

[Shri Kidwai]

maund. Otherwise, I would have accepted the hon. Member's suggestion. So, we have to compare the prices of the alternative crops and see that the agriculturist does not get much more than what the alternative crops would allow.

MOTIONS RE: SERVICE RULES

Mr. Chairman: We will now proceed to the motions about the Indian Administrative Service (Recruitment) Rules, the Indian Police Service (Recruitment) Rules and the All India Services (Conduct) Rules.

Shri V. P. Nayar (Chirayinkil): 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1951, the Indian Administrative Service (Recruitment) Rules, 1954, laid on the table on the 10th September, 1954, be repealed.

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

Mr. Chairman: Motion moved:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services Act, 1951, the Indian Administrative Service (Recruitment) Rules, 1954, laid on the table on the 10th September, 1954, be repealed.

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

Shri Raghuramaiah (Tenali): 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 new clause be added after clause (b) of sub-rule (1) of Rule 4 of the Indian

administrative Service (recruitment) Rules, 1954, laid on the table of the House on the 10th September, 1954, namely:

'(bb) by selection, in special cases from among members of the Central Secretariat Service.'

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

Mr. Chairman: Motion moved:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services Act, 1951, the following new clause be added after clause (b) of sub-rule (1) of Rule 4 of the Indian Administrative Service (Recruitment) Rules 1954, laid on the table of the House on the 10th September, 1954, namely:

'(bb) by selection, in special cases from among members of the Central Secretariat Service.'

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

Shrimati Jayashri (Bombay—Suburban): 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, sub-rule (3) of Rule 5 of the Indian Administrative Service (Recruitment) Rules, 1954, laid on the table on the 10th September, 1954, be omitted.

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

Mr. Chairman: Motion moved:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services

Act, 1951, sub-rule (3) of Rule 5 of the Indian Administrative Service (Recruitment) Rules, 1954, laid on the table on the 10th September, 1954, be omitted.

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

Shri Thimmaiah (Kolar—Reserved—Sch. Castes): 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, for sub-rule (4) of Rule 7 of the Indian Administrative Service (Recruitment) Rules, 1954, laid on the table on the 10th September, 1954, the following sub-rule be substituted, namely:

'(4) The number of vacancies reserved for the Scheduled Castes and Scheduled Tribes shall be filled by the best candidates selected from among the Scheduled Castes and Scheduled Tribes and if the selected candidates are not up to the general level, they shall be trained and absorbed in the Service.'

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

Mr. Chairman: Motion moved:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, for sub-rule (4) of Rule 7 of the Indian Administrative Service (Recruitment) Rules, 1954, laid on the table on the 10th September, 1954, the following sub-rule be substituted, namely:

'(4) The number of vacancies reserved for the Scheduled Castes and Scheduled Tribes shall be filled by the best candidates selected from among the Scheduled Castes and Scheduled Tribes and if the selected candidates are not up to the general level, they shall be trained and absorbed in the Service.'

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

Shri Thimmaiah: 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 new sub-rule be added after sub-rule (2) of Rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954, laid on the table on the 10th September, 1954, namely:

'(2A) The regulations made under sub-rule (1) shall provide for the reservation in favour of Scheduled Castes and Scheduled Tribes to the extent of 12½ per cent. and 5 per cent. respectively of the number of vacancies to be filled by promotion from amongst the members of a State Civil Service.'

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

Mr. Chairman: Motion moved:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, the following new sub-rule be added after sub-rule (2) of Rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954, laid on the table on the 10th September, 1954, namely:

'(2A) The regulations made under sub-rule (1) shall provide for the reservation in favour of Scheduled Castes and Scheduled Tribes to the extent of 12½ per cent. and 5 per cent. respectively of the number of vacancies to be filled by promotion from amongst the members of a State Civil Service.'

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

Shrimati Jayashri: 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, sub-rule (3) of Rule 5 of the Indian Police Service (Recruitment) Rules, 1954 laid on the table on the 10th September, 1954 be omitted.

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

Mr. Chairman: Motion moved:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, sub-rule (3) of Rule 5 of the Indian Police Service (Recruitment) Rules, 1954 laid on the table on the 10th September, 1954 be omitted.

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

Shri Thimmaiah: 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 new sub-rule be added after sub-rule (2) of Rule 12 of the All India Services (Conduct) Rules, 1954, laid on the table on the 10th September, 1954, namely:

'(3) No member of the Service shall use his influence while in service to secure employment for himself after retirement.'

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

Mr. Chairman: Motion moved:

"This House resolves that in pursuance of sub-section (2) of

section 3 of the All-India Services Act, 1951, the following new sub-rule be added after sub-rule (2) of Rule 12 of the All India Services (Conduct) Rules, 1954, laid on the table on the 10th September, 1954, namely:

'(3) No member of the Service shall use his influence while in service to secure employment for himself after retirement.'

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

Two and a half hours have been allotted for this discussion. There are, in all, four or five motions. I should think half an hour to each may do: or one hour may be devoted to 5, 6, 7 and 10 and the rest three may be finished in a period of one hour and a half. As several Members are anxious to speak, I propose to give ten minutes to each Member.

Shrimati Sushama Sen (Bhagalpur South): I suggest that women Members should be given more time.

Mr. Chairman: The Chair cannot discriminate between the women Members and men Members in this matter.

Shri V. P. Nayar: The motion which I have today moved was the subject of discussion in the Rajya Sabha on the 24th of this month. On that occasion it created history in that many women Members belonging to the various parties voted against Government. In the reply of the Home Minister to that debate I was amazed when I found that he had such a wonderful storehouse of nonsense and frivolity at his disposal, that he could meet any situation.

Sir, I also found that in justifying the stand which he had taken against the women of the country, he invoked the aid of four sentences which he read out from a private letter said to have been written by the late

Sardar Patel. We, Sir, in this particular context, are not interested to know what Sardar Patel might have written in his private correspondence. We want to know the facts.

To understand the attitude of Government in this particular matter one must go back to the history of this Act which forms the basis of these rules. You will find, Sir, that in 1950 the All India Services Bill was discussed in the Parliament when Mr. C. Rajagopalachari, who happened to be the then Home Minister, said:

"As soon as Parliament meets again, whether it is in this April, or the next April, it is going to have greater authority in dealing with this matter. The Rules will be scrutinised by it and passed by it. Therefore, hon. Members may rest content that no wrong will be done by way of this."

Sir, at that time Mr. C. Rajagopalachari gave an assurance to the House that in the next session, very detailed rules for the conduct of the Services will be brought before the House. But nothing had been done during the last eight sessions. Now, Government come forward and say: "Here are the rules." We know that whenever there is great pressure on this House, Government come forward and lay copies of the rules on the Table and try to get away with that. But we are fortunate that we are having a discussion here.

Sir, I went through all the rules and I find that this is nothing but a set of very wicked rules, each of them unconstitutional and some of them very very reactionary. I shall begin with Rule 4 in which provision is made for the selection of IAS Officers, either by recruitment or by promotion or from State Civil Service, or by selection in special cases from among persons other than members of the Civil Service. Sir, on the 6th of March this Year, I put a question to the Deputy Home Minister, who is fortunately here, whether he knew how many private secretaries

to Ministers were taken in the Civil Service from the State of Travancore-Cochin. The Deputy Home Minister, poor man, said: "I do not know."

The Deputy Minister of Home Affairs (Shri Datar): On a point of order, now he has to speak only on the points with regard to his own motion; he cannot make general comments on all the rules.

Shri V. P. Nayar: The Deputy Minister is very much mistaken, because my motion is for the repeal of all the rules. Has he not seen that before? I shall send him a copy.

My point is this. When I confronted the Deputy Home Minister on the 6th of March with a supplementary question he said that he did not know whether there were newspaper reports and editorials against the selection of officers from the regular cadres of the State Service into the IAS Cadre from the Travancore-Cochin State. I know, Sir, each and every man who has been selected from the Travancore-Cochin Service and I know also that 50 per cent. of such persons have been working as private secretaries. We are not prepared to give Government this authority under which they can get in through the backdoor every sort of favourite and they can indulge in the utmost graft. I do not want to go into details. But Government have not brought forward any case by which we can give them vast powers.

Shri A. M. Thomas (Ernakulam): Does the hon. Member know what positions they were occupying before they became private secretaries?

Shri V. P. Nayar: I know; I was working with most of them in the Secretariat. Some of them have taken training under me.

I also wish to invite the attention of the House to sub-rules (2) and (3) of Rule 5. Under this rule no person who has more than one wife living shall be eligible for appointment to service. What happens, I

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want to ask the Home Minister, whom I find here now, to those officers who have had two wives and who are in his own Ministry. I know actually the case of officers in the Home Ministry. What action is the Home Minister taking in respect of persons whose first wives have protested to him that their husbands are getting into second marriage? I saw in the Central Hall some ladies making representations to the Home Minister. I leave Dr. Katju to the wrath of our women Members here. But I want to say that these rules here are very treacherous, to say the least. Dr. Katju seems to be thinking in terms of the time when he became a lawyer; perhaps, he does not see that the world has changed. We know that in other countries we have not only women in such important positions, but we have women engineers; they have women doctors in very large numbers; they have women sailors and women pilots. But according to Dr. Katju the only object of having the Indian Administrative Service is to order firing. He would say, as a moralist, that women should first attend upon their children. He says: Suppose there is a sudden emergency, suppose there are *tazias*.... (An hon. Member: *Tazias*?) That is the word which he used, whatever it is, *tazias*. He said: "Just consider this. There is a woman District Magistrate. Imagine there is a sudden emergency—*tazias*—all sorts of things. She has got a little baby. Is she going to carry the baby, there? There are four lady Members here" and all that. According to Dr. Katju the only thing such an officer has to do is only to order firing or to control a crowd.

I know from my experience in my State that there have been women in very responsible positions. We had a woman Surgeon-General ten or fifteen years back. She had children. One of her boys is in the Indian Foreign Service. He grew up in spite of the fact that she attended to every

case, and she was one of our very best doctors.

Kumari Annie Mascarene (Trivandrum): She had more than one child.

Shri V. P. Nayar: She had two. And another is a very eminent doctor in Delhi. I do not find any justification why women should be asked to choose between marriage and government service. We have to give them the rights which they deserve. We have also to encourage them to get into such competitive services. But Dr. Katju at this time would come and say "Look here, women have children, they must first mind about their children".

I also found, when I was reading, that Dr. Katju in a very hilarious mood, instead of placing the letter of Sardar Patel on the Table, said he would place the book *Life of Johnson* by Boswell.

The Minister of Home Affairs and States (Dr. Katju): Sir, is my friend in order in criticising me for a speech which I have not made here?

Shri V. P. Nayar: I have a ruling that it is possible. It has been ruled.

Mr. Chairman: The general rule is that any speeches made there cannot be quoted here.

Shri V. P. Nayar: I have obtained a ruling that a speech made by any Minister in either House can be referred to and commented upon in this House.

Shri M. S. Gurupadaswamy (Mysore): There was a ruling on my point of order.

Mr. Chairman: Will the hon. Member refer me to the rule or ruling?

Shri V. P. Nayar: I never said rule.

Shri M. S. Gurupadaswamy: On Saturday there was a ruling on my point of order whether a Member can quote the speech of a Minister

in the other House, and the ruling was that he can.

Mr. Chairman: So far as statements of hon. Ministers are concerned they may relate to two kinds of things, to statements of policy or to other statements. So far as statements of policy are concerned it is quite clear that they can be referred to in the other House. But so far as the other parts of the speech are concerned, I think the same privilege should attach to a Minister as attaches to other Members. I would like to be enlightened about the ruling.

Shri V. P. Nayar: May I submit that during the general discussion of the Budget, when I was referring to the speech made by Shri C. D. Deshmukh in the other House and commenting upon it, some Member of the Congress Party rose on a point of order, and the Chair then ruled that I could even comment on the speech made by a Minister but not by any Member of that House.

Mr. Chairman: May I enquire whether that speech referred to a matter of policy?

Shri V. P. Nayar: It did. Only day before yesterday it was said.

