

the House with the decision. Now he has just now stated that without waiting for the formal report certain steps on the basis of the recommendations contained in the advance copy have already been initiated. So, will he enlighten us as to what steps have already been initiated?

Shri C. Subramaniam: They are to get the necessary spare parts and to get certain other equipments which are necessary for the purpose of the working of the three blast furnaces.

12.16 hrs.

MOTION RE: INDIAN ADMINISTRATIVE SERVICE (PAY) RULES

Shri Harish Chandra Mathur (Jalore): Sir, I beg to move:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services Act, 1951, the following amendment be made in Notification No. G.S.R. 101 dated the 27th January, 1962, making amendment in Schedule III to the Indian Administrative Service (Pay) Rules, 1954, laid on the Table on the 26th April, 1962, namely:—

For 300, substitute 200.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution."

This is in respect of a notification laid on the Table of the House by the hon. Home Minister. By my amendment I have asked that the Special Pay, instead of being raised from Rs. 250 to Rs. 300, should be brought down to Rs. 200 in the first instance.

I would not have ventured to take the time of this august House if it was only a question of a few rupees here or a few rupees there. But I have considered it advisable to come to this House and to focus the attention of the hon. Minister and of this

House on this because I feel that it is a step in the wrong direction and that it affects the integrity and the efficiency of the services. We do not grudge a small allowance to the best of our services when it is necessary, but from the little that I have studied the subject, I find that we are going just in the wrong direction. Now, under this notification what is proposed to be done is that the special pay of those officers who are at almost the highest slab in the pay structure is proposed to be raised from Rs. 250 to Rs. 300. I see no justification whatsoever for this.

In the first place, I would like to refer and invite the attention of the hon. the Home Minister to the Fundamental Rules under which the special pay is sanctioned. Now Fundamental Rule 9(25) makes it clear that it is only in consideration of (a), (b) and (c) stipulated there that a special pay should be sanctioned. What are those considerations in lieu of which this special pay is sanctioned? They are: (a) specially arduous nature of the duties; (b) specific addition to the work or responsibilities; (c) unhealthiness of the locality in which the work is performed. Now, if you look at the list which gives the special pay sanction, you will find that at least 90 per cent of the posts are those where the officers are stationed either at the State headquarters or at the Central Government headquarters. Now everybody who belongs to the cadre of IAS and who comes to the Secretariat in Delhi is entitled to get Rs. 200 if he is posted as Under Secretary; or Rs. 300 if he is posted as Deputy Secretary. Now, let us examine this in the context of these rules.

These rules mention specially arduous nature of the duties. Nobody will venture to say that the duties of an Under Secretary or Deputy Secretary are specially arduous. I do not think consideration one is fulfilled. Nor is consideration No. 2 fulfilled. There is no specific addition to the

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work or responsibilities of an officer posted to these posts. In regard to the third consideration—un-healthiness of the locality in which the work is performed—I do not think that the Secretariat here in Delhi is situated in very unhealthy climate. There may be unhealthy climate there in other respects, but not from the consideration of payment of special pay. So, none of these three considerations apply to these posts.

In this connection I wish to draw the attention of the hon. the Home Minister that we are now giving these special pays under completely changed circumstances, and they are out of date. It was in those days when an ICS officer would never like to come to the Secretariat, when he was a *chhota Lat Sahib* (lord) in the district, when he used to value his *shikar* and big game visiting one zamindari after another that the system of special pay was instituted to attract him to the Secretariat either here or at the State headquarters. I cannot for a moment understand the significance of it in the present context of things, and that is why I have tabled my motion.

I do not want to give a rude shock to the services straightway. I have therefore suggested that it should be cut down, in the first instance. There are various other reasons which I would like to mention here on the floor of the House for the attention of the hon. the Home Minister, as to how the system of special pay has a very corroding effect on the integrity of the services. Everybody is running the race for the special pay. Nobody wants to take up a job in the districts. You will find there are hardly any posts at the district level which carries a special pay. I am referring particularly to the senior posts of the IAS cadre. All these posts either at the State headquarters or at Delhi carry a special pay. Now what is the effect of it? Everybody wants to be at the State headquarters and everybody wants to be in Delhi. Nobody

wants to go to the districts. This has a demoralising effect. There is no dispersal of the services. The right type of men do not wish to go there and they only think of jumping from one post to another post which carries a special pay. After every three years there should be a transfer. All the time the officer is thinking of getting himself transferred to some other job where a special pay could be secured. It has also got another demoralising effect. It opens the flood-gates of favouritism. An officer has got into the grade of 800-1,800. A vacancy of a post with a special pay arises at the headquarters. Everybody wants to get into that post. This is not conducive to the efficiency and integrity of the services. That 90 per cent of the posts which carry a special pay is not at all warranted in the changed circumstances of today.

I do not mean to say that no post should carry a special pay. There may be a certain number of posts where special pay may be justified. But I do not see the justification for grant of special pay to every IAS officer who is posted here as an Under Secretary or Deputy Secretary. Now what they want to do under this notification is that they want to make increasing use of the special grade for the IAS. Generally, so far as my State is concerned I can say with confidence that a man is either in the grade of Rs. 800—Rs. 1,800 or he is in the super-scale of Rs. 2,250. Those people who are in the super-scale do not get any special pay. Now increasing use is made of the special selection grade posts. This is Rs. 1,800 to Rs. 2,000. And when the man reaches Rs. 1,200 he gets into the grade of Rs. 1,800 to Rs. 2,000. Now they want a special further jump of about Rs. 50. They are not satisfied that he goes from Rs. 1,200—his present grade being Rs. 1,200 to Rs. 1,800—that he gets into the grade of Rs. 1,800 to Rs. 2,000. Those people to whom this grade of Rs. 1,800 to Rs. 2,000 has been given—at least in my State I know—were getting Rs. 1,200 or Rs. 1,300.

