised system of recruitment in banks. as envisaged by that Act, was likely to interfere with the autonomy and flexibility in the functioning of the public sector banks and that having regard to the large number of persons to be recruited each year, such a system, even with regional offices, was likely to make the recruitment process unwieldy and cumbersome." If this logic is carried a little further, people will think that tomorrow you may come forward with a Bill abolishing the Union Public Service Commission as they take so long for recruitment and let every Ministry recruit its own personnel and have its own recruitment machinery and this may be because the Ministry wants some more freedom and how this purpose is to be achieved, you know. It is all sugar-coated. They say:

"The object of attaining uniformity, impartiality and objectivity in selection procedures continues to be important...."

How does it continue to be important-I want to ask the Finance Minister, if the Banking Service Commission Act is repealed, if the Banking Service Commission which was formed after the recommendation of the Banking Commission which went so thoroughly into the mate matter. I want to make a positive statement that this ordinance was brought about furtively by this government to allow the banks to extend patronage to the supporters of the ruling party.

17 hrs.

This is a retrograde step, a reactionary step, so that there can be paironage given by them. There are so many honest people in the Janata Party and I appeal to them. Let the centralised system of recruitment in banks not be given up. You will have your brothers and sisters. They should have a fair chance of entering service in the public sector banks. You cannot go to the Minister and plead for pairvi. Therefore, I say, let the centralised system of recruitment not be given up. This is a retrograde and reactionary step. In many of these banking institutions we have come across cases of corruption. There are many malpractices which continue unabated. I know from personal experience. I served as an officer in the State Bank of India for 3 I know people used to say years. in Calcutta that if you want to become a clerk you have to pay Rs. 5000

to the right person and then you will get appointed This is happening even now This is the position even today This is happening on a large scale in the other nationalised banks because they have got remnants from their former set up belonging to the Tata Birla, Goenka groups etc, and the big capitalists They are still there in the public sector banking system all the guidelines laid In spite of down and the directions stipulated who are the people who got most of the aid from these banks It is not the poor people in the rural areas wanting trucks or tempos or scooters who get these bank loans It is big capitalists like Tatas and etc who get most of these loans When omebody goes to the bank the bank management says this is depositors' money we want security We cannot Live any loan unless security is given The security is there with Bula's companies but still they are the greatest defaulters in the matter of repayment of money They take the money en-10y themselves ruin the industry the industry has to be taken over by the Government This is the system which is existing

Banking system is the biggest instrument in the hands of government for changing the economic pattern of the country, for changing the pattern of income-distribution for changing the pattern of social and economic infra and super structure This banking system must be m the hands of committed government Unfortunately that committedness is not there in this Government This is only the first step, we feel that more will be coming The next measure will be the one to repeal the original Bill tionalising the 14 private sector banks in this country This is only a prelude to that measure which will be coming soon.

Therefore, with all the vehemence at my command, with all the emphasis at my command I call this bill a retrograde Bill, a Black Bill, and I oppose this Bill wholeheartedly, if hearts could be put in the opposition of the

MR CHAIRMAN Resolution moved

'This House disapproves of the Banking Service Commission (Repeal) Ordinance, 1977 (Ordinance No 10 of 1977) promulgated by the Vice-President discharging the functions of the President on the 19th September, 1977

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) 1 beg to move

"That the Bill to repeal the Banking Service Commission Act 1975, be taken into consideration."

MR CHAIRMAN Are you not making your opeech now?

SHRI H M PATEL Certainly, madam The Banking Service Commistion (Repeal) Bill 1977 is before the House for its consideration

The statement of Objects and Reasons explains the purposes for which the present Bill has been brought before this House The Banking Service Commission Act was enacted in 1975 with a view to providing for the establishment of the Banking Service Commission for the selection of personnel for appointment in public sector banks Although the Commission was established in February 1977 it had not started actual recruitment of personnel for public sector banks The need to have such a Commission was reviewed by the Government and it was felt that a centralised system of recruitment as envisaged in the scheme of the Act is likely to interfere with the autonomy and flexibility in the working of the public sector banks and would also make recruitment process unwieldy and cumbersome I may add here that even when the proposals for enacting the Banking Service Commission Act, 1975, were considered by the Government in 1973-74. a view was expressed whether proposed centralisation of recruitment would come m the way of regional [Shri H. M. Patel]

and local bias in recruitment which is so necessary in extending the banking to the rural areas. Having regard to all these facts, it was considered necessary to dissolve the Banking Service Commission by an Ordinance. The present Bill is intended to replace the Banking Service Commission (Repeal) Ordinance 1977.

As regards the circumstances necessitating the promulgation of an Ordinance on the subject, I may mention that in view of the reasons explained by me earlier, the continuation of the Banking Service Commission as a centralised agency for recruitment did not appear to be necessary to Government. It was also thought that any delay in the dissolution of Commission would only cause fruitless expenditure It was, therefore, decided to take action to dissolve the Banking Service Commission and repeal the Banking Service Commission Act, 1975, by an ordinance, as soon as Government came to the conclusion that the dissolution of the Commission was the proper course and in public interest.