Mr. Chairman: Here is Rule 321. It runs as follows:

"No speech made in the Council shall be quoted in the House unless it is a definite statement of policy by a Minister:

Provided that the speaker may on a request being made to him in advance give permission to a member to quote a speech or make reference to the proceedings in the Council if the Speaker thinks that such a course is necessary in order to enable the member to develop a point of privilege or procedure."

Here the proviso does not apply. So far as rule 321 is concerned, unless it is a definite statement of

policy by a Minister, a reference to his speech cannot be made.

Shri V. P. Nayar: I hold it was a definite statement of policy that they are not going to reconsider the rules. After the discussion, which raised there all aspects on these rules, the Home Minister got up and in his reply said: the Government of India cannot consider this question because of this, because of this, etc.

Anyhow I do not wish to quote him again. I shall give some other quotations instead. He is smiling and I am reminded of a quotation from Thomas Fuller:

"He who blushes not at his crime but adds shamelessness to shame has nothing left to restore him to virtue."

I want the hon. Minister to tell me...

Shri D. C. Sharma (Hoshiarpur): What is the relevance of this quotation?

Shri V. P. Nayar: I want the Home Minister to tell me what are the facts, what are the circumstances which made him give this rule.

Sir, I do not wish to take more time of the House. I shall go to another rule. Sub-rule (3) of rule 5 will be safe in the hands of the women Members of the House and I am sure they will very stoutly defend their cause.

There is also another rule, rule 8, which runs thus:

"The State Government may make provision for recruiting Service persons by promotion from members of the State Services, etc."

The less said about it the better. Let the hon. Minister come with the facts and figures and let him say "this is the thing we have done, these officers are necessary." By all these rules the Home Ministry wants to assume powers which the House is not prepared to part with. The House should give a mandate that he

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should not come forward in a trifling manner and lay on the Table rules which were promised by his predecessors to be laid on the Table three or four years back.

I would end up by requesting every hon. Member of the House to raise his or her voice of protest on these most obnoxious rules. I would also say it prompts me, the way in which Dr. Katju has been speaking in a very derisive manner in the other House and the way in which he smiles at me, it prompts me to make an observation. I know that, as Goldsmith said once, "Villainy, when detected, never gives up, but boldly adds impudence to imposture".

Mr. Chairman: The hon. Member cannot improve his speech by referring to sentences and quotations in which nothing but vituperation is there. So far as this aspect is concerned, his case will improve if he uses moderate language. This kind of language is not the language appropriate in an Indian House of Parliament.

Shri V. P. Nayar: I can use very moderate language.

Shri S. V. Ramaswamy (Salem): May I ask...

Shri V. P. Nayar: I am not yielding.

Shri S. V. Ramaswamy: It is a point of order. Should not reference to Ministers by their personal names be avoided as that will add to the dignity of the House?

Shri V. P. Nayar: I will only conclude by saying that this House must take very serious notice of this. It is not the first experience we have had from this hon. Minister. We have had from him the Preventive Detention Act, the Press (Objectionable Matter) Bill and ever so many other Bills, and it is time we try...

Mr. Chairman: Why should he be personal and refer so many times to

Dr. Katju? After all, the rules are being discussed, not Dr. Katju.

Shri V. P. Nayar: The rules are being discussed, and Dr. Katju is the father of these rules.

Mr. Chairman: Should all the sins, acts of commission and omission, now come before the House?

Shri V. P. Nayar: I do not understand why they should not rest with the Minister who is responsible.

Mr. Chairman: The hon. Member has already referred to them. What is the use of pressing them so hard?

Shri V. P. Nayar: I do not want to carry on the controversy. I would only urge upon all sections of the House that they join us in throwing this rule out.

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): I feel a little confused after the hon. Member's speech. I have got the impression that he was himself rather confused. In his desire, somehow to bring in some quotations into his speech, which were not particularly relevant to the occasion, he lost, at any rate to my understanding, the thread of his argument.

I am not quite sure what he was driving at. Is he driving at the whole repeal or non-acceptance of this book of rules or any particular rule or section? However, I propose to deal with only one or two matters in these rules.

I do not know all the rules which exist today, nor the other rules. I have not gone into them because most of them are normal rules which have been carried on. If any of them have to be changed, they can be changed. There is no sanctity of statute attaching to these rules. Any rule, whenever this House feels like or the Government feels like, can be changed.

The hon. Member referred to one rule which I believe is to the effect that a person having two wives will not be employed. He asked, what is going to happen to those who already have two wives. All I can say is, they will continue to have two wives. They will not be allowed to have a third wife. Because, the rule, much as I would like it to be, is not retrospective. In fact, this rule has been brought in because some people went in for a second wife and we found, much to our distress, that we could not restrain them from doing so, or even take any action in accordance with our Service rules. Therefore, the rule has now been brought in for the first time. Previously, it was meant to be a convention to be followed. But, conventions are broken. Because we got into that difficulty, we have brought in that rule. Does the hon. Member want that rule to be abrogated, leaving government servants free to take two, three or more wives?

Shri V. P. Nayar: It must be applied with retrospective effect.

Shri Jawaharlal Nehru: That is entirely another matter. He is at the present moment dealing with these rules.

Mr. Chairman: He shall not be 'eligible for appointment'. It does not mean that he loses his appointment.

Shri Jawaharlal Nehru: If a person who has been appointed, subsequently marries a second time, he will be dismissed. All I can say is, his grievance, therefore, is not against this rule, but against something else. If he wants action to be taken against previous bigamists or polygamists, that is a matter to be considered separately, because that is a matter of giving not retrospective effect to this, but rather taking some action which the previous rules did not justify us in doing although we liked to take. Anyhow, that is a separate matter.

The other matter which was referred to is this. The rule says:

"No married woman shall be entitled as of right to be appointed to the Service, (that is, to the Administrative Service) and where any woman appointed to the Service subsequently marries, the Central Government may, if the maintenance of efficiency of the Service so requires, call upon her to resign."

I should like the House to consider first of all that this is a permissive clause. It does not automatically follow. It is possible, of course, for this permissive clause to be applied strictly or leniently. Much depends, of course, on the authority applying. This matter was faced by me, particularly, in regard to Foreign Service. I think, even in this House on one or two occasions, 4 or 5 years ago, and certainly elsewhere, I laid great stress on equality of opportunity being given in the Services to women. That is, that there should be no sex barrier to the appointment of women to almost any post. I can imagine some posts to which women would normally be unsuited. That is a different matter. I can imagine posts to which men would be normally not suited. But, there are men who certainly may be suited for women's occupations and women who certainly are suited for all occupations. Therefore, one should not put a barrier either way.

The difficulty that arose, particularly in the Foreign Service, was this. We have been taking regularly women into the Foreign Service through the normal door of competitive examination. They pass and they pass well. We take them in. They have done good work. After three or four years of work, they marry. We have continued them. By the mere fact of marriage they have not gone out. But, we had to consider all the time this question whether we can post the husband in one place and the wife in another place.

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separated by 10,000 miles. That is our difficulty. Normally, one does not want to bring about social disruption in this way. Therefore, one had to choose as things are at present. He need not consider this in theory. As things are at present, one has to choose, not at the time of marriage, but at the time of subsequent postings, and decide what to do: whether we should ask the husband to get away from service or we should ask the wife to get away so that we may not be put in the predicament of having to post one in Japan and the other, may be, in Paris or somewhere.

Acharya Kripalani (Bhagalpur cum Purnea): The husband may have no job.

Shri Jawaharlal Nehru: The husband may have no job as many husbands have not got jobs. But, that was the real difficulty. Therefore, what we did was to put in a permissive clause that a woman member of the Foreign Service who marries, may be asked, if we so chose, to resign from service. We will keep her so long as we can. Where actually the fact of her marriage conflicts with her posting, it is unfair for Government to be forced to keep her on even though it comes in the way of normal postings. This rule can be interpreted in a lenient way or in a harsh way. In the case of an officer, the mere fact of marriage may be considered to be a bar. I do not think that the mere fact of marriage is a bar. The consequences of marriage, especially in the way of postings, may become a bar. It may be a completely different thing, elsewhere: in the Foreign Service, the difficulty is all the greater. The husband or the wife may be sent 10,000 miles away. It may be a different thing where they live in the same city, for instance. There need be no reason at all why marriage should come in the way. They can work.

This, presumably, refers to the Administrative Service. Take the other Services. Take the Educational Service in which, I think, normally speaking, a woman is a better person than a man as a teacher. I would go a step further and say, a married woman is a better teacher than an unmarried woman, often enough. I do not rule out unmarried women, of course. A married woman may well be a better teacher than an unmarried woman. It would be completely wrong, because of the marriage, to remove her from her post. My point is this. In these matters we should entirely rule out any kind of ban not only on the employment of a person of a particular sex but even ban on the fact of marriage. But we cannot, in the circumstances, rule out the consequences of marriage—apart from another fact, the suitability of a man or woman for a particular type of service. Therefore, some rules have to be framed which are permissive, which allow adjustments or some things to happen. Those rules, I said, have no so-called statutory authority. The rules may be better worded, you may word them better, but it would be, I think, wrong in the existing circumstances for us to lay down a firm and fast rule that every person who is married must inevitably continue, whatever the consequences of marriage may be. We will get into difficulties.

As it is, as the House well knows, our service rules are terribly rigid. I do not know of any country where they are so rigid, we cannot deal with the public servant except through very complicated processes, ultimately going up to the Union Public Service Commission and all that. We cannot even take action normally when we feel that the person concerned is not very efficient or has committed some petty misdemeanour. You may be convinced, but you cannot take any action. They are very rigid. The protection to our services is greater so far as I know than in any country in the wide world.

Now, it is because of that this difficulty arises. Suppose they are not there, no difficulty would arise. We will deal with the case as it arises. Because that tremendous protection is given, if we give that same tremendous protection to the woman, but later she marries, we cannot deal with her. We have to keep her whether we can use her in a proper way or not. Therefore, some such thing had to be laid down which means, so far as I am concerned, absolutely no discrimination as such against a woman or a man.

I am prepared to consider now or later perhaps a better wording of this which the House may suggest. In fact, this is a matter on which I do not think there is any basic difference of opinion. I am not speaking for every hon. Member present here, but by and large I think there is no difference of opinion in this House, on that side or this side or any side. There may be perhaps difference in stress, in explanation, in elucidation. If the present wording is not adequate, we are perfectly prepared to consider, in consultation with others, what would be an adequate wording, later. I am perfectly prepared to consider that either in this House, if the House so wishes it, but probably it is much more convenient to consider it— it is a question of language, wording only—outside the House informally at a later stage, and I can assure the House that if a suitable wording is found, we shall change it. There is no difficulty about changing the wording. But the basic thing has to be met. I do submit that we cannot be tied down by our rigid and hard service rules as they are in matters of this kind because they will raise difficulties.

That is all I wish to submit to the House. I am not speaking about other rules. I do not know much about them, but about this particular matter I have ventured to intervene because I attach great value, great importance to women having equality of opportunity, subject to certain inevitable matters in Services, in professions and the like.

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Hon. Members will forgive my saying so—perhaps most of them—but it is my firm conviction, and I am speaking not lightly, but in all seriousness, that the women of India are of magnificent stuff. I want to be quite clear that I am not talking in the terms of, shall I say, our traditional heroines, good as they are: I am talking in terms of the life and work of today. They can do the job, and any job, I think. May be they cannot do some very heavy physical jobs and the rest. That is a different matter. But they can be excellent engineers, excellent doctors, excellent lawyers, excellent teachers, excellent civil servants. Any job I am sure they can do. It is true that if you suddenly asked me to, let us say, take in large numbers of women in our Army, well, for the moment, I would be taken aback. Logically I might not be able to give an answer, but the fact is, conditions being what they are in the country, other factors—physical endurance and this and that—probably come in the way. Not that I have any basic objection to that. Those things come in the way. And ultimately, it is a question really of our not doing something which, well, is wrong, ignoring, shall I say, completely facts as they are, the facts of social life in our country. I do not want to be tied down to certain old social customs which are out-of-date. It is not that I am referring to. But, if I may venture to say so, today we may talk tall here in this House or elsewhere, as I often do, but the fact is that a woman when she comes to public life has to face enormous difficulties—and that is not the fault of the women, but it is the fault of the man. That is a point of remember. She has to deal with all kinds of gossips, insinuations. If she is tough enough, well, she survives, or, she succumbs; she retires from that life to some haven where this kind of allegation cannot be made easily. That is the real difficulty, not the hard rules that you make or do not make; and it is against that that I would venture to ask all hon. Members here and other people to put themselves against, to prevent this kind of thing

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in our public life, in our professional life, in our scientific and technical life. In our scientific field, we have some brilliant young women and girls working in our national laboratories. So, I venture to say that the real struggle we have to face in this matter—and we have to fight many battles in order to get women's privileges recognized fully—is not by legislation (legislation is good enough, make it better if you like) but really in our social life.