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So they get a big jump of Rs. 500. In addition to this Rs. 500 jump, they get this Rs. 300 as special pay.

If there was any justification for eliminating dearness allowance after Rs. 1,000, there should be the same philosophy, the same principle should be pursued here that the higher you go there should be no special pay, and if there is any special pay it should be in a sliding scale to the lower side, as I have suggested.

Upon that principle is also based the fact that the super-scale IAS officers do not get the special pay. Those people who get Rs. 2,250 do not get special pay. But now a man who is getting Rs. 2,000 will get the special pay of Rs. 300. If it is raised from Rs. 250 to Rs. 300, he will get Rs. 300. This means that a man who has yet to go to the super scale can receive Rs. 2,000 plus Rs. 300 special pay, that is Rs. 2,300, while his boss who is in the super scale gets only Rs. 2,250. This creates another administrative absurdity also. I think those officers who are in the grade of Rs. 1800 to 2000 should not get any special pay. There is no justification for that. As a matter of fact, my hon. friend will bear me out, I had pleaded for a better start to our I.A.S. officers. I do not want to give them a raw deal. Let them start on Rs. 600 instead of Rs. 350 or 400. I can understand that. But, when they reach Rs. 1500 why do you want to give another Rs. 300? I know, the other day, the Prime Minister talked about a pantless society. I am not one who believes in a pantless society. I do not know whether it is in keeping with our philosophy. But, as you reach a higher stage in emoluments, what justification is there for the special pay? Even the highest man in the civil service, the I.A.S. officer, gets Rs. 2250. What justification is there for giving Rs. 2000 plus Rs. 300? One must be satisfied. After Rs. 1500, at least, we should carry a halt. I want to give them a better scale of salary. Even the head of a department, a Chief Engineer, does not go beyond Rs. 1600 to 2000. I say this

very much in the interests of the I.A.S. officers themselves. I wish to tell the hon. Home Minister that there is a seething discontent in the minds of the other services that the most powerful entrenched interested power bloc is that of the civil services. They take the best advantage for themselves. They do not think of the other services. In the matter of civil services, it is expected that the I.A.S. officers who are at the top in the civil side will give some leadership to the services. Instead of giving that leadership to the services, the present fact is,—it is better that that is taken note of by the hon. Home Minister as well as by the services—that they have created a hatred and resentment against themselves by the engineering and technical services on the one hand and by the subordinate services on the other hand. Instead of taking care of the subordinate services, instead of creating an atmosphere that they are the captains, they are the people who are looking after the best interests of their subordinates, rather they are trying to do everything to promote their own interests. The general feeling is that they take the cream of everything to themselves. There is a general feeling all over that not only in the matter of conditions of service, but whenever there is any case of corruption, this and that, the other officers are treated differently and they are treated differently. Who are the people who take all things into account and who are responsible for administration at the highest level? It is these officers—the I.A.S. officers: the Chief Secretary, Home Secretary and the others. If they create a feeling in the minds of the subordinate officers that there is discrimination and that they claim the best for themselves, that they do not think of others, I think it creates a wrong climate. It is not in keeping with a socialistic pattern of society. There is no justification for the allowances going up, for the special pay.

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I would, therefore, strongly recommend to the Home Minister to get the entire question of special pay reviewed. He must appoint a committee. Here again, I want to tell him that the committee should not be of the civil services, because they are the persons interested. He should appoint an independent minded committee who will go into the entire question of special pay, which are the posts where special pay is warranted, what should be the scale of pay and how we should manage to see that the special pay is commensurate with the circumstances. They should also see that the special pay does not give rise to corruption or favouritism. They should take into consideration that only a man of such and such a seniority can be posted to an office and that it is only after one gives a good account of himself as such and such an officer that he could be posted to a certain office. I see no justification for the Notification. There is a case for bringing down the special pay. I definitely plead with the Home Minister that he should appoint a committee to review the entire question of special pay and to rationalise the whole scheme.

Mr. Speaker: Motion moved:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services Act, 1951, the following amendment be made in Notification No. GSR. 101 dated the 27th January, 1962, making amendment in Schedule III to the Indian Administrative Service (Pay) Rules, 1954, laid on the Table on the 26th April, 1962, namely:—

For 300, substitute 200.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution."

Shri Vasudevan Nair (Ambalapuruzha): I rise to support the motion moved by my hon. friend Shri Harish Chandra Mathur. Actually, there is not much to be said after his speech, for supporting this motion. As he has said, this is not a very big affair in the sense that large amounts are

involved or that a large number of people are involved. In that sense, it may be a small matter. But as he has said, this is a question of a principle involved as to how we approach this particular problem.

I was surprised some time back when I saw a notification of the Government revising the entire salary scales of the IPS and perhaps also of the IAS. I think the argument put forward by Government is that in order to attract the best men, we have to go on increasing the salary of the officers. I think that this is a very wrong approach, especially in our country today, when we are trying to build up a new society, which Government call as the socialist pattern of society, and when we are exhorting the people to tighten their belts and to make sacrifices, day in and day out, and when we hear our leaders, the Ministers and others asking the people to make sacrifices and asking to make sacrifices and not ask for more and more. When the workers or the people in the lower rungs of Government service organise themselves and put forward some demands, then we know that a lot of arguments are hurled at them, and they are told that they should not raise those demands. And even for petty things, we have seen that there is a lot of trouble.