As the Bill before the House indicates, the Banking Service Commission Act, 1975 shall stand repealed and Banking Service Commission shall stand dissolved with effect from 19th September, 1977 Only the Chairman of the Commission and a nucleus staff of 27 persons (including officers and staff on deputation from Government Departments) had been appointed in the service of the Commission by that time As per the Bill before the House, they shall vacate their respective offices and they shall not be entitled to claim any compensation for the premature termination of the term of their office or of any contract of service. Officers and staff who were on deputation have since been reverted to their parent departments. The Chairman and Officer on Special Duty are retired Government officers. The particulars of the remaining 17 persons who were recruited by the Commission directly have been

forwarded to public sector banks, financial institutions and Government Committees with a view to have these persons absorbed in service.

Certain other consequential provisions have been made in the Bill. The balance of all moneys with the Commission and all property of whatever kind shall stand transferred to and vest in the Central Government Similarly, all liabilities and obligations shall be assumed by the Central Government After meeting all these liabilities, the money vested in the Central Government is proposed to be refunded to the banks which had originally contributed towards the Fund of the Commission in the proportion in which the money was advanced to the Commission by the banks.

The need to have a fair and efficient system of recruitment in public sector banks must always remain important With this object in view, Government have already set up a Group of Bankers to suggest a rational system of recruitment in the public sector banks This Group, which had also the benefit of the advice of a representative of the National Institute of Bank Management, has recently given a scheme of recruitment in public sector banks, which would promote the objectives of fair, efficient and timely recruitment It will also ensure that proper regional bias is given to the recruitment Under the scheme, which has already been accepted by Government, groups of banks with headquarters in a region will come together and set up common recruitment machinery. which would cater to their requirements. Such an arrangement would combine the benefits of common recruitment and the advantages flowing out of decentralisation Accordingly, it is proposed to set up seven groups as under-

- 1 Eastern Group: United Commercial Bank and United Bank of India.
- 2. Southern Group: (Madras) Indian Bank and Indian Overseas Bank.

- Southern Group: (Bangalore)
 Canara Bank and Syndicate Bank.
- 4. Northern and Central Group; Punjab National Bank and Allahabad Bank
- 5 Western Group 1 Bank of India, Dena Bank and Central Bank of India.
- Western Group II. Bank of Baroda, Union Bank of India and Bank of Maharashtra.
- State Bank Group: State Bank and its associate banks.

One of the banks in each group by mutual agreement will take up the major responsibility for initiating recruitment process, setting up the Recruitment Boards and providing the necessary secretarial assistance

To ensure impartial recruitment each group will set up two Recruitment Boards, one for clerks another for officers Chairman of the Recruitment Boards will be eminent outsiders and Members will consist of an executive each from the participating banks, and one or two persons with appropriate experience in personnel management or in Banking As the number candidates to be interviewed for clerical recruitment is likely to be large and also spread over different regions, the Reciustment Boards for clerks may set up regional panels to handle the interviews. One or two Members of the Recruitment Boards would be associated with these regional panels to ensure certain uniformity of standards

The State Bank Group having regard to its large requirements of clerical staff, may set up a Recruitment Board for clerks for each circle, which could also take care of the requirements of the associate banks falling in that region

The guidelines for recruitment, namely, the procedure for advertising and the placing of advertisements, for determining eligibility standards for varous posts, and for the testing arrangements will be laid down by Government, in consultation with the Reserve Bank of India. I am hope.

ful that the new arrangements will be in force from the next year. The effort will be to ensure that all recruitment after July 1978 will come within the purview of the common selection framework as envisaged above

The new system will provide the banks with a decentralised recruitment machinery which would be alive to the requirements of the participating banks It would retain with the banks the resposibility for recruitment, which is a part of the normal management function of every institution, subject, of course, to guidelines given by Government At the same time, the need for having some common arrangement for recruitment for banks situated in the same area, could be met by the groups of banks joining together and setting up Common Recruitment Boards By restricting the size of the group to two or three banks, we shall have ensured that the recruitment operation is kept within manageable proportions The objectives of fair and impartial selection and of maintenance of standards are also ensured by the provision for the appointment of eminent men drawn from outside the banking circles as Chairmen of the Recruitment Boards The proposed system, I am sure you will agree, is well designed to secure our basic objectives of securing the most satisfactory personnel for our banks in the most fair and impartial manner possible, while giving a reaopportunity to candidates sonable from all regions The very size of the recruitment is so large that a centralised system cannot but lead to ineffi-Currently, the annual recruitment is of the order of 15,000 to 20,000 clerks and 1500 to 2000 officers. According to an estimate given by the Group of Bankers, the numbers are likely to increase further. The number of clerical recruitment required every year is estimated to be around 40,000 in another five years' time. Recruitment of this order would necessitate processing of over 600,000 applications in the case of clerks and nearly 100,000 in the case of officers. A.