Shri Thimmaiah: I welcome these rules generally. To have a stable and progressive Government, the administrative machinery must be efficient and it should be above politics and above party influence and above any individual influence. These rules regulate not only the official life of an officer, but also to some extent, the private life of an officer, so far as they affect the prestige of his position. I feel the administrative machinery must always be in tact and it must be guided by certain rules and regulations and it must have a sort of discipline which is conducive to the quick disposal of the Government's business, and the administration must be made progressive.

I have tabled some amendments about the reservation of appointments for the Scheduled Castes and the Scheduled Tribes. The reservation order was promulgated, rather issued, by the Home Ministry some years back, but the reservation as it stands has not achieved the desired result. There are reservations for 12½ per cent. of the posts for the Scheduled Caste people, and even today on no occasion this 12½ per cent. is given to the Scheduled Caste candidates. I can understand the difficulties of the Government. There may not be adequate number of candidates available at a time when the examination is held. But there are instances where the adequate number of candidates are available, but they are declared to be unsuitable. The word "unsuitable" used by the Public Services Commission and the Govern-

ment I cannot understand. It has no clear meaning. It is quite vague. If you test a Scheduled Caste candidate along with others you cannot expect him to come up to the general level. I request the hon. Minister to understand the background in which this reservation order is passed. What is the purpose of reservation? What is the object of this reservation? Because the Scheduled Caste candidates are brought up in such an atmosphere, in such unfortunate circumstances, that they cannot acquire so much knowledge, that they cannot read so much of books because of their bad circumstances, and naturally they cannot compete with the general candidates and score such marks as the other candidates score, and naturally, they cannot come up to the general level. I do not mean to say that the general level must be brought down, and that the inefficient candidates must be taken into the administration. But my object is this. Have Government taken any steps to see that the Scheduled Caste candidates come up to the general level? There might be a reservation order, but that reservation order has not achieved the desired results. Therefore, my appeal to the hon. Home Minister is that he should train the Scheduled Castes in a particular branch of administration and absorb them, or if he cannot do so, I would request him, whenever the selection of candidates is made for government posts, to select the best among the Scheduled Caste and Scheduled Tribe candidates. After selecting the best among them, it is possible for Government to train them and absorb them in the service. This is a suggestion which I am humbly putting forth before the hon. Home Minister for his consideration, and I hope he will implement it.

The reason why I am saying this is as follows. If you go on putting this order in the book, and go on saying that no suitable candidate is available, and therefore all the vacancies are treated as unreserved,

if you go on doing like this, I do not think, even for centuries, we could get our quota of 12½ per cent. fulfilled at any time in any year. This is a very practical suggestion that I am putting before this House and the hon. Home Minister.

Next, I come to recruitment through promotion from the State Civil Service. I would request the hon. Minister to remember that whenever a candidate is appointed to the State Civil Service, he is tested first, and only if he is considered to be fit, he is appointed. Therefore, when you make a promotion from the State Services, I do not think any further test is necessary. As it is, I find that the reservation order does not apply to these cases. I would request the hon. Minister to apply the reservation order even in these cases. It is easy for them to get the trained candidates, who are proper and suitable, because they are already in the State Services, and they are sufficiently equipped with experience and knowledge, to be better qualified for promotion. Even there, if you say that he is not suitable or is not up to the general level, I cannot understand what is meant by general level, or what is meant by merit or efficiency.

For instance, some time back, officers to the I.A.S. from the State Services were nominated but no Scheduled Caste officer is there, to the credit of our Government, in the I.A.S. or the I.P.S. When these nominations were made, the contemporaries of the Scheduled Caste officers were nominated, whereas the Scheduled Caste officers who had put in the same number of years, and who had joined on the same day as the others, could not be nominated on the ground that they were not up to the general level or that they were not merited in the consideration of the Union Public Service Commission. With this sort of attitude of Government, I do not think it is possible for the Scheduled Caste candidates ever to come up and have an adequate representation in the administrative machinery. I would, therefore, re-

quest the hon. Home Minister to consider this reservation order in all its aspects, so that the desired results might be achieved.

There is one other point which I would like to touch upon, before I conclude. There is a rule here which says:

"No Member of the Service shall bring, or attempt to bring, any political or other outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his state service."

This is a very good rule, I admit, and I should not want to change it. But I want to make one submission in this regard. There are officers who tease the Scheduled Caste officers unnecessary simply on the ground that they happen to be Scheduled Caste officers. I know of cases of officers who purposely deny due promotion to the Scheduled Caste officers, or ignore their efficiency and write badly in the service records of the Scheduled Caste officers. I do not blame all officers. Many of the officers were very sympathetic to us, but there are certain officers like this also. The whole world cannot be as sincere as our Home Minister; there may be, and in fact, there are some bad officers. So, I would submit that whenever a Scheduled Caste officer is unduly denied his promotion, or his efficiency is ignored, then the Members of Parliament or the State Legislatures have to interfere to come and tell you, here is a case where a Scheduled Caste officer has been meted out injustice. But according to this rule, the Scheduled Caste officer will be put into trouble, if any Member of Parliament or a State Legislature approaches on his behalf. I would request the hon. Member to bear in mind that whenever Scheduled Caste officers are meted out injustice, and whenever we happen to represent such things, these officers will not be affected by this rule. I would request the hon. Minister to see that this rule is construed or

[Shri Thimmaiah]

interpreted liberally, so far as the Scheduled Caste officers are concerned.

Shri Raghuramaiah: My motion is very limited in its scope. It relates to the omission of a certain category of government servants from promotion to the I.A.S. I am quite sure and confident that had the attention of the hon. Home Minister been drawn to it, this omission would not have occurred. I would request the Home Minister to seriously consider whether this omission is really justified, and whether it does not work a great hardship. I am making an appeal to him in the name of this small category of Government servants who are at the moment voiceless.

I am referring to rule 4, which relates to recruitment by various methods to the I.A.S. One is competitive examination, another is promotion of members of the State Civil Service, and thirdly selection in special cases from among persons other than members of a State Civil Service serving in connection with the affairs of a State. Prior to the constitution of the I.A.S., prior to Independence there used to be two methods of recruitment to the Indian Civil Service, one by competition, and another by means of appointment to what are called listed posts. The listed post holders were recruited from among the State Civil servants, mostly or wholly from among people who had experience of the revenue administration. Subsequently, the I.A.S. having been formed, the Government of India was good enough to consider the claims of the vast majority of other government servants, and include in the category of persons entitled to promotion also government servants employed in the State, not necessarily in the Revenue Department. All that I am asking now is that this indulgence shown to government servants outside the Revenue Department in the States should be also shown to government servants here in the Central

Secretariat. I might tell the House that there have been very many brilliant people outside the ranks of the I.A.S., as for instance, some of our Deputy Secretaries who are, unfortunately, as matters now stand, condemned to be eternally Deputy Secretaries. I have known personally many of them, and they are doing their jobs excellently. While in the case of an Assistant Secretary of a State Secretariat, you are now giving power to recruit him into the I.A.S., you are depriving a Deputy Secretary of the Government of India of the same opportunity.

After all, when you say, persons other than members of the State Civil Service, any person in a State service will become eligible for promotion to the Indian Administrative Service. May be he is a Boiler Inspector, may be he is an Engineer, may be he is merely an Assistant Secretary in a provincial secretariat; he will be entitled, by virtue of this rule, provided of course the State Government thinks that he is fit enough and provided the Government of India approve of the selection, to come into the ranks of the Indian Administrative Service. I would like the Home Minister most earnestly to consider why the same privilege, the same advantage and the same opportunity should not be given to a member of the Central Secretariat Service—an able Under-Secretary or an able Deputy Secretary. One argument which might perhaps be advanced is that these people have no actual district experience. But in the case of State servants, I find no such requirement in the rules. As I said, even an Assistant Secretary in a provincial secretariat, although he would have had no district experience, would be entitled, under this rule, for recruitment into the Indian Administrative Service. By what logic can we deny the same opportunity to an Under-Secretary or a Deputy Secretary now working in the Central Secretariat.

I know personally of cases where persons without even the least practical experience in the districts have been

posted even as Secretaries of State Governments. There has been patronage going on. But I am not asking that that should be made a rule. I certainly agree that some amount of practical district experience may be necessary for persons recruited to the Indian Administrative Service, but what I do affirm and most earnestly request the Home Minister to remember is that there should not be any distinction made between a State civil servant and a Central civil servant in this regard. As far as that experience is concerned, are there not cases where persons working in the Central Secretariat have been sent out to the mofussil for revenue training. If practical experience in the district is necessary—and I do agree that it may be necessary—will it be impossible for the Government to send such of those who by their brilliance make themselves qualified for recruitment to the Indian Administrative Service for a little training in the districts? Is it impossible? The case is so clear for the inclusion of this category of Central Secretariat servants, that all I can say is that the matter was not properly placed before the Home Minister—in the manner it should have been put.

My object in making this motion is only that the Home Minister should bring his personal attention to bear on this subject, consider the hardship, the injustice, the unfairness that will work out on this particular category of government servants and place them on the same footing at least as those civil servants from the States who are not now in the revenue department. This is, after all, so obvious a case. It must strike any person who reads this rule that something has been left out. I am really surprised that this matter has not been brought to the notice of the Home Minister. I do not want to say anything more than that. Now that the matter has been brought to his notice, I hope he will see that justice is done to these deserving people in the Secretariat.

Mr. Chairman: Before I call any other Member, I may make it clear to the House that the time allotted for

discussion of these motions was 2½ hours. According to the time-table, this discussion should close at 5-30 P.M. Now, at least half an hour will be taken by the hon. Minister and the hon. Deputy Minister for Home Affairs. That means I will not be able to accommodate as many speakers as I would like to. Under these circumstances, I would just take the sense of the House. If they want to prolong the debate, I have no objection; we can have half an hour more so that more speakers may get time.

Kumari Annie Mascarene: Those of us who have signed the motion may be given at least five or ten minutes each to speak.

Mr. Chairman: I want that as many Members as possible may take part in this debate. So many lady Members have sent chits to me. I do not want to discriminate; I want that every lady Member may get a chance. But my difficulty is that the time is so short that I will not be able to accommodate them all. Therefore, I desire that the House agrees to prolong the discussion by half an hour.

Some Hon. Members: Yes.

Sardar A. S. Saigal (Bilaspur): Up to 6 P.M.

Mr. Chairman: But then there is another discussion for half an hour.

Shrimati Sucheta Kripalani (New Delhi): Tomorrow.

Mr. Chairman: I do not want that the hon. Member, Mr. H. N. Mukerjee, should be deprived of the right to discuss the matter. At the same time, I would make it clear to the House that if there is no quorum, I will not get the count made. I must see that the whole thing is finished and he should not be deprived of his right by the fact that many Members agree to prolong the debate and then run away as soon as discussion on these motions finishes. I would, therefore, request hon. Members to kindly continue sitting and finish the business of the House, or I shall not count the Members at the time when this is discussed.

[Mr. Chairman]

Now, Shrimati Khongmen. I would also make a request to Members to kindly take as little time as possible.

Shrimati Khongmen (Autonomous Distts.—Reserved—Sch. Tribes): I fully realise the very heavy responsibility that rests on the able and strong shoulders of the hon. the Home Minister. He has to see that the services of this country must be run efficiently, sufficiently and expeditiously, if she has to progress and if she has to prosper. I can understand his anxiety to have the best of talents in the administration of the country, and in shaping its destiny. He, therefore, needs necessarily to proceed cautiously, methodically and firmly. But with all respect to his age, wisdom and experience, I cannot appreciate the way he wants to execute his decision.