I am reminded of the recent trouble in the Andaman Islands. Actually, when the hon. Minister made a statement he said that all that trouble started on the question of a demand made by the PWD workers for an increase in the salary by Rs. 5, and it developed and developed until it ended in a big tragedy. All the time when Government and the leaders of the country are asking the people in the lower positions to make sacrifices, we find that this tendency persists among the people in the higher services of their taking the initiative themselves to raise their pay. I think this increase is not the result of any particular demand or any pressure from the officers or anything like that, but I think that this

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is a case of their taking the initiative themselves to increase the pay more and more. An officer who gets Rs. 2000 is given Rs. 500 more just by the stroke of a pen in one instalment. That happened in one of the States in India a few months back. Actually, the officers themselves are taken aback when such a thing is done. Actually, they did not expect so much. Certain of them were getting just Rs. 600 or Rs. 700 or Rs. 800 as increase per month, whereas the NGO's and others who were clamouring for a long time for increase in pay were told all the time that they should keep quiet, because the country was passing through a serious crisis and so on and so forth; in this manner, all sorts of arguments were put forward to ask them to keep quiet.

The straight question that I want to ask of the hon. Minister is this: Are we going to get the best men to the services only on the basis of giving fat salaries? Or are we in a position to attract the best men to the services on the basis of something else also? Can they also not be told that they are doing a very important service in the building up of the country, and that they should not look so much to comforts and salaries and scales and allowances etc., but they should also be inspired by some other ideals and some other aims as every citizen in this country is, to undertake heavy responsibilities and to carry out their work? That approach is lacking as far as the Government are concerned. Otherwise, I am sure they would not have taken this particular step and they would not have taken the other step of revising the entire salary scales of IPS and IAS officers.

Compared to the old officers in the service, actually the IPS and IAS cadre gets much more. My information is that there is even an unhealthy rivalry, a kind of bad relationship in many places between these two categories because of the deep gulf in emoluments between the previous officers, the old officers, who came up

by seniority, and the new recruits. I do not at all say that the new recruits, most brilliant people who are coming up, should get the same as the old people who have come up by promotion.

Mr. Speaker: The question here so far as the amendment of this particular rule is concerned, is very limited. He should not go into the general question of the salaries and all that. Here the amendment is about the special allowance, that instead of 300 it should be 200.

Shri Vasudevan Nair: I agree with you. I was trying to find fault with Government when I referred to this because this is not an isolated instance.

Mr. Speaker: Today we are concerned with a limited question.

Shri Vasudevan Nair: I will confine myself to that.

I agree with Shri Harish Chandra Mathur when he says that a few officers are getting Rs. 2000 and Rs. 2,500 etc. and over and above that they are getting a special pay and actually, there is no valid reason now to increase the special salary. He has said it is now time to reconsider the question of special pay itself. So at such a time, it is all the more surprising that Government have gone in for increasing the special salaries. So I agree with him that the entire question of special salaries should be reconsidered, and at least this provision for increasing the special salaries should be dropped.

Dr. L. M. Singhvi (Jodhpur): My submissions are very brief because of the limited framework of the question raised by Shri Harish Chandra Mathur. While I am unable to support the Resolution as it stands at present, I would like to endorse the move for an investigation and inquiry into this provision for special pay, how it operates, how many employees

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are awarded the special pay and what special pay and under what different categories it is being given to various employees in the country. Then alone we could come to a definite conclusion. It would be wrong to arrive at an arbitrary reduction in the amount of the proposed special pay under the amendment in the Notification without proper scrutiny.

It is true that conditions have greatly changed. Secretariat jobs are today considered far more attractive, partly because of the provision for special pay as also because of a vantage position for wire pulling. The provision for special pay is often being used as an excuse and as a spring-board for patronage whenever politicians or high-ups in the official hierarchy decide to extend such patronage. Special pay is often justified as a compensation. I would like to pose the question: compensation for what? Is it a compensation to the administrative official for having an excursion in the administrative jungles of Delhi or some such place? Or is it a compensation for arduous work and unhealthy climate? The facts, as we know them now, do indicate that this purpose of providing compensation is not being fulfilled by the provision for special pay today.

Therefore, instead of supporting the Resolution as it stands, I would like to submit that an inquiry is called for into the whole question of this provision for special pay. We would like the Minister to tell us how many employees are being given special pay today, what are the total financial implications of the provision for special pay as it operates, and then only to arrive at what would be a rational approach to this whole problem. For this, I would like to support the move for the constitution of a committee, not of administrative officials, but of non-officials who have experience and who can probe into the matter with greater impartiality than is possible to expect among the officials themselves who are directly affected.

With these words, I support the move for the constitution of a committee of enquiry into this matter.

Mr. Speaker: Dr. Meikote. Shri Sinhasan Singh seems to be half-hearted as to whether he should stand or not.

Shri Sinhasan Singh (Gorakhpur): Yes, I wanted, Sir, not half-hearted.

Dr. Meikote (Hyderabad): I stand to support the motion made by Shri Mathur.

The fact is this that looking back—and when I say looking back I am referring to the times before independence—there was a time when many of the Secretaries did not like to go and work in the secretariat offices. They felt they were more like *badshahs* in the districts as Collectors, and a kind of inducement was offered them to come over to the cities where they were asked to work. In many of the small places they felt the cost of living was not great, and therefore if they came over to the cities they had to be paid a little to come and work in the secretariat.

When I looked into the matter, when, I asked the secretariat staff about these matters, I was given to understand that *vis-a-vis* the Collector the position of the secretariat staff was also the same, and therefore many of these people wanted to stay away in the districts instead of coming to the towns. So, in order to induce them, such a kind of allowance was given of about Rs. 200 to the lower cadre and about Rs. 300 to the higher.