[Shri H M Patel]

centralised machinery cannot cope with such large numbers, nor can it ensure timely availability of staff to the banks We cannot take the risk of adversely affecting efficient functioning of the banks, especially when we want them to expand their operations in the rural areas, to provide finance for small-scale industries and generally re-orient their lending operations so as to subserve the goals of public policy I have no doubt in my mind that the scheme of the Banking Service Commission would have been disastrous for the banking system I now commend the Bill for adoption by the House

MR CHAIRMAN Motion moved

"That the Bill to repeal the Banking Service Commission Act, 1975, be taken into consideration

I have to inform the House that items 7 and 8 on the agenda are being taken up together Shrı Yeshwantrao Chavan

SHRI YESHWANTRAO CHAVAN Sir, I am intervening to (Satara) the motion moved by my support young friend and colleague on this side, Shri Saugata Roy Government had promised that possibly on some legislative important programmes they would go for consulting or have discussions with us and we had hoped that they would do so But I must say that I was sadly disappointed when on an important policy measure, when we had passed an Act and brought into existence a new organisation to take bank nationalisation to a further phase, to a higher phase, this Government very carefully but studiously decided not only not to implement that but also to do away with that Act itself by an Ordinance This shows the very casual manner in which they wanted to consider the views of other parties or the previous government on matters which were not supposed to be controversial And therefore, we as a duty decided to -oppose this move of the government

I am participating in this debate to expose in a way the character of this Government and the reasons why they have tried to undo this very important scheme They have tried to do it in a very casual manner

The hon Minister while moving this motion just now said that because of the problem of the size of the recruitment in future is likely to be of the order about 40,000 cierks and officers it was very difficult for a centralised administration to recruit them in time so that there may be timely availability of people to the banks and thus the functioning of banks will completely deteriorate If an organisation is established under in Act of Parliament, it can certainly find out ways and means to meet the requirements of each and every bank My young friend Mr Saugata Roy has explained the genesis of the concept of this central board of reciuitment for the banking system as a whole My main charge against this government is that this is not just a isolated step This betrays their motivations and character As I said in the beginning this is not just a move to do away with that Act by way of an Ordinance, this is another way of denationalising the system that we had introduced Having been associated with the working of the nationalised banks for more than four years, I am certainly acquainted with certain aspects of the banking system and their functioning in this country Naturally resources and other things are very important but the attitude of the employers and the employees is a very material factor in making the programmes of nationalised banking a success, making it more socially oriented, more responsive to the needs and programmes of the people And it is for this very reason, I am sure, a reference was made to the Banking Commission under the leadership of Mr Saraiya who himself was an old and important banker. He was a man who tried to understand the new spirit of banking after nationalization He came up with the proposal that the different

banks have been nationalized and allowed to exist under separate names, but ultimately, they were all national institutions Naturally, the banking system, as it grew in this country, has its own peculiar history Many of the banks started as some sort of city banks, or some as old princely State banks, or as regional banks Everything starts in a peculiar way, but when it grows, it does so in a more massive manner and becomes a more comprehensive organization Take eg, the Bank of Baroda or the Punjab National Bank They were started as regional banks or some sort of old princely State banks, but naturally later on they became very major banking organizations When they were nationalized, it was necessary to look to their problems in a more comprehensive manner, in a national sense And therefore it was thought necessary that the recruitment of these people should be given much more importance The attitude of the employee is very important Unless the man knows the environment of the people whom he is dealing with as customers, and sympathizes with their problems, and unless he has some sort of an mtimate knowledge abuot the work for which the loan is asked for it will not be helpful The major attempt we tried to make immediately after nationalization was to expand the functioning of the banks and to take them to the unbanked rural areas

I know some people are in a hurry to make judgements on the nationalized banks But banking was allowed to take its own course and, therefore, it was taken in a particular direction There was an attempt to see that they went gradually to rural areas and nonbanked areas. And the number of branches opened were very voluminous ie, in the course of the first 4 or 5 years. Most of them went to rural areas, but the people who went to such areas had nothing to do with the rural areas. They knew nothing about the problems of rural areas People were taken from urban areas to such rural banks There is nothing wrong in it, but when a bank becomes a national bank, its responsibility becomes a national responsibility and that bank must have people from different regions also I have had a very peculiar experience as the Finance Minister, 1e when I went round seeing the functioning of rural branches, which had been newly opened I will not name the name of the branch or of the State concerned I went to an area in one of the northern States, and went into the interior to see functioning of the newly-opened branches It was supposed to be a working hour for the branch And I found that the man who was supposed to be specially appointed there for branch, had safely locked the branch and was taking rest, probably after lunch We made efforts and got him out and we tried to talk to him He was all right He said that there was no customer and that there was likelihood of any customer coming It was a new bank and he knew how much was the work I don't think that the man was factually wrong, but later on I tried to be frank with his superiors and to find out why he did it, when he knew that the Minister was coming to visit I was told that night that the man felt that if the Minister saw him doing what he did, the Minister will try to transfer him back to his own region, as a punishment

It seems he has planned that he would be transferred to his region as a punishment

SHRI SOMNATH CHATTERJEE (Jadavpur) Did you oblige him?

SHRI YESHWANTRAO CHAVAN
No, I did not Because, we want this
cross fertilization of culture in these
matters People from one region
should go to the other regions and try
to understand their problems. At the
same time, I also learnt one lesson

[Shri Yeshwantrao Chavan]

Apart from this cross fertilization of culture, unless you have got the people from that region in charge of these banks, they would not be so efficient. I am glad the Finance Minister admits and recognises the importance of local bias of the man in charge of the bank That is a very important thing.