The motion has already been moved by Shrimati Jayashri Raiji and it was already read by the hon. the Prime Minister. So I am not going to read it again. Fortunately or unfortunately, we have given a Constitution to ourselves and it is my earnest belief that all its provisions, as laid down therein, must be carried out without any fear or favour. Why then this discrimination made between man and woman? Appointment to the IAS is made after careful selection, and after all, the candidates pass the competitive examination. Why should then there be a bar for married women to enter such service if found suitable for the post? I could not think of a more absurd provision than this. I think it is ridiculous to say that a woman, when married and has children, should cease to be efficient. On the contrary, it is expected that a woman, when married, would gain more experience and would be more conscious of her duties and responsibilities.

The other day in the other House the hon. Home Minister was pleased to say that the first duty of a mother was to look after her child.

Dr. Katju: Am I wrong?

Shrimati Khongmen: No, and I entirely agree with him, but she need not neglect other duties on account of that. I thank him for his sympathetic consideration shown to women. But shall I tell him that as a mother, I feel it not only a duty but a pleasure and a privilege to bring up children?

Dr. Katju: I would like hon. Members to listen to my hon. friend.

4 P.M.

Shrimati Khongmen: I think I express a view of all my sisters here in this House and outside. Therefore, she wants to toil, to earn their bread, to educate them to the best of her abilities. So why must such rules and regulations stand in her way? I do expect encouragement and support from him to help open wide the door for women to enter service in IAS or otherwise. I am extremely sorry to say that I cannot accept the advice given by him to my sisters in the other House. I want no sermons on the art of home-making and child rearing from the hon. Home Minister. Such monopoly may best be left to women themselves. I dare say with all humility that women are no less conscious of their duties and responsibilities entrusted to them than men. When duty called they never lagged behind. When we were summoned by the President according to the provisions in our Constitution, in responding to the call, some of us with babes in arms travelled thousands of miles in not too comfortable second class compartments in coming to this august House. The hon. Minister may say that the case of the Members of Parliament is different. If that be so may I tell him that during the freedom movement, expectant mothers and mothers with new-born babes went to jail and suffered along with men. Was the Home Minister then there to give advice, may I ask. What happened to the children of those women? Of course, I do not expect to get a proper answer from the hon. Minister. Instances of women of ability, ability to suffer, to serve

and to render all kinds of services under the most difficult circumstances are too numerous and I do not intend to mention them here.

Here, by this provision, you are going to deprive them of the honour of serving the country, to earn the bread for the children, and to supplement the family income. Have we no right to enter such services? I cannot understand what is put here in this provision. Is there a more absurd thing than this to think that a woman found to be efficient in service should, suddenly, cease to be efficient the moment she gets married? This, I feel, is an insult to womanhood. It cannot be true. I have every faith in the efficiency and ability of our women. I therefore appeal and request the hon. Home Minister, with all the emphasis at my command, to revise this Rule. Yesterday, the Deputy-Speaker was pleased to say that he, the Home Minister, possesses a warm heart and, in his own words, he is in the habit of reviewing and revising his own mind in many matters.

I am really thankful for the high tributes paid to women by the hon. Prime Minister. I wish with all my heart that the hon. Home Minister shares his views. I really find in him the only friend and leader who really understands men as well as women. I, therefore, trust that he will use his influence in this matter and make necessary changes he thinks best suited to the interests of women.

Shrimati Sucheta Kripalani: Mr. Chairman, the motion moved by Shrimati Jayashri Rajji seeks the deletion of sub-rule (3) of Rule 5 of the Indian Administrative Service (Recruitment) Rules and the Indian Police Service (Recruitment) Rules. I consider this sub-rule as highly discriminatory against women; and not only women but even a large section of men are shocked to see this rule introduced in the Civil Service Recruitment Rules.

This has come as a surprise and a shock to us because it is quite con-

trary to the spirit that has been guiding the policy of the administration since we attained freedom. It is also against all informed and progressive social opinion in this country. After the attainment of freedom, what has been the policy of Government? Just now, our Prime Minister has told us that the policy was to give equal opportunities to all. The Government opened new avenues of work and opportunity for women. There was also a recognition that women are capable of shouldering responsibility equally well. We have seen, during the last few years, women holding the highest positions in this country. We have seen women who are mothers of children as Ambassadors, as Governors, as Ministers and in various other walks of life. Wherever we sent them, they have earned a good name, they have worked efficiently and with credit. After that, I cannot see any reason for framing this kind of discriminatory rule in the Government service rules.

I do realise that the position of women in India, perhaps, is even better than in some of the other so-called progressive countries of the West. The attitude of men towards women, on the whole, is very good. For that, what is the reason? We have not to seek the reason very far. The reason is our recent history. We were very fortunate to have, as our leader, Mahatma Gandhi. He was not only sympathetic towards the Harijans, towards all backward people, but his great understanding of women and sympathy for them is known to all of us. He was very anxious to bring us forward; he was very anxious to remove all discriminations that were there against us. I remember—it is just like a picture before me—once when I was speaking with him, a few months before his death, he said:

“मैं नाचंगा और बहुत खुश होऊंगा जब हिन्दुस्तान का राष्ट्रपति एक औरत होगी और हीरिजन होगी।”

He wanted the lowest among us, the most depressed amongst us to fill the highest post. That was the atti-

[Shrimati Sucheta Kripalani]

tude of Gandhiji and with great deal of affection and care he brought us forward. Thus he created an atmosphere in the country and the leaders who followed Mahatma Gandhi are actuated by the same spirit. That is why, perhaps, we have had a better and easier time than women in many other countries, who have had to struggle for their rights.

How have these rights come to us? They have not come to us as a boon conferred on us by men. They have come to us as a result of our efforts during the last 30 or 40 years. Our women have acquitted themselves very well; women who were in the farthest villages, uneducated women, women from the poorest to the richest homes never hesitated to bear the utmost hardships in the struggle for freedom. We were not afraid; we were sent to the most risky and dangerous places and we fulfilled our obligation just as men. In recognition of our services rendered to the freedom struggle we have attained our rights, we have attained this position. That is why these rules are a great shock to me. I was greatly surprised when I saw this discriminatory clause.

Besides, I feel that this rule is quite repugnant to the Constitution. I request you, Sir, to refer to articles 14, 15 and 16 of our Constitution. I am sure if this matter were taken to the courts, it would be declared *ultra vires*. Article 16 says that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. In the Constitution, in another article, we have said that there shall be no discrimination on grounds of religion, race, caste or sex. So, when we have made such provision in the Constitution, how this rule can be framed is beyond my understanding.

In arguing his case, I suppose the hon. Home Minister will say that women who are mothers of children cannot perform certain functions and cannot efficiently carry on their work. I would like to remind the hon.

Home Minister that in other parts of the world, we have seen women, mothers of children, performing the most difficult tasks. I went to Russia a few months back. There, to my very pleasant surprise, I discovered not in the western part of Russia but in the eastern or Asiatic Russia—in Uzbekistan,—we visited the Farhad dam, there we found a tablet with the names of three women inscribed there. That was in memory of the women who had built up that dam. The heaviest tasks have been performed by Russian and Chinese Women. As our Prime Minister just now mentioned, that Indian women have in no way shown that they are backward, why then do you want this discrimination in the rules? We have also to think of other things. When you make such a provision that on the grounds of inefficiency the women may be dismissed, you open the door for discrimination, you open the door for exploitation, you open the door for oppression of women. Suppose a woman worker has fallen out with her superior officer, then he can make this ground to harass and get her out. Therefore, I consider such rules as not only repugnant to the Constitution but also highly unfair.

Now-a-days, with the present state of economic condition in the country, many women are the bread-winners of the family, many women have to support their sisters and brothers and many women have to support their husbands' families. Suppose a woman worker is dismissed from service, what happens to the members of her family? You must think twice before you pass such rules. I would also appeal to you that instead of having this provision in this crude and blatantly discriminatory form, which can hardly stand the scrutiny of law you can do something else. Suppose a girl is married and she is not able to perform her functions efficiently she can be persuaded to resign. I am sure the women of India, have got enough honesty and sense of responsibility to realise that if they cannot perform their duties they

should vacate the posts. I am sure if she is treated properly, if she is handled properly, she will be ready to resign her post. Therefore, it will be very wrong to pass this kind of rule against the women of India who have done their duty and played their role to help you in the fight for freedom and in building up the nation. It is a very iniquitous provision and I hope the hon. Home Minister will remove it from the rules.

Kumari Annie Mascarene: I rise to oppose the rule framed against women and to support the motion of Mr. V. P. Nayar.

These rules are framed to maintain efficiency, discipline and character in service. I quite agree with the Home Minister if the object of framing this rule was to attain these objectives without discrimination of sex. The Prime Minister has given us an assurance that the rule is only permissive because the word "may" is there. and from his speech, I understood—may be I have not understood him correctly—that it was a measure to prevent men from committing bigamy or something of the sort. If that is the meaning implied in that permissive rule, I beg to submit that much might be said on both sides. The Prime Minister said that women coming into public life find many difficulties and men are responsible for them. It may be so but I say that when we come into public life, we must be prepared to fight the battle and we are equally responsible, especially when we come across combustible materials. I have heard many a scandal in the service of the Central Secretariat with regard to women workers. I am not surprised in the Home Minister framing such a rule to prevent such misbehaviour, but I wish to tell him that these are exceptional cases and you cannot frame a rule from exceptional cases. If you do frame a rule based on exceptional cases, I request you please to be generous enough and impartial enough to apply it to both sexes. That is the attitude I have taken to

this rule. The question of married women entering public service has engaged the attention of not only the Home Minister of India, but the Home Minister in U.K., in America, in Russia, in China, in fact, all over the world. In the U.K. this question came for discussion and Mr. W. A. Robson has written a book *The British Civil Servant*, and in that book he has given his arguments on the subject. It is said that woman cannot find sufficient time to attend to public service when she has a home, and he replies to it by saying—

"It is barely susceptible to logic since it enlists passion and prejudice and the whole force of traditional resistance to changes in the structure of society."

He goes on further to say—

"In actual plain fact, however, the employment of married women in the higher grades of the Civil Service would not raise such tremendous issues, and would not, if permitted, cause any wholesale dislocation of the family system. What would happen, if the marriage bar were removed, is what ought to happen if the admission of women to public administration is to have its true effect, and that is that a mixed sample of the educated female population would be available and would be used by the Government for its own work. Many women, no doubt, would voluntarily leave the service on their marriage, but those who stayed on would be those to whom the work itself was particularly appropriate. Marriage would act automatically as a sort of selective test, and those who survived it and remained in the Civil Service would be the good stuff which would be particularly useful."

[Mr. SPEAKER in the Chair.]

How can public service remain representative if it cut off married women from service? I say they become more and more qualified and

[Kumari Annie Mascarene]

specialised because they are married women. As the Prime Minister agreed, a married woman as a teacher is much better than an unmarried woman, and so also a married woman as a nurse is still better than an unmarried nurse. This is the position in public health and in teaching. When I went to the U.S.S.R., I noticed that there is no field where women have not entered, and when I asked I was told that during the second world war, nine million men had been killed and their places had to be filled up by women, and the women rose to the occasion and they have discharged their duty to the best of their capacity and have built up the Russian nation today. I find that in Russia no man has any quarrel for women entering any field of service. I have seen them as engineers, I have seen them as architects, I have seen them running motor cars, lorries and trains. I have seen them as station masters and in all capacities and they have not maintained their homes unhappy. On the other hand, I am glad to tell you that married life in Russia is quite different from what it is represented to us here. There, the married life is rendered very happy by employing both husband and wife in service and they have a rule that a husband who keeps the wife at home is penalised by asking him to pay a tax of 90 roubles a year. The moment she is employed, he has not to pay the tax. I asked the reason and they told me that the economic independence on the part of husband and wife is an insurance against bad character and they lead quite a happy married life. The children's provision is made by the State who looks after the children and sends them to school. Home is not broken. The children are not brought up by the State as we are told. The home is not broken and I have visited many homes of the rich and the poor and I have found that the father, the mother and the children are enjoying complete family life and they are all happy. Therefore, this rule is peculiar to the Home

Minister and he can rest assured that when he stands for the next election, we shall vote him out.