When this allowance was given, people wanted to stick on to the cities because they made a little money, and by the time they became senior they had a number of children to educate, and when they got them fixed up, they found it to be most convenient to stick on to the cities and the secretariat rather than go back to the districts.

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This seems to be history of this allowance. Now it is being perpetuated. We do not understand why this should happen for the simple reason that once these people come to the cities, they do not want to go back, though the status of the Collector and the officer in the secretariat are almost equated. This perpetuation has gone on for long. People do not want to go back as heads of districts any longer, and they stick on here and they manoeuvre. This is a thing which has got to be looked into.

Added to this, now many of these Secretaries in the States are expected to come and serve in the headquarters in Delhi. So, there are three tiers—District Collectors, Secretaries in many of the States and the secretariat staff at Delhi in the Centre. Now, the position *vis-a-vis* each of these, so far as emoluments are concerned, is just about the same, but this extra allowance in the States as well as in the Centre here is what is causing concern to many of us. People who once come to the cities now do not want to go back as Collectors. The reverse was the case in ancient times, that people wanted to stay on in the districts and did not want to come back to the cities and to Delhi. But now, on account of this extra emolument, they are feeling secure, and they do not want to go back. This is a position which is causing a lot of heartburning, because many of the people in the districts who would like to come to the secretariat have been deprived of that chance. The posts in the districts are increasing in number and that in the cities is getting smaller. This extra allowance and facilities that are given has been the main cause.

We would like to plead that in the districts also new colleges are being started and educational facilities are there. In view of this, whether we should do away with this allowance is a matter which we have got to look into. There is a plea that a committee should be appointed which can go into the whole question and examine it. That is all that I have to say.

Shri Sinhasan Singh: The amendment in question refers to the pay-scale and it seeks to add to the emoluments but not on a uniform scale. Those who draw a special pay of Rs. 250 will benefit as it is sought to be increased to Rs. 300. Those who are given Rs. 200 are not given any increase. Those who are getting Rs. 250 are given Rs. 50 more. The argument given is that this special pay is given for certain considerations. That may be in the old days. It is to be seen whether those considerations apply today or not. I think you will agree that city life has become cheaper, *minus* the houses, than the village life. Delhi is cheaper in every matter. Milk is cheaper here, other things are also cheap here. Everything is available. When you go to the village everything is dear. At subsidised rates we get milk cheap at the cost of the public. I challenge anybody. I say that city life is far cheaper than the village life except for housing.

Delhi city has now been upgraded to class A status along with Bombay and Calcutta and the allowances that a person draws had been increased on that account. Now, what is the justification for increasing this amount from Rs. 250 to Rs. 300? There must be some justification. Then again it is given only to persons who are drawing higher scales of pay. For instance, if an Under Secretary gets Rs. 200, his allowance is not to be increased but if somebody else gets Rs. 250, it is to be increased to Rs. 300. The poorer men are not getting more; those who are getting more will get more. The general accusation has been that the rich are getting richer and poor are getting poorer. The poor may not be getting richer but the rich are still getting richer and it is so in the services also. Why is this thing? This question of special pay and allowances should be examined at greater length. Hon. Members have suggested that a committee should be appointed. It was not known whether Class I, I.A.S. and I.P.S. officers belong to the Central Government or whether they belong to the provincial services. The Pay

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Commission has given a finding. When the questions were raised whether I.P.S., I.A.S. and I.C.S. scales of pay should be considered along with the higher scales of pay, the reply was that they were neither Central Services nor provincial Services and so they should be exempted from those pay scales and so they were exempted. These classes of services are above any considerations. They are higher services and they get higher pay everywhere. They are the best engineers, they are the best mechanics, they are the best in all fields.... (Interruptions).

An Hon. Member: Engineers are not paid that scale.

Shri Sinhasan Singh: That is what I say; the I.C.S. men go and displace engineers also; where engineers or managers are required, they go; they are politicians also; they are everywhere. I think somebody must have suggested this to the Government. They are not chary about spending money because we get cheap money; we spend money like anything..... (Interruptions.)

Mr. Speaker: Is he helping the Government to get more?

Shri Sinhasan Singh: I am saying this with a heavy heart. We must be chary of spending money like this. Even Ministers do like that in furnishing their houses; that has increased from 22,800 to 32,000 or something like that. This increase is everywhere. Why is money so cheap? We are taking money from outside; we should be a little miserly in doing things like this. This should not be increased. Government should consider this from the point of view of the country's poverty. Should these allowances be increased like this? Should we be liberal in everything? I wholeheartedly support the motion of Shri Harish Chandra Mathur. Government should consider it. Such rules are, I think, made without consideration of Parliament and thus it goes on increasing. It has come before this House as incidentally. Shri

Harish Chandra Mathur has called our attention to this. Otherwise, they will be getting these allowances already. My submission is that this should be considered in a calm way and we should see whether there is justification for such increases. If there is any justification, why should not the allowances of people getting Rs. 200 be increased? Why would not the allowances of people getting Rs. 100 be increased? Why should it apply to people who get a higher pay? I think the hon. Minister will consider it in that spirit and accept the motion of Shri Mathur.

Shri D. C. Sharma (Gurdaspur): Sir, I want to represent one or two points. We Members of Parliament receive deputations occasionally of lower division clerks and upper division clerks and assistants and all those persons. Their contention is that the Second Pay Commission has been very generous to the officers in the higher salary brackets; it has not been so good to the persons who are drawing very low salaries. In fact there are some persons who say that the Second Pay Commission has in a way lowered the salaries that they were getting before. That is the criticism that is levelled against the Second Pay Commission by persons who belong to the lower ranks of the services.