Every year the banks recruit 15,000 to 20,000 clerks, who ultimately become officers in course of time, and they directly recruit about 2,000 officers Considering their size and number, I wonder why the recruitment should not be under an Act of Parliament Why should we allow this to be left to the individual banks and their Boards of Directors, so that they can appoint people of their own choice, merrily appointing whomever they want. Even till recently Feudal methods were existing in the matter of recruitment to banks. I was surprised to learn that even progressive trade unions wanted in case of the death of a bank employee, some relation of that man to be appointed in his place In some case it is part of the agreement I think the time has come when we should get out of these feudal methods If we leave the discretion in the matter of recruitment to the Boards of Directors of the banks, I really do not know what is going to happen It is very necessary that this sovereign Parliament should know what is happening and what the social composition of the employees of the banks is like. We must try to know whether it absorbs people from all sections of the society. whether it reflects all strata of the society, because the social composition of the bank employees is the most important and vital factor for the success of the nationalised banking system. This can be taken care of, if it is done under an Act of Parliament, so that this Parliament can supervise its functioning from time to time In the initial stages, this was not very much necessary, but now that the entire banking system has to play a national role when it is becoming a national instrument, the different banks

cannot be allowed to function in different ways; their basic functions will have to be uniform. I do not say that there should be rigidity of unviormity in all fields of activity but, so far as basic policies are concerned, there must be some uniformity of direction. and this basic uniformity we can achieve only if recruitment is done at the central level.

and Banking

The banking system, requires to be carefully watched. I know this Government really do not want this nationalisation This is one of the most unpleasant things for them, I hope that at least on this issue Shri Somnath Chatterjee will agree with us

SHRI SOMNATH CHATTERJEE: 1 support you in a very rare case like nationalisation

SHRI YESHWANTRAO CHAVAN: I am glad vou do that I am told that only recently they have reappointed the Board of Directors of half a dozen banks

SHRI H M PATEL All the Boards of Directors have been appointed.

SHRI YESHWANTRAO CHAVAN: All the Boards have been reconstituted, that is very good. I think it will be a very good exercise for the Members who take a little careful interest in the working of the banks to find out the social composition of these boards of directors. That will reveal the character of this Government also I would like to find out how many members of the scheduled castes, for instance, have been appointed.

SHRI H. M. PATEL. I will give it to you I will analyse it and give it to you I will also compare it with the previous ones.

SHRI YESHWANTRAO CHAVAN Please do. We welcome it. If you have done better, I would say it was necessary for you to do that as you are doing it nearly eight or hibe years after nationalisation. If you have done better, I would say "good", but if you

have not done well' certainly you will be held responsible by the country for this So, it will be very important to know what the composition of the Boards is

So, the main purpose of doing away with the recruitment boards is ano ther way of denationausing the bank ing process Nationalisation of banks is a feature of a new economic culture of democracy It is not necessarily a part of socialism as such, because I know socialism is still far away that, but nationalisation of Lanks is one very important part a democratic economic sultine If you want to democratise economic life this is a Lunda mental requirement Therefore we have to be very careful as to how these nationalised banks function We will have to se how the Boards are constituted who the people who are sitting on these Boards are what interests they represent whether they represent different sections of society whether they represent the different regions as fai as possible etc

Suddenly they decided to do away with this service Commission Mr Shanti Bhushan the I aw Minister has premised us that he would consult us and discuss with us about the consti tutional amendments and other mat ters We will be very glad to respond to it but here is another very important thing and here not only you did not consult us but you decided unilaterally to do away with the Act and you pass on ordinance and now you want our approval of the ordinance It is the height of bureaucratic tend ency If at all Government really wan ted to change it they should have very straighforwardly come to the House, but they decide and act throu gh ordinance Naturally now you will have to face our opposition whatever it is worth We are opposing it not for the sake of opposition, but because we feel that it is letting down the very purpose for which nationalisa tion of banks was undertaken It looks a small step, but it is not a small step, it is a significant, qualitative step which wants to reverse the process of nationalisation, and the social purposes for which it was undertaken I am making this very specific charge.

I have dealt with the vital role of employees So, it would be very necessary and proper to have a national banking recruiting commission which functions through its regional boards if necessary It does not matter if you have to speno a little more money on this The profitability of banks is being mad' much of Certainly profitability is one of the very important con siderations, but the other criteria lil e their utility in the social sense their capacity to seach the poor people to respond to their economic require ments in the process of the economic growth of the different sectors of society etc are more important These are the different criteria by which you can judge the functioning of a bank There cannot be only one oll conventional commercial money lender s test as to how much profit they have mile Certainly we have to keep the bank ing system as a solvent structure It should continue to be so But other test are equaliy important

I think this action of the Govern ment has warned us and warned the nation in time as to the probable intentions and the direction in which this Government is going We always say it is a directionless Government that is in the positive sense But in the negative sense this is a direction in which they are tiying to go It is high time that we and the people out side become aware of the nature of the policies that this Government wants to follow This is one example of the re actionary attitude We will continue to expose it This opposition is not just a formal opposition It is an opposition based on certain principles and based on certain convictions