The writer goes further and says—

"In so far, then, as the admission of women to the Civil Service is designed to bring the administration into closer relation with the tone and temper of the public which it serves, the marriage bar frustrates that object. Until it is removed, and until public servants can be drawn from the most appropriate members of all sections of the community, the chief advantage which women can bring will remain limited and restricted; and no fear of innovation, or of staff complication, ought to be allowed to interfere with the fullest development of the service."

In support of your permissive rule I wish to say only one thing that it is perhaps necessary to maintain the character in the Civil Service. Sir, it is very necessary that women who enter the Civil Service should maintain the integrity of the public service by their serious and business-like character. I do not agree with those women who come into public service to ruin and destroy homes and encourage men to commit bigamy. Woman is as much to be blamed as man is, because there are some women as there are many such men that this rule had to come into prominence. Sir, you will please take stringent measures not only on the man who commits bigamy, but the woman who helps to commit bigamy. Dismiss both from service. That will be a better course to adopt than retaining a record of disqualification on my sex from generation to generation.

The Prime Minister said that it is only permissive. The moment he is gone, the moment people like him who steer the ship of State today are gone from their positions, this rule will

become rigid and precedents will be created to confirm this rule and take away the character of permissiveness from it. The Prime Minister, we know, is well-meaning, and sincere, but we cannot take it as an assurance for a long time to come. We want the removal of this clause. If you retain this clause, please apply it to both the sexes and do not show any discrimination in this age when in our struggle for freedom we stood shoulder to shoulder with you. Let us continue to stand shoulder to shoulder in future also and by our unstinted service and sacrifice and co-operation build a solid nation.

श्रीमती सुभद्रा जोशी (करनाल) : अध्यक्ष महोदय, अभी रूलस के बारे में हम में से बहुत से लोग यहां एतराज करने के लिए बैठे हुए हैं। रूल २ और २ को साथ साथ देखकर, जिसमें पहले में यह है कि दो बीबी वाले पुरुष को नौकरी नहीं मिलनी चाहिए, और दूसरे में यह है कि मैरिज वीमेन पर रेस्ट्रिक्शन लगाये गये हैं, ऐसा मालूम होता है कि जो सरकार ने पहले में अच्छा काम किया है उसकी नाराजगी वह दूसरे में ले आयी है। इससे ऐसा मालूम होता है कि जहां पहले रूल से औरतों को कुछ दिया गया है वहां दूसरे रूल से नाराज होकर उनसे वह चीज छीनने की चेष्टा की गयी है। अभी प्राइम मिनिस्टर के एश्योरेंस के बाद हम लोगों को कुछ तसल्ली जरूर हुई और यह मालूम हुआ कि यह रूल बनाते वक्त दो चीजें उनके सामने थीं। एक तो गवर्नमेंट सरविसेज में एफीशेंसी की बात थी और दूसरे यह कि घर सैपरेट न हों और औरत अपना फर्ज अदा कर सके, बच्चों को देखभाल सके और दूसरे काम कर सके। तो इन चीजों को सामने रखकर ये रूल लाये गये हैं। जहां तक एफीशेंसी का ताल्लुक है उसके बाबत में यह कहती हूँ कि इस बात की गवर्नमेंट को पावर होनी चाहिए कि चाहे वह पुरुष हो या स्त्री हो इन एफीशेंसी की वजह से उसको हटाया जा सके। लेकिन शादी का खास ताल्लुक इन एफीशेंसी से हो सकता है और वह पुरुषों के लिए नहीं हो सकता है सिर्फ औरतों के लिए ही हो सकता है यह बात मेरी समझ में नहीं

आती। हमारे प्राइम मिनिस्टर साहब ने कहा कि जब पति-पत्नी दोनों नौकरी करते होते हैं तो उनका ट्रांसफर करने में बड़ी दिक्कत होती है कि एक को कहां भेज दें और दूसरे को कहां भेज दें। अगर उनको अलग-अलग कर दिया जाता है तो इससे एफीशेंसी में कमी आ जाती है। हम लोगों के पास रात दिन सरकारी मुलाजिम आते रहते हैं और हमको अपनी तकलीफें सुनाते हैं। वह कहते हैं कि अगर हमारा ट्रांसफर यहां से हो गया तो हमारे बच्चे नहीं पढ़ सकेंगे और भी बहुत सी दिक्कतें हो जायेंगी और इसलिए हम चाहते हैं कि हमारा पोस्टिंग एक खास जगह हो, लेकिन इन सब चीजों को देखते हुए भी सरकार को अधिकार है कि वह जहां चाहे उनका ट्रांसफर कर सकती है और चाहे जहां उनका पोस्टिंग कर सकती है। इसी तरह से जो बहिनें इस किस्म की नौकरी करेंगी और शादी शुदा होंगी या बाद में शादी करेंगी तो यह उनके देखने की बात है। सरकार के ऊपर यह देखने की पाबन्दी नहीं होनी चाहिए कि वह उनको अलग करेंगी या कहां रखेंगी। अगर सरकार यह देखती है तो बहुत अच्छा है। लेकिन जो बहिन नौकरी करती हैं वह यह उम्मीद नहीं रखती हैं कि रूलस के मुताबिक सरकार उसकी इन सब चीजों को देखे जिसमें कि उसके लिए दिक्कत पैदा हो।

दूसरी बात है औरतों को प्रोटैक्शन देने की। जैसा कि यहां पर कोट किया जा रहा है, हमारे हािम मिनिस्टर साहब ने कहा कि स्त्री का फर्ज है कि वह अपने बच्चे की देखभाल करे। यह बात ठीक है। मैं तो चाहती हूँ कि ऐसी अवस्था आ जावे कि इस देश में किसी शादी शुदा औरत को नौकरी करने की जरूरत ही न पड़े। मैं तो चाहती हूँ कि सरकार कोई ऐसा प्रबन्ध करे देती कि शादी शुदा औरत को चाहे उसके बच्चे पालने के लिए हों या न हों या घर का काम संभालने के लिए हो या न हो उसको नौकर करने की जरूरत न पड़े। लेकिन आजकल की अवस्था में कोई ऐसी बात नहीं की जा सकती। मैं उन बहिनों को देखती हूँ जो अपने घरों से बच्चों को उठाकर लाती हैं और सड़क

[श्रीमती सुभद्रा जोशी]

पर रख देती हैं और मजदूरी करती हैं, तसलें उठाती हैं, मंहेनत करती हैं, भीख मांगती हैं और न मालूम क्या क्या काम करती हैं। अगर बच्चों का पालन और घर गृहस्थी को ठीक से चलाने की बात है तो उन लाखों बहिनों को सुविधा मिलनी चाहिए कि वे अपने घरों में रह कर बच्चों को पालें और घर गृहस्थी का काम अच्छी तरह से करें। उनको कोई सुविधा न देकर आप उस स्त्री के लिए जो कि एक ऊंची पोस्ट पर हैं, और जो अपने बच्चों के लिए नौकर रख सकती हैं, आया रख सकती हैं और हजारों तरह के इन्तजाम कर सकती हैं, यह प्रतिबन्ध लगाना चाहते हैं। जिनको छोटी छोटी तनखाहें मिलती हैं जैसे टीचर हैं उनको तो बच्चों के पालने में और भी दिक्कत होती होगी। पर उनके लिए आप यह प्रतिबन्ध नहीं लगाते। पर उस पर यह प्रतिबन्ध लगाते हैं जिसको ज्यादा तनखाह मिलती है और जो हर तरह से अपने बच्चों का इन्तजाम कर सकती है।

जहां तक सेपेरेशन का संबंध है, भी चाहती हूँ कि शादी शुदा लोग अलग न किये जायें और जहां तक हो सकता है साथ रहें। लेकिन हजारों ऐसे केसेज हो सकते हैं, जैसा कि अभी सुचेता बहिन ने कहा, कि बच्चों का पालने के लिए स्त्रियों को काम करना पड़े। हो सकता है कि किसी का पीत काम न कर सकता हो, अनएम्प्लायड हो या इनवीलड हो गया हो। तो ऐसे हालात हो सकते हैं कि उसको काम करने की जरूरत हो। और फिर दूसरी चीज जो हमको सांचनी है वह यह है कि स्त्री की भी अपनी एक जिन्दगी होती है। आज यह पीत के साथ है, साँभाग्य शालिनी हैं और उसके पास सब कुछ है। कल को हो सकता है कि उसे अपने पैरों पर खड़ा होना पड़े, उसको अपनी जिन्दगी अलग बसर करनी पड़े। शादी उसके लिए कोई आखिरी चीज नहीं है। तो ऐसी हालत में उसके हास्ते में रोई अटका देना कि वह अपने पैरों पर खड़ी न हो सके कहां तक ठीक होगा। हो सकता है कि उसके पास पैसा न हो और उसको काम करना पड़े। तो ऐसी हालत में

उसके हास्ते में रुकावट डाल देना मुनासिब नहीं होगा।

फिर इसमें लिखा है "where a woman appointed to the Service subsequently marries....".

जैसा कि सुचेता बहिन ने कहा इन शब्दों का मुनासिब तौर पर इस्तेमाल हो सकता है या ऐसा भी हो सकता है कि अगर कोई औरत जो कि नौकरी में आ गयी है शादी करना चाहे तो उसके ऊपर के अफसर उसमें बैजा तौर पर रुकावट डालें। मैं कहती हूँ कि फर्ज कीजिये उस औरत ने जो सर्विस में है शादी की, तो जो उसका इम्प्लायमेंट अफसर है जिसके हाथ में ताकत हो वह अगर उस औरत को अपने काम में इनएफिशेंट पाये तो अलबत्ता उसको हटा देना चाहिये। मीरज इस सम्बन्ध में कोई आखिरी चीज नहीं हो सकती है। फर्ज कीजिये कल को उसका आदमी मर गया तो फिर आप क्या उसको सर्विस में रखेंगे और अगर रखेंगे तो फिर से उसका एम्प्लायमेंट होगा या उसकी पिछली सर्विस जो उसने उस शादी के पहले की थी वह भी जोड़ी जायगी, सारी सर्विस उसकी कंटीन्यू समझी जायगी, उस केस में होम मिनिस्ट्री क्या करेगी। शादी एक ऐसी चीज है जो एक एक्सीडेंट से होती है, यह अच्छी भी होती है और बुरी भी होती है और शादी के ही कारण उस की रोज की जिन्दगी में एक रुकावट पैदा करना या उस पर कोई ऐसी शर्त लगा देना यह एक औरत के लिये बहुत अच्छी बात नहीं है। मैं यह नहीं कहना चाहती हूँ कि यह जो रूल या शर्त रखी गयी है वह संविधान के अनुकूल है या नहीं लेकिन मैं तो अपने होम मिनिस्टर साहब से यहां तक दरखास्त करूंगी कि अगर बिलफर्ज यह आपकी शर्त कांस्टीट्यूशन के मुताबिक भी हो तो भी ऐसी शर्त नहीं रखनी चाहिये और आपको कांस्टीट्यूशन में भी अमेंडमेंट करने की कृपा करनी चाहिये।

एक आखिरी बात जो मैं कहना चाहती हूँ वह यह है कि चाहे वह औरतों की मदद करने

के ह्याल से, दखी जाय और चाहे वह नौकरी में एफिशेंसी के लिहाज से दखी जाय, वह पाबन्दी कुछ तो मुनासिब मालूम होती है पर, अध्यक्ष महोदय, इस सम्बन्ध में जो सब से नामुनासिब बात मालूम दती है वह यह है कि यह जो डिस्क्रीशन है कि आत्म अब उसको काम करना चाहिये या नहीं करना चाहिये, उसको अपनी फीमली से संपरेंट होना चाहिये या नहीं होना चाहिये, इतनी दूर सर्विस पर जाना चाहिये या नहीं जाना चाहिये, इन सारी बातों का फ़सला उस औरत पर छोड़ा जाना चाहिये जो नौकरी करती है, इसका फ़सला जो नौकरी दता है उस पर नहीं छोड़ना चाहिये। अगर वह औरत एसा समझती है कि उसको फीमली छोड़ कर अलग दूर जगह नहीं जाना चाहिये तो उसको काम छोड़ देना चाहिये पर यह शर्त लगा देना और यह कहना कि यह अच्छा मॉटव से हम लगा रहे हैं, हम नहीं चाहते कि वह अपनी फीमली से अलग हो, हम चाहते हैं कि वह अपने घर बालों के साथ रहे, मॉटव आपका अच्छा हो सकता है पर मेरी अर्ज है कि इन तमाम चीजों का फ़सला जो नौकरी करता है उस पर छोड़ देना चाहिये, जो नौकरी दता है उस पर नहीं छोड़ना चाहिये। जहां तक इनएफिशेंसी का सम्बन्ध है, मेरा कहना यह है कि अगर शाकी की बजह से इनएफिशेंसी साबित होती है या किसी भी बजह से हो, एसी हालत में चाहे वह पुरुष हो या स्त्री हो, इनएफिशेंसी साबित होने पर जो मचर्नमेंट के पास हमेशा वह पावर होती चाहिये कि चाहे कोई पुरुष हो या स्त्री उसको सर्विस से निकालने का अधिकार उनके हाथ में होना चाहिये। मीरिज का उससे कोई ताल्लुक रखना न्यायपूर्ण बात नहीं मालूम होती है।

Shrimati Sushama Sen: I quite agree with the last speaker that women should be given the discretion whether they are capable of taking up any service or not.