At the same time they suggest that the persons who are holding superior posts have got much more from the Second Pay Commission perhaps than was their due. There may be some justification for this; there may not be any justification for saying this. But the fact of the matter is that the Second Pay Commission has added to the inequalities of salaries and allowances in certain ways. It has not done so all along the line but in certain ways it has increased the disparity that existed between one grade and the other grades of services.

As if this was not enough our Government makes use of the rule

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making-power to provide that kind of —if I can use that word inequity again. I do not see the reason why Government is so keen to give more to these persons who are already drawing fat salaries. Why is the Government keen on keeping those persons contented and not keen on keeping those persons contented who are drawing paltry salaries? Bentham said that democracy is the happiness of the greatest number. Here our Home Ministry sometimes, not always, practises a kind of democracy which makes for the happiness of a few and for the discontent of the many. I need not go very far to prove it. Here is this rule.

Here is a case in point. What are they going to do? In the first place, they are going to make the migration to Delhi very, very attractive for people. I find that people who are holding very good jobs in the States want to come to Delhi. When I was elected Member of Parliament for the first time they thought that I was going to do something very big. Of course they know now what I am, but at that time, some very big person holding a very high job said to me, "For God's sake, take me to Delhi." Why do they want to come to Delhi? Because Delhi means salaries, allowances and amenities and so many things. It means also a good social life. That is why people want to come to Delhi.

Here is the Home Ministry making the passage of those persons from the mofussil towns to Delhi more comfortable and more paying. Do they want that the State Governments should be deprived of the talent that they have already? If such rules are brought into vogue, what happens is this, that every man who is holding a high job in the States will be praying to God, "Oh God, send me to Delhi so that I can earn more". Shri Datar does not understand my logic. Of course he would not. Why is it that the special pay is increased to Rs. 300? It is mandatory. The rule says, "it shall be..." Of course all rules perhaps have that mandatory

power, but here Rs. 300 is being given to those persons who are already getting Rs. 250.

Now, if the rule-making power implies any kind of charity, it should imply charity for the greatest number, and not charity for the few. We are in the midst of a very big movement for urbanisation in this country. Not only sociologists are worried about this, but our Planning Commission has also drawn attention to this. If urbanisation is taking place in the field of industry and in other fields, our Home Ministry is trying to make it possible for our civil servants also to come to Delhi to add to the stream of those who want to share in the urbanisation of this country. I thank Shri Harish Chandra Mathur for drawing our attention to this problem.

I think we had a discussion the other day on some measure and the whole House opposed it. Unfortunately, only the Deputy Minister was present at that time and I said, "What is the good of saying all these things because the Deputy Minister is not in a position to withdraw it." That is what happened. When we said that votes should be taken, they said, "We will wait and take votes at 5 O'clock." Then the Law Minister arrived and said, "we have postponed taking a vote because we should consider the matter again." A similar situation has arisen today. I thank you, Sir, for giving us this chance to voice our feeling against this inflated salary being given to these persons. I wish the Home Minister himself had been here to reply to this debate and say something. I think it is his responsibility to tell us why this rule has been framed, and it is his responsibility to tell us that this rule should be withdrawn. I do not think that the Minister of State—whom of course I respect—is in a position to say it.

I say this rule should be withdrawn and withdrawn in the name of social justice, withdrawn in the name of efficiency of the administrative services and withdrawn in the

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name of the States which also want to have good personnel to man their services. This rule will affect the interests of the States very badly, and I think it should be withdrawn. We should not go out of our way to make the Central services the golden-edged services in this country. We should not do that. So, there is a good case made out for withdrawing this rule.

Shri U. M. Trivedi (Mandsaur): Shri D. C. Sharma just now said that the rule should be withdrawn. There is no amendment by him to the motion that has been moved by Shri Harish Chandra Mathur. You do not care to look into your papers.

Mr. Speaker: Order, order.

Shri D. C. Sharma: You look into your papers. I know you are irritating because you are the leader of the party. (Interruptions).

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Shri U. M. Trivedi: I know you are in the habit of abusing.

Mr. Speaker: Order, order. The hon. Member should address me.

Shri U. M. Trivedi: I am sorry.

Shri Bade (Khargone): He says, he is so much irritated because he is the leader of the party. That is the allegation he is making.

Mr. Speaker: Here inside the House, we ought to use moderate language. We should show accommodation to each other.

Shri U. M. Trivedi: I never wished to irritate him, but I wanted to draw his attention that he is an experienced Member of 10 years.

Mr. Speaker: The hon. Member has got his attention now. He wanted to draw his attention, but that has been done too much now.

Shri U. M. Trivedi: We must be thankful to the mover that he has

been able to focus the attention of the House on this question. Really the attention of the whole House must be focussed on other matters also. There are provisions in the various Acts that rules must be placed on the Table of the House. They practically go unnoticed. There is no method by which Members come to know them, unless they are very alert and want to find out what particular rules are made.

I will make the complaint before you, Sir, that somehow when these rules are made and published in the gazette, we, Members of Parliament do not get copies in time, with the result that they remain unnoticed and we are not able to lay our hands on them or to get these matters discussed in this House. Some of us are not even getting our gazette upto date. I do not know why this mistake has crept in.