डा॰ रामची सिंह (भागलपुर)
सभापति महोदय, सचमुच में यह बिधेयर
जो प्रस्तुत हमा है, इस सम्बन्ध में जा
तकंहमारे विरोध पक्ष के मिलो न दिए है
इस में बजन है भीर मैं चाहुगा कि

[डा॰ रामजी सिंह]

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हमारे किस मती उसकी जांच करे। उन्होने जो तक दिया है कि इस बैंकिंग सेवा धायोग को समाप्त करके कात सेवा द्वायोगी की स्थापना होगी शायद विवेन्द्रीकरण की प्रक्रिया के साथ उसका ममन्द्रय है, इसी लिए उन्होने ऐसा विया है. लेकिन इसके यह भावश्यक नही था कि भध्यादेश जारी किया जाए। सचनच मे ऐसा लगता हैं कि अभी भी पूरानी सरकार की विरास्त हम कोते जा रहे हैं भीर एक पर एक ग्रध्यादेश जारी करने के कम्यासी बनने जा रहे है।

इसीलिए मेरा पहला निवेदन यह होगा कि ऐसी कोई भी बात भ्रध्यादेश के जरिए नहीं लाया करे। यह हमारी जनता सरकार के सम्मान के याग्य नही है, यह तो पुरानी सरकार की विरास्त है. जिसके लिए हमारे मित्र क्रातिकारी होने का दावा करते थे। धभी तीन बाने सम ई गई हैं-एक तो यह कि वैंक्ग की स्टायसता का जहा तक प्रश्न है इसके लिए यह आवश्यक है कि एक केन्द्रोय बैक सेवा झायोग न रहे। लेकिन में समझता ह कि इसमे मरकार क पन विचार करते का आवश्यकता है, क्यों वि राचमच ऐसा लगता हैं कि एक बीकग सवा द्यायोग मे द्रगर कुछ गिथिलता मा सनती है, कुछ फ्लैक्सिविलिटी की कमी है तो जिम तरह में केन्द्रीय लोक सेवा झायोग है, रेलवे मेदा भायोग है, उनको भी समात क्यों नहीं किया जा सकता। मओ ऐसा लगता है कि शायद हमारे वित मती जी के मन मे यह भावना है कि बैंकिंग प्रणाली एक विशेष प्रकार की सेका है. इसके लिए एक विशेष प्रकार की नेवा आयोग की आवश्यकता है. यदि ऐसा है भी तो इसे सात भागों में

विमक्त करने की कौनती आवश्यकता आ पडी--यह मेरी सपक्ष में नहीं आता है।

जहा तक स्वायलला का प्रश्न है वैकिंग सेवा धायोग भी एक स्वायल सस्या थी। इसको समाप्त करके जाप कोई नई स्वायलता प्रवट करते हैं— ऐसा मालूम नहीं पडता है हा।स्वायलता का विवेन्द्रीकरण धवश्य कर रहे हैं। हमारे वित्त मत्री जी शायद इस बात से चिन्तित है कि राष्ट्रीयकरण के पश्चात वैका में अध्याचार बहुत बढ गया है धौर उसकी कार्यक्षमता में जो भयानक हाल हथा है, उसकी खरम करने के लिए वे विकेन्द्राकरण की प्रक्रिया का प्रयोग करना चाहों है।

लेकिन हम समझते है कि भगर उस विकेन्द्रीकरण की प्रक्रिया में स्वायत्तता नही ग्राई, ग्रगर उसमे फ्लेक्सीबिलिटी नहीं द्वाई, तो केवल टकडे कर देने से ही सत्ता के स्वरूप कापरिवर्तन नही होता है। इसलिए झगर सचमच मे उसके स्वरूप मे परिवर्तन करने की मादश्यकता थी. तो बैंक सेवा भायोग के केन्द्रीय स्टब्प मे मारको परिवर्तन करने की माध्यकता थी। न कि उसके विकेन्द्रीकरण की मावश्यकता थी। हमारे सामने एक कठि-नाई प्रवश्य था सकती है कि शायद बैको की माए दिन हडताले होती रहती हैं। यह बात ठीक है कि झाज मजदूर सगठनो के हमारे जो नेता है, वे इस बात को समझते हैं कि देश मे बैको इम्पलाइज हैं, करने ब्राए है, भौर धगर उनका भारत का एक रहेगा, तो वे किसी भी चीज को धारा-शायी कर सकते हैं। लेकिन चाहे झाप इसको सात भागो में बाट वें, बाज जो मजदूर सगठनो मे एक प्रगतिशीलता चल रही है, उसके कारण बाबीर में एक भारतीय संगठन बन ही जाएना । इसलिए