This is a discrimination against married women. Women have been granted equal status as men under the Constitution. If such a provision is not against men on the statute-book,

why should this ban be put on the statute book in respect of women?

It is a well recognised fact and accepted principle in every country in the world today that women also participate in every branch of nation-building activities. Otherwise the country cannot go forward. Indian women have shown their worth by taking a leading part in the struggle for freedom. They have gone into prisons with children in their arms and made enormous sacrifices. So how can it be said that women cannot make these sacrifices and they are not efficient? Married women can be as efficient as any one else, provided the State provides these safeguards and conditions which will ensure educational, health and economic welfare of their children.

The Leader of the House has given us an assurance that the rule has no static sanctity and is only a permissive clause. We hope that it will be so. Because, this ban to be put on the statute-book is really a slur on our Constitution. And I would appeal to the Leader of the House, who is not present in the House at the moment, and to the Home Minister to consider that this ban on women should not be on the statute-book. I would again request them to have it removed as soon as possible. Since the Leader of the House has given us this assurance I am sure he will do it, as he is the champion of the women's cause. We know that most of us are here on account of our Leader, Shri Jawaharlal Nehru, and I am sure that he will have this removed from the statute-book.

श्रीमती तारकेश्वरी सिन्हा (पटना पूर्व) : अध्यक्ष महोदय, दर असल जो कुछ हमारी पहल की बहिनों ने अपनी बातों में कहा है, मुझे उसी को दुहराना है। पर वह दुहराना इसलिये है कि हम जो यहां पर दस औरतें हैं या बीस औरतें और जो हम कहते हैं वह खाली हम दस या बीस औरतों की आवाज नहीं है, बल्कि हम उन औरतों को देख रही हैं जो अपने घरों में

[श्रीमती तारकेश्वरी सिन्हा]

बैठी हैं, चाहे यह रूल्स उनकी रोजमर्रा की जिन्दगी में आये या न आये लेकिन वह चाहती हैं कि एंसा डिसिफ्रीमनेशन उनके साथ न होना चाहिये, क्योंकि वह भी औरत हैं और एक औरत की कठिनाइयों, मजबूरियों और तकलीफों को समझती हैं। और इस कारण मुझे इस बात की यककी उम्मीद है कि उनकी सद्भावना हमारे साथ है। इसीलिये हम जो भी यहां इस हाउस में दस, पांच औरतें बैठी हैं हम उन औरतों की तरफ से यहां अपनी बातें रखने का हक रखती हैं।

सन् १९५० जनवरी महीने का वह दिन मुझे याद आता है जब कि विधान में हमारी औरतों को और जो हमारे पिछड़े हुए लोग थे हिन्दुस्तान के, उनको हमने बड़ी जोर से पुकार कर कहा था, बहुत से महानुभाव जो हमारी कांस्टीट्यूट असेम्बली में थे, आज भी यहां हैं उन्होंने भी उस दिन जोर से आवाज दे कर कहा था कि औरतों को बराबरी का हक मिलना चाहिये। कांस्टीट्यूट असेम्बली ने इस बात को यास किया कि किसी भी हालत में किसी भी परिस्थिति में औरतों को दस के किसी भी काम से या समाज के किसी भी काम से महरूम नहीं रखा जायेगा और उन्हें मर्दों के समान माँका दिया जायेगा, लेकिन आज हम देखते हैं कि हमने भारतीय प्रजातंत्र की सातवीं वर्ष गांठ मनाई तो हमें अपने स्वाधीन भारत के गृहमंत्री की ओर से सौगात मिलती है कि औरतों तुम पीछे हटो। मंश मतलब उन हमारी बहिनों से नहीं है जो सामाजिक या राजनीतिक क्षेत्र में काम कर रही हैं या जैसे हम लोक सभा की सदस्य हैं, क्योंकि वह सर्विस रूल्स हम पर लागू नहीं होते। लेकिन जो हमारी बहिनें आज उस परिस्थिति में हैं और सरकारी पदों पर काम कर रही हैं, आज यह पाबन्दी आपने उन पर रख दी है जो मेरी समझ में उचित नहीं है। मेरे पास आंकड़ें हैं, मुझे समझ में नहीं आ रहा है कि सरकार ने क्या देखा और क्या उसको एंसी जरूरत पेश आयी जो उन्होंने शादी शुदा औरतों के रास्ते में यह कांट बिछा दिये। मुझे

अभी डिप्टी होम मिनिस्टर साहब से जो आंकड़ें मिले हैं उनके अनुसार मैं आपको बताऊं कि आज हमारी आई० ए० एस० सर्विस में कुल सात औरतें हैं जिनमें से केवल एक ही औरत शादीशुदा है। फारन सर्विस में पांच औरतें हैं और पांचों की पांचों गैर शादी शुदा हैं। जहां तक पुलिस सर्विस का सवाल है वहां एंसा कोई सवाल ही नहीं है क्योंकि वहां कोई औरत नहीं है। अब भला बतलाइये कि सारी सर्विसेज में केवल एक औरत है जो शादी शुदा है और जिसके खिलाफ आप इस तरह की पाबन्दी लगाने जा रहे हैं। हम समझते थे कि गृह मंत्री जी बड़े बुजुर्ग हैं और जो कम उम्र के लोग हैं, उन सब से ज्यादा हमारी तकलीफों और कठिनाइयों की ओर सहानुभूति रखते होंगे। परन्तु गृह मंत्री जी के ही राज्य में और उन्हीं के हाथों से एंसा कठाराघात हमारे हकों पर हुआ यह हमारे लिये बड़ी शोचनीय और शोक की बात है, और उस के लिये हम कभी भी गृह मंत्री जी को माफ नहीं कर सकते। सिर्फ एक औरत शादीशुदा है जिस के लिये हमारे गृह मंत्री जी ने यह कानून बनाया है, आखिर क्यों? अगर कोई बात भी तो वह उस को हाउस के सामने ला कर रखते कि इस औरत ने इंडियन एडमिनिस्ट्रीटिव सर्विस में अच्छा काम नहीं किया। उन के महकमे में एक औरत डिप्टी सेक्रेटरी हैं, वह यहां बैठी हुई थीं, अभी उठ कर चली गई हैं। मैं पूछती हूँ कि कौन सा माँका उन्होंने यह कहने का दिया है कि उन्होंने अच्छा काम नहीं किया? औरतें जो डिपार्टमेंट में हैं उन के काम के आंकड़ें रखे जाते और बताया जाता कि औरतों ने अच्छा काम नहीं किया और उनके काम की शिकायत आई है, तो हमारी आंखें झुक जातीं। परन्तु हमारे गृह मंत्री साहब कहते हैं कि वह बच्चों को नहीं पाल सकेंगी। बच्चों को संभालने की जिम्मेदारी मां के बदले में हमारे गृह मंत्री जी ने ले ली है यह एक अजीब सी चीज है।

डा० काटजू : मातायें न करें तो कौन करें ?

श्रीमती तारकेश्वरी सिन्हा : मैं इस का जवाब भी गृह मंत्री जी को दूंगी।

[PANDIT THAKUR DAS BHARGAVA
in the chair.]

जिस दिन परमेश्वर ने आँसू को पैदा किया था उस के अन्दर मां बनने की भावना को भर दिया था। इस की बात आप उस से पूछिये जो कि मां हैं। आप उस की तकलीफों का और कठिनाइयों का मुकाबला न सोचने में कर सकते हैं और न समझने में।

डा० काटजू : यह ठीक है।

श्रीमती तारकेश्वरी सिन्हा : इसीलिये कि वह औरत पहले मां हैं बाद में और कुछ। परन्तु वह नौकरी करने को, अपने माता के धर्म को और अपनी जिम्मेदारियों को पूरा करने के लिये भी मजबूर हो सकती हैं। पहले औरतें कभी नौकरी नहीं किया करती थीं। नौकरी करने में कोई बड़ा मजा नहीं आता है। मैं अपने होम मिनिस्टर साहब को बतलाना चाहती हूँ कि नौकरी करने के रास्ते में औरत के लिये फूल नहीं बिछाए हुए हैं।

डा० काटजू : मालूम तो ऐसा ही होता है।

श्रीमती तारकेश्वरी सिन्हा : मैं बताती हूँ। दो ही कारणों से औरतें नौकरी करती हैं। एक तो परिस्थितियों से मजबूर हो कर, शायद उन का पति लायक न हो और वह बच्चों की परवरिश न कर सकता हो, औरत की परवरिश न कर सकता हो, मां बाप की परवरिश न कर सकता हो, इस लिये औरतों को नौकरी करनी पड़ती है। दूसरी औरतें जो नौकरी करती हैं वह इसीलिये कि वह बहुत अच्छा काम कर सकती हैं और वह अपनी योग्यता को घर के बर्तनों को साफ करने या रोटी बनाने में ही खर्च नहीं करना चाहतीं। परन्तु इस का मतलब यह नहीं है कि जो माता का कर्तव्य है वह उस को छोड़ देती हैं, पति के प्रति जो उन का कर्तव्य है उस को छोड़ देती हैं। मैं अपने गृह मंत्री जी से यह बताना चाहती हूँ कि हमारे यहाँ की औरतें इस बारे में उन को उपदेश दे सकती हैं, उनसे सीखने की आवश्यकता नहीं।

दूसरी बात जो मुझे कहनी है वह यह कि, सभापति महोदय, हमारे देशों में एक कहावत है, बहुत छोटी सी कहावत है और साथ में मोटी सी भी। लोग देशों में अक्सर कहते हैं कि "अर्र भैया, जब गांव की कोई औरत बच्चों को उस की मां से ज्यादा प्यार करना शुरू कर दे, तो समझ लो कि वह डायन है", क्योंकि मां से ज्यादा कोई भी बच्चों को प्यार नहीं कर सकता है। सभापति महोदय, मैं नहीं चाहती कि मैं अपने होम मिनिस्टर साहब को उस दायरे में रखूँ जिस में कि गांव वाले कहा करते हैं कि जो औरत गांव में मां से ज्यादा बच्चों को प्यार करने लगे उस को समझना चाहिये कि वह डायन है। पर यह जरूर है कि हमारे होम मिनिस्टर साहब का प्यार बच्चों के लिये जरूरत से ज्यादा बढ़ गया है।

Mr. Chairman: The Home Minister is supposed to be the mother of every child in the land.

Shri D. C. Sharma: Has the Home Minister become a mother now?