I would like to say that it is a very moderate substitution that is sought to be made. Already we are counting every little pie and we are having a national savings scheme. So far as the Parliament is concerned, the Minister for Parliamentary Affairs wants us to sit till 6 or 6.45 in order to save money. We were scheduled to sit till the 29th of this month, but in order to save the allowances for 7 days, we are adjourning on the 22nd. But when this question of paying to the services is concerned, the rule is made without any consideration to the pockets of the Government. Why this munificence is being shown at the cost of the country, I cannot understand. Already we have clamoured that the emoluments of certain higher officers are very disproportionate to the emoluments that are paid in the lower cadres. Therefore, the emoluments must not be increased to such an extent as to create a greater gulf. Therefore, it is very meet and proper that this amendment must be looked into by Government.

The Minister should not merely try to repeat the rule that is there.

Rules

The notes must have been prepared by the office and he may be ready with the reply that what Government has done is quite right. But this position must be studied, whether it is in the country's interest that these rules should remain as they are or at least this reasonable amendment should be made. It is not unreasonable and from all sections of the House, the feelings have been voiced that this amendment must be accepted.

With these words, I submit that this amendment may be accepted.

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, the motion that has been brought forward by my hon. friend requires to be read in order to understand the limited nature of the debate. All that has been laid down in the notification is that for the figure Rs. 250, the figure Rs. 300 should be substituted, under the heading "C-Posts carrying pay above the time-scale..." I would point out presently how it concerns mainly two posts. It is not proper under these circumstances, to cover a wide range of subjects dealing with enhancement of pay in general or with the super-time scale and the special pay, as a number of hon. Members did. In the earlier part of his speech, the mover confined himself more or less to this motion, but subsequently towards the end of his speech, he also could not resist the temptation of going into the general question of the tenure of IAS officers in the States and so on. He made a complaint that there has been considerable dissatisfaction amongst the members of certain classes of officers over what he called the giving of unwarranted benefits to those who came over recently.

So far as the general question is concerned, though it might not be relevant, I would like to deal with it, with a view to remove the misapprehensions. The All India Ser-

vice Act was passed in 1951, under which it was open to the Government to make rules, to notify them and place them on the Table of the House. Accordingly, the first set of rules were made in 1954 and they were all placed on the Table of the House. Whenever there have been any changes after 1954, up to now, all the changes in the rules have been invariably placed on the Table of the House. Therefore, my hon. friend's complaint that rules are merely published in the Government Gazette is not correct. I was very happy to find in this House and in the other House there were occasions when the rules notified by the Government were fully debated upon. Therefore it would not be proper to say that the rules are made and the attention of Parliament is not drawn to them.

A suggestion of a general nature was made that a committee or commission should be appointed. May I point out that only some years ago, the second Central Pay Commission had been appointed and amongst other things, they went into the question of the super-time scale of pay and also special pay. They have dealt with this question very exhaustively and pointed out how under certain circumstances, it is essential to give super-time scale of pay or special pay. They have also mentioned the various categories of Government servants who have been given special pay.

The total number of Government servants and the number of posts that carry special pay have also been mentioned by the Central Pay Commission. That would show that Government have no partiality for any particular category of Government servants. It depends upon the type of work that they do and the extent of responsibility they have to carry. It would be found that at lower levels also special pays have been given. I am quoting them here. This is from the Central Pay Commission's report. In Class I, the total number of posts is 10,391. As against this, the number

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of posts that carried special pay was only 888. So far as Class II posts were concerned, as against 19270 posts there were only 721 posts that carried special pay.

Shri Harish Chandra Mathur: My hon. friend is unnecessarily wasting time over this. I myself quoted these figures when we discussed it last time.

Shri Datar: I am pointing this out to remove the misapprehension that a number of hon. Members have. The speech of Shri Sinhasan Singh and also the speech of another hon. Member lent support to the view that the Government were trying to give more to the highly paid servants and they were not looking after the lower services. That was the charge levelled.

Shri Harish Chandra Mathur: Even these figures will substantiate it.

Shri Datar: Let the hon. Member wait. So far as Class III posts were concerned, as against 5,53,163 posts there were 12,217 posts which carried special pay. In respect of Class IV posts also there were special pays in the case of 730 posts out of a total of 6,93,318 posts.

In these circumstances, Sir, it would be entirely wrong to say that super time-scales and special pays were being given only to certain classes of government servants who had been already receiving fat salaries. May I, in this connection, invite the attention of the hon. House to the report of the Second Pay Commission where they have dealt with both these classes of pays—super time-scale of pay and special pay. There they say:

“The central idea of a special pay is that it is the most satisfactory way of compensating such addition to work or responsibilities or such greater arduousness of duties as is recognisable enough to merit additional remuneration, but not so considerable or in some

cases of such a permanent nature as to justify placing the post in question in a higher grade. In other words, it is, broadly speaking, a flexible system of differentiated remuneration between two grades. In some cases however, other factors also come in. For instance, in the case of officers of All India Services appointed to posts of Deputy Secretary or Under Secretary the grant of special pay is connected partly with the system of special pays in the States (from where the officers are drawn for limited periods)... In a considerable proportion of cases in which a special pay is now allowed its withdrawal might necessitate putting the post in question on a higher scale of pay—which may not be less expensive, but which may have the effect of putting premium on seniority at the cost of merit or of causing heart-burning among the senior employees”.

Under these circumstances, you will find that the case for a special pay has been examined by the Central Pay Commission. As the House is aware, there were a number of non-official members on this Committee including my colleague. They went into the whole question only two or three years ago and they came to the conclusion.....

Shri Harish Chandra Mathur: They have said that it must be gone into.

Shri Datar: They came to the conclusion that special pays will have to be given in certain cases where there were additional duties or responsibilities. These are the factors which ought to be taken into account.