प्रगर इस दुष्टिकोण से इसकी करना बाहते हैं कि इससे मजदूर संगठन एक सूत्र में नहीं था सकेगा, तो यह सही नही ोगे मैं यह मानता हूं कि बैंक लाफइ इन्शोयरेन्श इम्पलाईज को, कार्पोरेशन के वकंस को या सीमेट वकंस को हिन्द्स्तान में बहुत ज्यादा पैसा मिलता है। हम यह नहीं कहते कि उनको ज्यादा पैसा नही मिलना चाहिए लेकिन जिनको कम पैमा मिलता है, जनता सरकार का यह फर्ज है कि "लोलियेस्ट धीर लास्ट" के लिए जो उस ने सकल्प किया है. पहले उन के वेतनमानो को बढावे झीर द्भपर की तन्हवाह बाले है उनसे प्रार्थना करे कि उन्हें ठहरना चाहिए। यह तो ग्रस्वस्थ मजदूर सगठनो की राजनीति का परिणाम है कि चाहे कोई कम बेतन पाता हो या ज्यादा पाता हो, सम्नी लोकप्रियता के लिए वे उन मजदूर सगटनो को बढावा देते रहते है। इमीलिए शायद हमारे अर्थ मती जी यह मानते है कि ग्रगर केन्द्रीय बैंक सेवा धायोग नही रहेगा, तो शायद उन्हे राष्ट्रीय स्तर पर मुकाबला करने का भवसर नही मिलेगा। इसके लिए उन्हें कुछ दूमरी बात सोचनी होगी क्योंकि जैसा मैने निवेदन किया कि अब मजदूरों में जागरुकता भीर चेतना बहत भागे हो गई है भीर वे राष्ट्रीय स्तर पर, हर जगह पर संगठित हो चुके है। यह बात ठीक है। मझे सचम्च में इस विधेयक में किसी भी प्रकार की प्रगतिशीलता नजर नही भाती है क्योंकि हर विषय में यह बात कही जा सकती है। ग्राप इन्डियन एड-मिनिस्ट्रेटिव सर्विस या दूसरी ऐसी सब चीजो को डी- सेन्ट्रेलाइज कर दीजिए। यहां पर बात होती है इन्डियन एज्यंशन सर्विस की, इन्डियन मेडिकल सर्विस की कि ये होनी चाहिए। धगर यह बात है तो उसी प्रकार से इन्डियन बैंकिंग सर्विस कमीशन की बात बाती है।

उसको खंडित करने की बात क्यों हो ? मैंने बहुत गम्भीरता से तीन बातें देखीं हैं। एक तो स्थायत्तताका सक्षाल है। यह कैसे द्वा सकती है ? क्या बहां पर जो बैक केन्द्रीय सेवा ग्रायोग मे रखेगें. क्या वह स्वायत्त सस्या नही होगी? क्या इस से बड़ी कोई सस्था नही है? जब वहा फ्लेक्सीविलिटी ग्रा सकती है, तो क्या इसमें नहीं था सकती है? धाप ने खर्चे का सवाल किया । सात खड़ो में ग्राप इसको करना चाहते हैं तो सातो खडो के लिए जो सेवा झायोग होगे, उसमें क्या खर्चा नहीं होगा? इसलिए स्वायत्तता का जहा तक सवाल है, फ्लेक्सीविलिटी का जहा तक सदाल है ग्रीर खर्चे का जो मधाल है, ये तीनों जो तर्क है मै समझता ह कि हमारे दित्त मली को इस पर पूर्निवचार चाहिए भीर उन्हें यह देखना चाहिए कि द्रड युनियन्स की जो "वेगरीज" हैं. उसके लिए दूसरी दवाई कोई खोजी जा सकती है या नही। उसके लिए कोई दूसरा गस्ता उनको खोजना चाहिए।

मै यह भी ममझता हू कि
एव बात ऐसी है कि उसमें हमारी
जनना सरकार की जो परम्परा है, उसको
भग किया गया है। जब बड़े-यहं
मधालो पर भ्राप विरोधी दलों के लोगो
से विचार करते है, तो यह अच्छा होता कि
इस सबाल पर भी विरोधी दलों के
नेताओं से बात कर लेने क्योंकि जनता
सरकार का यह गीरव है कि इसके
समन्वय का प्रयाम विशेष रूप से इस
सदन में भीर राष्ट्र में किया है। इसके लिए
हमको भीर विरोधी दलों के लोगों को
गर्व होना चाहिए।

हमारे पिरोधी दल को हमारी नीति में भीर हमारी नीयत में कभी-कभी सन्देह हो जाता है या उनको कट्ट होता हैं। मैं समझता हूं कि बैंकिंग सेवा

बा रामजी सिंह]

बायोय को जो समाप्त किया जा रहा है इससे बैंको की राष्ट्रायकरण की प्रक्रिया को उलटने का प्रयास नहीं किया जा रहा है। में कह देना चाहना ह कि हम लोग, हम में में बहुन सारे लोग इस प्रक्रिया की मोडने के लिए कभी तैयार नहीं है। बैको के गाउँ। यकरण की प्रक्रिया से देश की प्रतिबद्धता है लेकिन जो पिछली सरकार ने बैको का राष्ट्रीयकरण किया उससे उपने लाम किमको पहचाया ? हमारे विरोधी दल के नेता जान । है कि विडवा को लाभ नमा, टाटा, डावमिया जनपूरिना आदि को हबा। मैं सनमना ह कि अगर जनना सरकार आम लोगो को इपरा लाम परचाना चाहती है तो उसको ग्रामीण स्तर पर जारा होगा और वहा इसकी सुविधामा का पहचाना होगा। शायद हमारे अर्थ मवीजी विकेन्द्रयीकरण की बात करने है या उनके मन म यह चीज है कि बैको म जो क्रेय जमा है उससे ग्रामीण विकास को काम करना है तो यह काम केरल विक्रेन्द्रीयकरण से ही हो मकेगा। इसके लिए हमको भानी नीतियो मे परिवतन लाना हागा। मैं भाने भनभव धाधार पर कहना चाहता ह कि छोटे-छाटे ग्रामीण उद्योगो के लिए बैको मे पैमा बहुत मण्डिन से मिलता है। धगर वैका के घधिकारी यहा बैठे होगे तो उनको पता होगा कि सम्पूर्ण भारतवर्ष मे गावो पक्की मडके है वही पर छ सात गावों को ही एडाप्ट किया जाता है। बैंकिंग सेवा भायोग का विकेन्द्रीयकरण भगर भाप इस-लिए करना चाहते है कि आपके बैको की सेवाए ग्रामीणो की कच्ची सडको पर मिल सके तो हम इस स्वागत करेगे लेकिन केवल ऐसे सात खड़ों में उसको बाटने से मैं समझता ह कि कोई लाब नहीं होया।