श्रीमती तारकेश्वरी सिन्हा : सभापति महोदय, अब मैं ज्यादा इस बात पर बहस नहीं करना चाहती क्योंकि गृह मंत्री महोदय की जो आवाज निकलती है, उस में किसी प्रकार की हिम्मत नहीं है। प्रधान मंत्री की बात से जरूर मैं समझती हूँ कि उस में कोई सार है। प्रधान मंत्री महोदय ने जो बातें कही थीं उन में से एक डिप्लोमैटिक सर्विस के लिये थी। जहां तक इस का सवाल है कि औरतों को एक हजार मील दूर भेजने में बाधा हो सकती है। पर प्रधान मंत्री जी ने महसूस नहीं किया है कि औरतों को इस तरह का कानून रखने से क्या दिक्कतें हो सकती हैं। यह जरूरी नहीं है कि सभी औरतें आई० ए० एस० में ही आवें या डिप्लोमैटिक सर्विस में ही जावें। आज औरतों की नौकरी का मामला आप के हाथ में है आप जो चाहे करें।

डा० काटजू : आप हैं तो सही।

श्रीमती तारकेश्वरी सिन्हा : १०० में से अगर ५० औरतें यहां होतीं, जितना कि हम लोग दावा

[श्रीमती तारकेश्वरी सिन्हा]

करते हैं कि हम लोग वोटर्स हैं, तो हम समझते हैं कि गृह मंत्री जी की हिम्मत यह कहने को न होती। आजकल दस पांच औरतों की बातों को टाल देना उन के लिये बहुत आसान है। परन्तु मैं दो तीन बातें आप के सामने रखने की आज्ञा चाहती हूँ। लंदन आग्वर्र में एक बार एक लेख निकला था। आप कहते हैं कि हिन्दुस्तान में औरतों का स्टैंडर्ड बढ़ गया है, लेकिन इंग्लैंड में आज से 50 वर्ष पहले औरतों को सिविल सर्विस में आने की आज्ञा मिली थी। किस ने आज्ञा दी थी? होम डिपार्टमेंट ने। तो आज से 50 वर्ष पहले इंग्लैंड में औरतें सिविल सर्विस में आईं और पूरी तरह से लाई गईं। लड़ाई के बाद यह एक बहुत बड़ी समस्या हो गई थी क्योंकि लड़ाई से मर्द लौटने लगे थे और वहाँ सभी जगहों पर स्त्रियाँ भर गई थीं। मर्दों ने एक एजिटेशन करना शुरू कर दिया कि सारी जगहों में औरतें ले ली गईं। उस समय लन्दन आग्वर्र में लिखा था :

"Timid old gentlemen," as the London Observer wrote recently in a leading article reviewing an excellent book about women. "remembering suffragettes, must be twittering nervously. The nation's women, formed once more into a 'monstrous regiment' by another war, are more concerned this time with what they were promised after the last war and did not get."

इस के अन्दर डॉक्टर साहब भी आ सकते हैं। आप चाहते हैं कि हमारे अन्दर भी, हिन्दुस्तान के अन्दर भी एक आन्दोलन शुरू हो।

इस के बाद मैं एक और कोर्टेशन दूँ। 19 नवम्बर, 1948 में कमेटी आफ दि सिविल सर्विस रिपोर्टले कॉमिंसल ने एक रिपोर्ट दी जिस में उन्होंने कहा कि सिविल सर्विस में औरतों का क्या हाल है :

[The Committee of the Civil Service Whitley Council issued a Report which says:]

"After 1929 when the Royal Commission on the Civil Service

recommended that women should have a 'fair field and no favour,' women have gradually been given greater opportunities."

इस के बाद अपने जमाने में सर स्टैफर्ड क्रिप्स ने कहा था।

[Sir Stafford Cripps said:]

"How far the war-time development of women's work will persist through into the peace, is a question of vast economic importance to the community. It is certain that we shall only be able to provide a decent standard for the people of this country if we employ not only all the men, but a very large proportion of the women as well after the war. We have achieved the theoretical acceptance of equality of capacity, but we have not yet worked out the economic basis for that equality."

मैं तो कहती हूँ कि सरकार की जिम्मेदारी होनी चाहिये थी कि औरतों को जो आगे आई हैं, वह ज्यादा से ज्यादा सुविधा देती कि वह देश का काम कर सकें। परन्तु इस के लिये मैं आप को जिम्मेदार नहीं समझती। हम नहीं चाहती हैं कि आप से ज्यादा से ज्यादा सुविधा मांगें। लेकिन अगर हम काम अच्छा करती हैं तो कोई इक नहीं है आप को कि आप हमारे शर्तों में कोई अटकार्यें। अगर हम अच्छा काम नहीं करती तो आप शॉक से हम को निकाल बाहर कीजिये। आज हम राजनीति में आये हैं और किसी से पीछे नहीं रही हैं। हम ने कभी मांग नहीं की कि हमें इस के लिये माँका दिया जाय। अगर हम लायक समझी जायें तो हम को माँका दिया जाय। इसी तरह से हम सरकारी नौकरियों की भी मांग नहीं करती हैं, हम तो आप को बेंलेंज देना चाहती हैं कि एंसा रूल बनाने के पहले आप खुले मैदान में जा कर कहें कि हम ने अच्छा काम किया है। हम इस से कनविन्स होने वाली नहीं हैं कि हम पीत से अलग हो जायेंगी और हमारा घर बार बिगड़ जायेगा। अध्यक्ष महोदय, मुझे और भी बोलना

था क्योंकि ये एसी बातें हैं जो कि चोट करती हैं। पर आपकी आज्ञा बार बार हो रही है इसलिए मैं ज्यादा नहीं बोलूंगी। पर मैं सरकार से फिर यह कहूंगी कि अभी भी माँका है कि मंत्री महोदय इस रूल को वापस ले लें। वह बाल की खाल निकाल रहे हैं। इससे दो तीन औरतों को फायदा या नुकसान होने वाला है पर इससे आप बाहर एक आन्दोलन तैयार कर रहे हैं। वह औरतें जो कि बाहर बँटी हुई हैं उन्हें आप आन्दोलन का माँका दे रहे हैं। मंत्री महोदय को मालूम है कि आज दिल्ली की डेढ़ साँ औरतें जो कि अपने घरों की चहारदीवारी से बाहर नहीं निकलतीं वह उनके पास आयी थीं और वह उनसे बहस नहीं कर सके। मैं फिर अपील करूंगी कि आप इस रूल को अबालिश करें और जैसे कि पुरुषों के लिए रूल है वैसे ही स्त्रियों के लिए रखें।

Mr. Chairman: Shrimati Jayashri.

Shri P. N. Rajabhoj: (Sholapur—Reserved—Sch. Castes) rose—

Mr. Chairman: The hon. Member must be gallant enough. It is now the ladies' turn.

Shrimati Jayashri: I am obliged to you for giving me this opportunity to express my view on this subject. I have sent in an amendment also to Rule 5(3).

We are grateful to the Prime Minister for the tribute paid to the women of India and we are glad that he has given us the assurance that there will be no barrier between the sexes.

Women, as we all know, played an important part in winning *swaraj*, and after winning *swaraj* we are as keen to help in the economic prosperity and well-being of our country as we are all keen to serve in a way which will not deprive the country of efficiency. As Shrimati Sucheta Kripalani and some other Members also have said, we are honest enough to see that the efficiency in the services does not suffer.

I would like to draw the attention of the Members to the fact that the

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British Service Rules had kept this clause which was removed when the Congress Government came into power, and we all regret that again this rule which was removed has been introduced; that an effort has been made to introduce this rule again. This rule may not be against the Constitution, perhaps, but certainly it discriminates between married and unmarried women. And that will create a great dissatisfaction amongst the minds of women. Perhaps, there will be tension also in the minds of girls whether to select a career or marriage, and this will have very bad effect on our society. Morality, I would say, will suffer. Perhaps girls will forego their marriage and this may affect their psychology or mentality. We all know that it is not a very desirable thing that girls should remain spinsters. After all, women would like to marry and settle down, but that does not mean that women should forego the right which unmarried girls can enjoy. I would like to say that in serving our country, women are keen to help the Government.

I would like to read out a few lines by Shri Vinobaji who himself said recently in order to encourage women to come out to work. In the *Harijan*, Vinobaji has said:

“After *swaraj* some work has, of course, to be done by Government, but there are many lines of work which the Government cannot do. The women are to be brought out of the *purdah*.”

We know that *swaraj* has been achieved under the leadership of Mahatma Gandhi.

श्री श्री० एन० राजभोज : क्या विनोबा जी का यह कहना है कि स्त्रियों को आई० ए० एस० की नौकरी मिलनी चाहिए ?

Shrimati Jayashri: Vinobaji is also a great follower of Mahatma Gandhi. We are glad that the intention of our Prime Minister also is to help the women to preserve their status in society, and I am glad that today he

[Shrimati Jayashri]

has given an assurance that perhaps there may be a few words in the rules which are not correctly put and they may be changed.

I take this opportunity to suggest that instead of having a negative rule, we can change this wording and say that "marriage shall not be a bar to a woman for employment in Central Government service, but the Government can call upon a married woman to resign if it feels that efficiency has suffered on account of her married state". Though we would not like that married women should be deprived we are all keen to see to the efficiency in Services. In a publication of the Government, regarding "Our police", Government themselves have said:

"The women police, comparatively a new development in our country, has fulfilled a long-felt want. It is now generally recognised that certain duties are best performed by women."

I would like to request the Home Minister to change this wording so that women will not be offended, and it would look more graceful also in our Service Rules. We know that at present in any civilised society equality of opportunity and rights for men and women is now one of the accepted conventions of progress and civilisation. Even in the Human Rights Commission we have given rights of work and opportunity irrespective of sex, and we know that the Government of India have accepted the human rights.

Another suggestion I would like to make is with regard to the other clause, with regard to bigamous marriages. Here also I would like to make a suggestion. In that rule you have said:

"No person who has more than one wife living shall be eligible for appointment to service".
Now, what happens if the man, after being appointed, re-marries, marries

another wife? There is nothing in this rule to say that a man, after being selected, should not marry a second time. So, if we can add these words:

"nor will any man be entitled to be continued in service if he takes another wife when he has already a wife living".

That will bring more confidence in the minds of women. I know that our Government want to bring about the prevention of bigamous marriages, but if these words can be added in the rules also, I am sure it will bring confidence to the minds of the women. I put these suggestions before the Minister.

Mr. Chairman: Shrimati Ila Palchoudhury.

श्री श्री० एन० राजभोज : यह सवाल हम लोगों के लिए बहुत जरूरी है। हमको भी पांच मिनट का समय दिया जाय।

Shri R. K. Chaudhuri (Gauhati):
Has the debate become one-sided?

Shrimati Ila Palchoudhury (Nabadwip): We have had an assurance...

Mr. Chairman: Order, order. There is so much noise in the House. The hon. Member is not audible.

Shrimati Ila Palchoudhury: We have had an assurance from the Prime Minister over this rule that we are all objecting to, and we hope that his assurance will come into force. I beg to disagree with the hon. Member opposite who has just now said that she would vote the Home Minister out of his Ministership over this issue. I would not go as far as that, because, after all, I think a known Home Minister is better than an unknown Home Minister. So, I would say that he will perhaps change his views.

5 P.M.

In ancient India, women took active part in state events. They were never behind men in anything. They

were considered equal to men in any sphere. They had their part in public life. There are many illustrations, the beautiful Padmini counselled about state affairs, Mirabai gave the perfume of her intense religious life, in song and poetry to the whole of India and who can forget the Rani of Jhansi who took up the cudgels for her country. Everybody knows that Draupadi herself had a unique position. Today, women have proved that they can shoulder responsibilities. They are no farther behind men, than many men are behind women. I suppose efficiency differs everywhere. If one were to take up statistics, one could show many figures, but I will not take up the time of the House by showing many figures, except just these few. In England today, in Russia and China as well, women are doing all sorts of jobs. Here is a book which says that "in England, women today form about one-third the total number of civil servants. They fill about half the gazetted posts, and about 20 per cent. of the executive, and about 12 per cent. of the administrative posts are filled by women. These countries do not find them inefficient. Surely, in India, today, they are going to be given the opportunity that they deserve. They have shown that they are efficient. Today, we have only to look at our own Health Minister, and we see how efficiently she is going about her office. We have to see Shrimati Vijaya Lakshmi; she is acclaimed all over the world. Dr. Sushila Nayar is doing a job that no man can do better. (*Interruptions*). Again Shrimati Sarojini Naidu, the Songbird of India, administered with imagination, sympathy and understanding. I admit that there is the other side of the picture too.