So far as this case is concerned, it is only the small quantum of increase from Rs. 250 to Rs. 300 that is under consideration. In 1954, when the general rules were framed so far as the IAS and IPS officers were concerned they

Rules

were laid on the Table of the House. Under these circumstances, a question arises as to whether there is any need for any special committee or commission to go into this question. My submission to this hon. House is that the problem that we have before us is of a limited nature. Even the general problem so far as the payment of special pays is concerned has been considered by no less a body than the Second Central Pay Commission and they have set their seal of approval upon it. May I, therefore, point out to you, Sir, that there is no case for the appointment of a commission to consider this question in all its aspects.

Coming back to the very limited question that we have before us, I would like to invite the attention of this House to the IAS Pay Rules. Schedule III of those Rules mentions the special pays and the present position. It is now further limited to only two posts. In respect of two posts the special pay that is allowed is Rs. 250. Those two posts are: (i) the Director of Administration, Civil Aviation Directorate; and (ii) the Director of Administration, D.G.S.&D. These are the only two posts in respect of which it was considered that it would be proper that the special pay should be enhanced from Rs. 250 to Rs. 300. May I also point out that if these posts are held by a member of the Central Government the scale of pay that attaches to these two posts is Rs. 1300-1600, and if these posts are held by an IAS officer that IAS officer would be in the senior time scale of Rs. 900-1800. That means a senior time scale officer would rise only with Rs. 900 even though ultimately he may come to hold one of these two posts. You will find that the senior time-scale starts from Rs. 900 so far as IAS officers are concerned, whereas the time-scale for a Central Government officer holding one of these two posts starts with Rs. 1300. So it was considered that if an IAS officer were to come over to the Centre, naturally

he would come over to a post recognisable in equality or parity with that of a Deputy Secretary—Under Secretary at an earlier stage, but Deputy Secretary at the highest stage. Deputy Secretary's special pay is Rs.300. Therefore, a question arises as to whether when these two posts of Directors to which I have already made a reference are held by IAS officers the special pay of Rs. 250 should be attached or it should be Rs. 300.

I have already informed the House on a number of occasions that the number of reversions on tenure basis to the State Governments has been rising considerably. It is not that all the officers who come here are kept here. They have to go back, and a large number of officers are now going than used to be the case formerly. You will kindly also note that we have no IAS or IPS cadre for the Centre. We have not been maintaining any separate cadre at all. All that we do is to borrow officers on tenure or deputation basis from the States. There ought to be some attraction for them. We have to take that also into account. Even now occasions arise where we do not get a sufficient number of officers from the States to come over to Delhi. Coming over to Delhi is not necessarily a matter full of amenities. There are certain inconveniences and hardships as well. Therefore, there was a time we found it very difficult to induce such all-India services officers to come over to Delhi.

Shri Khadiikar (Khed): Are there no allurements?

Shri Datar: That is what I am trying to point out. In spite of the alleged allurements there were a number of cases where we could not get officers at all to come over to Delhi. That is the reason why Government considered that the whole position should be rationalised. Let us assume that two such officers come over to Delhi out of whom one is appointed as a Deputy Secretary and the other as

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Director of Administration in the Civil Aviation Directorate or the D.G.S. & D. You will find that if some officer with the requisite qualification and experience comes over to Delhi and he has taken over the post of a Deputy Secretary in the Government of India, he draws an amount of Rs. 300 as special pay, but were he to get one of these two posts, then he would be drawing only Rs. 250. It was considered that these two posts were generally comparable to the post of Deputy Secretary and, therefore, the quantum of special pay ought to be the same, so far as these two officers and those who were working as Deputy Secretaries were concerned. That is the only reason for bringing in this rule. I would be very happy if the hon. House understands the limited nature of the rule that we have made. There are two posts which are more or less equivalent to the post of Deputy Secretary but, on account of certain circumstances, the special pay that was attached to them was less by Rs. 50 compared to that drawn by a corresponding officer, namely, a Deputy Secretary. So, all that has been done by the present rule is to enhance the amount of special pay from Rs. 250 to 300, because it is only fair to confer the same benefits in respect of these two officers also. It has been stated in the present Schedule III of our rules that they would be entitled only for Rs. 250. Now I will give an analogy which is likely to happen. Suppose two IAS officers of the same experience were to come to Delhi. If by accident one of them is appointed to one of these two posts, he would be getting a special pay of Rs. 250 whereas the other officer would be getting a special pay of Rs. 300 as Deputy Secretary. Government have tried to remove this anomaly. Under the circumstances, and especially in view of the fact that general questions are not involved in it, I would request hon. Members not to press this. Here I would respectfully submit again that general questions about enhancement

of pay, payment of special pay etc. are not involved here at all.

Mr. Speaker: If this amendment of Shri Mathur is accepted, it would affect only two officers?

Shri Datar: Virtually so, because it has been stated so. There are only two cases where a special pay of Rs. 250 is offered. All that we have done is this. If any of these two posts is occupied by an IAS officer, then he should be entitled to a special pay of Rs. 300 instead of Rs. 250.

Shri Harish Chandra Mathur: May I invite his attention to the fundamental rules, to which I referred to, under which a special pay can be given only under those three conditions.

Mr. Speaker: That is a different thing. Shri Mathur should realise that, according to what the hon. Home Minister has stated, it is intended to give this facility only to the incumbents of these two posts who would otherwise be getting only Rs. 250. It is with a view to remove an anomaly this rule has been brought into force. Otherwise, if an officer with some qualification is brought here as Deputy Secretary, he would be drawing a special pay of Rs. 300 whereas the same officer, if he is appointed in any of these two posts, he would be getting only Rs. 250. It has been brought on par, so far as these two posts are concerned.