हमारे विरोधी दल के महान नेता की इस विधेतक के पीछे एक प्रकार की नौकरशाही की स्गन्ध या दुर्गन्ध धाई है। उन्होने कहा है "हाइट ग्राफ ब्यरो-केटिक टैंडेसी"। लेकिन एक बात मैं विरोधी दल के माननीय नेना से कहना चाहना ह। एक बात को वह मानेगे। केन्द्रीयकरण जहा होता है वहां नौकर-माही ज्यादा फलती फ्लती है भीर जहा विकेन्द्रीयकरण की प्रक्रिया किना जाना है वहा नौकरणाही कम फलती फलती है, वहा पर भ्रष्टावार भी कम होता है यार लागा का उनमें सकिय योगदान भी ग्रधिक होगा। मैं नही जानता ह कि हमारे धर्य मबी ने विकेन्द्रीयकरण नी प्रिष्ठिया को गाधीजी की नीति के प्रतमार टालने की राणिश की है या उसको समझा है या नहीं ? लेकिन हमार विराधी दन क नना मानेगे कि मना जितनी केन्द्रित होगी उतनी ज्यादा नौकरशाही चरेगी। उस-लिए मै मध्मता ह कि विनेन्द्रीयकरण क दिष्टकोण से अनर उन्होंने ऐसा किया है तो विरोधी दल के नेता जो मनझने हैं कि नौकरशाही इसने फलेगी तो मैं वडे विनय के साथ कहना चाहता ह कि उनका यह चिन्तन निश्चित रूर मे धवैज्ञानिक है।

मैं समझता हू कि जल्दीवाजी में इस बिलको पाम बरने की धावस्थवता नहीं है। क्या जरूरी है कि इस शामको या कल हो हम इस बिल को पाम करे? क्यो नहीं बिरोधी दल के लोगों से एक बार फिर से इसके बारे में बातचीत की जाती और जो इसमें नए बिचार आए हैं उनको लेकर धार्ग बढा जाता है।

SHRI C M STEPHEN (Idukkı). Mr Chairman, Sır, I rise to support the Resolution moved by Shri Saugata Roy and very strongly oppose the motion made by the Minister for consideration of the Bill The reasons of opposition have been spelt out on a principle basis by the Leader of the Opposition and by Shri Saugata Roy I do not want to take much time of the House

I am really shocked and surprised, not by the terms of the Bill but oy the measure of causualness with which the Bill was so momentous as this has been sought to be brought before this Parliament.

As has been explained, the appoint ment of the Banking Service Commission was not the child or the fancy of anybody, it was not brought out from out of the hat It was the result of deliberations extending over years, the cumulative result of the experiences of the government on the one hand. the banking institutions on the other and the trade unions and the working class on the third, almost all of them unanimously feeling that recruitment to banks must not be left to ad nocism, that it has got a social purpose and it is not as it it is a recruitment to a factory because it is really the sinews of the nation. Therefore, what are to be the motivations for the recruitment, what are to be the social purposes m the matter of making re cruitment, what are the aims one has got to keep in view having regard to the needs of the banks and what are the social compulsions which would govern the selection -these are mat ters which have to be considered in detail and the government at that time considered it so important that they went to the extent of appointing a Banking Inquiry Commission and if you go through their report, you will se able to find the extent of the detailed way they went into the matter and the vast area they covered All the important banks were served with a questionnaire About 86 banks were served with the questionnaire Almost all of them answered the question naire About 226 co-operative banks all over the country replied to the juestionnaire, appeared before commission and placed their points of Economists were interviewed and they heard their points of view 1689 LS-12

Emment bankers and others concerned with the banking industry were interviewed and they gave their points of view The Banking Management Institute which is carrying on a scientific study on the question of personnel policy was consulted, projects of the requirements of the banks were collected, their recommendations were considered and after all this, as an answer to the question of the personnel problem in the banks, a unanimous recommendation was put up that as in the matter of public service, even in the matter of banking, a Service Commission is necessary Flexibility and all that-these are minor matters and I do not want to go into them How the banks should operate and when selecting the clerks you must have an idea as to how many officers there should be, what percentage of clerks must mature themselves into officers cadre, what should be the qualifications for clerks and if these are the requirements, how many should be selected and how many should be kept in the waiting list-about these detailed suggestions are given and on that basis the Banking Com mission was appointed

The hon Minister was telling about the largeness of the recruitment that is to take place as if this is a new idea. It is just the reason why a Banking Service Commission was considered necessary. This Banking Inquiry Commission report itself spells it out.

According to a Paper on Clerical Selection Strategy for the Banking Industry prepared in 1970 by the National Institute on Banking Management, clerical staff of the banks was 132,000 and the annual intake is 15,000 This was at that time Now it is expected that by 1980 it will be 497,000, 1985-730,000 and to that extent the annual intake will increase and, therefore a very corelated plan is necessary for the purpose of recruitment Therefore, the very ground which the hon Minister has spelt out was just the ground which was considered as compelling for the purpose of ins-

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[Shri C M Stephen]

tituting a Banking Commission Until then how was the recruitment taking place? They have very caustic re marks to make about this I quote

'The recruitment policies followed by Indian banks in the past had hardly any scientific basis In several cases, minimum qualifications were not insisted upon and even non matriculates were recruited for clerical posts There was no pro per evaluation of capacity and aptitude and often relationship caste community and recommendations played a big part in selecting per sons The lack of proper training facilities further aggravated the situation

This was the atmosphere that vitiated the entire banking system the guarantee that this will not operate again? Merely because on a non statutory basis you are having re gional boards under the control of the banks concerned maybe under some vague directions given by you what is the guarantee that caste and community considerations will not come m patronage will not come in and that the social requirements of banking personnel will be subordinate to that? What is the guarantee here? Is it enough that the Cabinet or the Finance Minister on a fine morning thinks that this is enough? Here is an institution set up by the Parliament of India not as a child of emergency but as a result of scientific evaluation and study This was done after con sulting the broad spectrum of persons concerned And here, as if like a magic wand the Finance Minister decides that the whole thing is nonsense and says I scrap it I will go ahead with my own plan

So Sir, all I have to say is this The nationalised bank of this country ia not anybody's family property at all Systematic arrangement has to be there whereby thousands and thousands of persons have to be reeruited in a non-partisan, impartial, objective, scientific and socially-moti-

vated purposeful manner That cannot he done by just anybody saying think so It is nothing more than that The Objects and Reasons of the Bill are there I laboured as hard as I could to find out why it is that he necessary Not a single finds this reason is stated What is stated is this

The object of attaining unifor mity impartiality and objectivity in selection procedures continues to be important

Therefore he concedes that these are today important and these objects are served That is why he says

It was felt that this could be better achieved if suitable guidelines were issued by the Central Govern ment to the banks

Excepting this blank statement what is the rational basis on which he can say that Banking Commission is bad? You say on regional basis certain agencies are to be set up Why under the heavens do you say that it should not be set up under a statute? The only difference is that The essence of the matter is conceded You say regional recruitment agency must be set up You say it must not be left to ad hocism You say, it must be done under guidelines You say the banks must be forced to toe the guide lines You say, the expenses must be met by the banks You say the banks must be involved in the whole pro You say it must be regulated cess and on a regional basis Once you concede all these then, we will have to answer the question, why it is that that institution cannot be or should not be under an Act of Parliament How do you think that an Act of Parliament will come in the way? It is for the simple reason, Sir, that the recruitment, if it is done under an Act of Parliament, under the Service Commission it cannot be done with the yardstick of selecting whom. which community, which party and so This cannot be done if an Act of Parliament is there This is a very important matter.

That is why, Sir, I am opposing this Bill and I very strongly support the Resolution moved by my hon friend Let us remember that we are dealing with an institution which is of vital importance to the nation

18 hrs.

On that there was quite a lot of controversy and that controversy has now come to be settled The future econo my of this country which the Janata Party is speaking about, the revival of the rural sector will depend upon the sanity with which the banking ins. titution is run, the sanity with which the banking institution can be run can be ensured only by the sanity of the persons who are running these institutions That can be ensured only if the recruitment is taking place under a national auspices under the guidance of Parliament of India and by the institution set up by the Act of Parliament of India There ad hocism is sought to be imposed Well the position is so clear, the objective is so clear and the success of the nationalised banks is to day lost And Mr Patel is very keen about it The purpose is, as I had explained here to serve certain persons and to throw open the doors of patronage to the detriment of the interests of the banking institutions

Therefore let us not tear to piece what has been established after a long experience and discussion and investigation as a result of which the con sensus was developed This was developed on the basis of experience that was gained during this period. And so, let there not be any party consideration coming in; nobody stands to gam or nobody need stand to gain. The banking institutions are the real wealth of the people of this country and every educated person in this country has got the right to go before an impartial Tribunal and to claim that he be recruited even if he has no connection with any political party or any connection with any particular That is what has been leadership instituted here There are certain things which were done during the time when we were in Government

MR CHAIRMAN Mr Stephen Will you take some more time?

SHRI C M STEPHEN Yes, Sir I will take a little more time

MR CHAIRMAN Then you may continue tomorrow The House stands adjourned till tomorrow

18 03 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, November 80 1977/Agrahayana 9, 1899 (Saka)