Shri Harish Chandra Mathur: My amendment was that, in the first place, it should be brought down to Rs. 200, not even Rs. 250, because special pay is not warranted at all.

Mr. Speaker: The rule that he has referred to and which he wants to amend would affect only these two posts.

Shri Harish Chandra Mathur: We do not want anybody to get it.

Mr. Speaker: That is a different thing. Now may I put it to the vote?

Shri Harish Chandra Mathur: Have I not a chance to say a few words?

Mr. Speaker: Yes, if he wants.

Shri Harish Chandra Mathur: The hon. Home Minister did not at all refer to the fundamental rules to which I referred to. My first point has been that they are not entitled not only to Rs. 250 or 300 but even for a single pie. Then I said that special pay can be granted only under fundamental rule 9(25), wherein some conditions have been laid down—No. 1, No. 2, No 3 and so on. These two posts do not fulfil any of those conditions. So, the incumbents of these posts are not entitled to any special pay. My hon. friend has not answered that point.

Then, a question of principle is involved in it. It is not a question of one post or two posts. I started my speech by saying that I would not have wasted the time of the House for a paltry sum of Rs. 50 or 100. I have come before this House because they are going in a wrong direction.

My hon. friend, the Home Minister, has quoted copiously from the report of the Pay Commission. But I do not think he has quoted the relevant portions. He said that the Pay Commission has stated:

"We should suggest that there should be a periodical review of the special pays."

He says that they have examined the whole thing. Their very last sentence says:

"But, on the evidence before us, it has not been possible to examine all cases with a view to determining whether one or the other arrangement would be more satisfactory and whether the rate of special pay in some cases require revision."

He says they have gone thoroughly into it and they have come to a particular conclusion. What is their conclusion? Their conclusion is that these matters must be reviewed periodically. They had no time, no evidence to go into this matter and so they said that it should be examined later on.

My hon. friend then quoted at the outset from the report of the Pay Commission to say that it is not the higher slabs that are benefited. I raised the same discussion a year earlier and I quoted these very figures to show that the percentage is more at the higher slabs. That was the whole trend of my argument. I never said that in no case there is justification for a special pay. I said that in certain cases a special pay may be required. But where is the justification for a special pay in the Secretariat? Further, none of the conditions mentioned in the fundamental rules have been fulfilled. This question should not be reviewed or re-examined only by those who have vested interests, who are affected by it. Who has examined it? Who is going to examine it next? That is the review which has been held periodically? No review at all.

Mr. Speaker: It is a general question.

Shri Harish Chandra Mathur: I do not think there is any justification for the Government to perpetuate a wrong which they have made. I will not permit them to be a party to the increasing disparities which are there. There is no reason for it; there is no justification for it. I do not want it. It is only a symbolic amendment. I know it will create difficulties, but I want to create difficulties for the Government and force their hands to go into the entire matter again.

Shri Datar: May I point out one correction? He has made a reference to the fundamental rules. So far as those rules are concerned, they do not apply *ipso facto* to the IAS officers

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because the IAS and IPS officers have got a special body of rules. They are governed only by those rules.

Mr. Speaker: But he says he wants to create difficulties for the Government. Then how can I help? May I put it to the vote now? I hope a voice vote is sufficient at this stage.

Shri Tyagi (Dehra Dun): It is enough. They know they have not got a majority.

Shri Prabhat Kar: It is not our motion. Further, all those who have spoken have supported it, including his party men.

Mr. Speaker: He can make an appeal to them, but I cannot say anything. The question is:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services Act, 1951, the following amendment be made in Notification No. GSR 101, dated the 27th January, 1962, making amendment in Schedule III to the Indian Administrative Service (Pay) Rules, 1954, laid on the Table on the 26th April, 1962, namely:

For 300, substitute 200.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution."

The motion was negatived.

13.29 hrs.

DRUGS (AMENDMENT) BILL

Mr. Speaker: The House will now take up consideration of the Drugs (Amendment) Bill.

Shri Khadilkar (Khed): On a point of order, Sir. Generally, a copy of the Bill is circulated to Members before its introduction and it contains a statement of Objects and Reasons. In this particular case, it so happens

that no Statement of Objects and Reasons is attached to the Bill.

Shri U. M. Trivedi (Mandsaur): In the Bill as introduced in the Rajya Sabha it is there, but the Bill as introduced has not been circulated to us. The Bill as passed by Rajya Sabha has been circulated to us. Therefore we do not know the objects and reasons of the Bill.

Mr. Speaker: That must have been circulated earlier.

Shri U. M. Trivedi: Not to this Lok Sabha.

Mr. Speaker: It has been circulated, I am told.

Shri U. M. Trivedi: Not in the Third Lok Sabha. It must have been circulated before.

Shri Hari Vishnu Kamath (Hosangabad): No, it is not here.

The Deputy Minister in the Ministry of Health (Dr. D. S. Raju): Sir, it is the intention of the Government to bring the import, sale and manufacture of cosmetics under the purview of the Drugs Control Act of 1940.

Shri U. M. Trivedi: Sir, this Bill is Bill No. XXII of 1961. So, it must have been introduced in the Rajya Sabha when the previous Lok Sabha was there. This was taken up in the Rajya Sabha and we have got this Bill only as passed by the Rajya Sabha in which the statement of objects and reasons is not there.

Mr. Speaker: At this moment it can only come in this form.

Shri Tyagi (Dehra Dun): Since this question has arisen, may I request you that in future in cases where Bills come from the other House you might attach a page wherein the objects and reasons might be given. I think in