Dr. Katju: The other side of the picture is clearly dark.

Shrimati Ila Palchoudhury: No, it is not entirely dark.

Shrimati Sucheta Kripalani: There may be light in the dark.

Shrimati Ila Palchoudhury: Women are the frailer vessels. I agree with that. There are times when they need care and rest and inevitable absence from duty. When the future generation is in their care; when they hold in themselves the coming child, they are handicapped, for the time being, and the State should be prepared to provide for that. But on that ground, the State should not lose their efficiency. It is usually a normal function, and she has hardly to be absent for more than two or three months on this account. Any illness could overtake a man at any time, and he would need to absent himself. All the departments keep extra hands for this purpose, in order to meet those contingencies. To balance this, let us see what there is. There is the fact that women are conscientious and hard-working, and they are out to put in their best efforts. They are new to certain extent in these spheres in India to-day. I claim that, because they are new, they have enthusiasm; because they are new, they have idealism; and because they are new, they are out to prove themselves. Surely, that opportunity cannot be denied to them. Will you not therefore, keep open the doors of the services to a large section of the population? Are you going to lose the efficiency of a great number, just because you wish to put an irrational bar on married women?

Acharya Kripalani: What about the efficiency of Ministers? (*Interruptions*).

Shrimati Ila Palchoudhury: The solution lies in getting a few extra hands, and in enabling them to look after their children.

It is argued that a woman in employment is a man out of employment. I agree that it is true, to a certain extent. But there are cases where the women are the bread-winners. There are cases of widows who are supporting their children and the family, and in a welfare state, employment must be found for all.

[Shrimati Ila Palchoudhury]

Lastly, in all fairness, there should be equal opportunity for equal capacity. When they have proved themselves in competitive examinations and pitted their brains and minds against the men, they must be given every fair chance to hold the jobs that these examinations entitle them to.

The Indian woman is second to none in her selfless sacrifice and in her ability. She can yet be the mother, who is like Annapurna herself; in spite of doing all sorts of jobs, she can yet be the wife like Sita herself, because with her ultimate love for her husband, she can conquer all circumstances. (*Interruptions*).

Acharya Kripalani: Even if she is in the administrative service?

Shrimati Ila Palchoudhury: Yes, I should like to say that the Prime Minister gave us an assurance. But as Bernard Shaw himself has said, "fine words butter no parsnips", and a mere assurance will not do. We want that clause deleted from the rules, and women given a fair chance.

Shrimati Maydeo (Poona South): At the outset, I thank the Prime Minister for giving compliments to the women of India. At the same time, I must say that no compliments can justify his consent to the Home Minister to put in such a rule in the Indian Administrative Service (Recruitment) Rules.

In these days of civil liberty and equality of opportunity, it was really astonishing to find such a rule in the Indian Administrative Service (Recruitment) Rules. Rule 5(3) reads:

"No married woman shall be entitled as of right to be appointed to the Service, and where a woman appointed to the Service subsequently marries, the Central Government may, if the maintenance of the efficiency of the Service so requires, call upon her to resign."

The Home Minister began to tell us that this was put in there because there is a similar provision in the case of men, to the effect that no person shall be considered for appointment to the Service, if he had more than one wife living. Because this rule is there, they began to tell us and mislead us that we should also agree to have rule 5(3). Here, we are ready to have it, provided in the other rule also, there can be a *vice versa*. But in the other rule, no one will agree to have a *vice versa*. That is why we feel that this is discrimination against sex, and this is against the Constitution that we have in India. If we allow married women to work, what harm is there, because we know in the younger generation there is family planning, and they have two children only? How much time is required for bringing up and looking after two children? Life is so long, and only ten years may be required to bring up and look after the two children. I find that the hon. Home Minister seems to be very anxious about the children of a very few higher class women, only one per cent. of whom are employed in the I.A.S. But if he is so anxious about the children of India that women should take care of them, he should begin his planning from below, and we should see that in the next Five Year Plan, we are going to begin planning from below and not from above. Let us turn our attention from the highest official, i.e., the I. A. S. Officers to the lowest officials, namely, the scavengers. Have we ever turned our attention to them? Have we ever thought about them? What is their condition? They are also servants of municipalities, which means, of government. The report of the Scavengers' Living Conditions Enquiry Committee, under the presidentship of Kaka Saheb Darve, has recommended that in the next Five Year Plan at least, the women scavengers should not be allowed to carry tubs of refuse on their heads. Now, they carry refuse on their heads, even sometimes with

eight-month old babies in their wombs. But we are not attentive to these difficulties of these people. We will only look to one per cent. of I.A.S. women and feel that they will not look after their children or that they will neglect their children. These women—poor women—have given birth to 8 or 9 children and even then, they are supposed to do their work efficiently. They lose so many among their children on account of poverty and only one or two survive. So what I would suggest to the Home Minister is to start planning from below instead of from above.

The other difficulty which was pointed out was that when a woman in service got married, she would ask for a transfer. But that does not mean that there should be a rule—a general rule—excluding women from service. The Government can be very firm in their policy and say that they won't allow any woman to get transferred. Then she would decide whether to serve after marriage or resign. But there should not be a generalised rule for that reason. She will understand her duty.

Then, supposing a woman is selected in the I.A.S. she must be of remarkable intelligence or capability. I can assure you that if the woman is of such a capability and intelligence, her mother or her mother-in-law, who is very sympathetic to her, will not allow her children to be neglected. She will look after the children at home and allow her to go for service. So Government need not be anxious whether she will neglect her children or not.

There is another thing. Supposing we do not allow women in service, then what will happen? They will try to hide the fact that they are married. There was an example like that in a private firm. They made a rule that no married woman should be allowed to serve. One married woman just kept it as a secret that she was married. One day her friends pressed her to invite them to her house. She had told her husband to come home late. But she

just forgot to lock the bathroom. When one of her friends went near the bathroom, she saw that there was a razor and some other things which are useful for men. So they all thought that she was leading an immoral life. They told the boss about it: 'Look here, she has told you that she is unmarried. But there must be some one in her house, a male person. So she is leading an immoral life'. The boss told his wife to go to her and explain to her that it was very bad to lead an immoral life. So the boss's wife went to this woman and just shouted at her and railed at her saying: 'It is no good. You should not lead an immoral life'. Then the woman told her: 'It is because your husband has made this rule that no married woman will be allowed to serve. I am married. This is my wedding ring. This is my marriage certificate'. The boss's wife immediately went to her husband, the manager of the firm and told him: 'You are making these foolish rules, and this is the repercussion of that. So you must at once eliminate that rule and allow married women to serve in your firm'.

So that will be the case, supposing the Home Minister tries to have rules like that. If you want women to do their jobs as they like, if you want efficient service, then I suggest what the Government should do is to give them their rights, that means, the right of succession. Then they should say that if a man marries, he will get 25 per cent. increment so that his wife should not be required to work. If you pass such rules, then you need not be afraid that there will be inefficiency in the work or that married women will go after service and neglect their children.

[MR. DEPUTY-SPEAKER in the Chair]

I would request the Home Minister that he should think over this issue and omit rule 5(3). Even after so many requests from all the women Members, he tries to keep it in the rules. I may just warn him, Mr. Deputy-Speaker, that fortunately I have an organisation, an all-India or-

[Shrimati Maydeo]

ganisation to which I have access, and we will not allow him sound sleep or peace of mind. He will be haunted always in his dreams by women threatening him and then ultimately he will have to delete this rule and get peace of mind.

श्री पी० एन० राजभोज : मेरा भी अमेंडमेंट है, इस लिये एक शिद्द्यूल्ड कास्ट का आदमी तो बोल सकता है ?

Mr. Deputy-Speaker: I am going to call a Scheduled Cast representative, Shrimati Ganga Devi.

श्रीमती गंगा देवी (जिला लखनऊ व जिला बाराबंकी---रीढ़त---अनुसूचित जातियां): अध्यक्ष महोदय, आज हमारे सामने बहुत ही महत्वपूर्ण प्रश्न सदन में चल रहा है। यह हमारी समझ में नहीं आता कि एक तरफ तो हम लोगों से कहा जाता है कि आप को समानता का अधिकार दिया जा रहा है, और दूसरी ओर इस प्रकार का प्रतिबन्ध लगा कर हमारी उन्नति के रास्ते में रोड़ा अटकाया जाता है। इस प्रकार की बातों को देखते हुए हम यह नहीं कह सकते कि कभी भारत को स्वतन्त्र करने के लिये हम सभी स्त्री पुरुषों ने एक साथ अंगरजों से मुकाबला किया था। जिस समय हम आजादी की लड़ाई में भाग ले रहे थे उस समय क्या हम आप से पीछे थीं ? क्या हमारे पास बच्चे नहीं थे ? क्या हमारी बहिनों के पास उस समय बच्चे नहीं थे ? क्या हमारे यहां की विवाहित स्त्रियां इस आजादी की लड़ाई में आगे नहीं आई थीं ? क्या वह किसी भी प्रकार से पीछे हटी थीं ? उस समय आप ने ऐसे रूख और ऐसे प्रतिबन्ध क्यों नहीं लगाये थे, कि विवाहित स्त्रियों को घर में बैठ कर बच्चों को देखना है। आज जब हमारा देश आजाद हो गया है, हम स्वतंत्र भारत के नागरिक हैं और स्वतंत्रता से विचरण करने का अधिकार रखते हैं, जबकि हम सभी स्वतंत्रता के वायुमंडल में सांस ले रहे हैं, ऐसे समय में यहां के स्त्री समाज के लिये एक ऐसा प्रतिबन्ध लगा कर हमें यह कहने का मौका दिया जा रहा है कि हमारे

साथ हमारी सरकार न्याय नहीं कर रही है। हम यही सोचते थे कि हमें इस प्रकार की बातें कहने का मौका नहीं दिया जायेगा।

बहुत सी बातें हमारी बहिनों ने कही हैं, मैं उन को दोहराना नहीं चाहती। बहुत संक्षेप में केवल दो चार बातें कहना आवश्यक समझती हूँ। हमारे होम मिनिस्टर साहब ने एक बात कही थी कि शादी के बाद विवाहित स्त्रियों की एपिशेन्सी कम हो जाती है और विवाह के बाद पुरुषों की एपिशेन्सी बढ़ जाती है। इस के लिये मैं यही कहूंगी कि जहां विवाहित स्त्रियों के लिये यह प्रतिबन्ध लगाया जाय कि वह किसी एडमिनिस्ट्रीटिव सर्विस में न आयें वहां यह प्रतिबन्ध भी होना आवश्यक है कि जब तक पुरुषों की शादी न हो जाय तब तक वह किसी भी एडमिनिस्ट्रीटिव सर्विस में न लिये जा सकें। इस प्रकार का प्रतिबन्ध अविवाहित भाइयों को एडमिनिस्ट्रीटिव सर्विसेज में न लाने के लिए भी लगा देना, मंत्र विचार से अति आवश्यक होना चाहिए।

दूसरी बात हम से यह कही जाती है कि जो पुरुष दो शादियां करता है उस को सरकारी सर्विस से रिजाइव करना पड़ेगा। ऐसी बातें कह कर हम लोगों को धोखे में डाल कर हमारी सम्मति ली जाय और ऐसा कानून बनाया जाय यह कहा तक ठीक है ? यह समय ऐसा नहीं है कि हमारा स्त्री समुदाय आसानी से धोखे में आ जायें। हम लोग आसानी से ऐसे प्रलोभनों में आ कर अपने सहयोग से ऐसे कानून नहीं बना सकतीं। अब समय ऐसा नहीं है। स्त्रियां हर एक काम कर सकती हैं। जो पुरुष नहीं कर सकते वह स्त्रियां कर सकती हैं। मैंने किसी पुरुष को ऐसा नहीं देखा कि घर का और बाहर का दोनों काम करे। लेकिन हम बाहर का काम भी करती हैं और घर का काम भी नहीं छोड़तीं। हम अपने बच्चों के पालन पोषण करने में भी कोई कमी नहीं होने देतीं। कहा जाता है कि एडमिनिस्ट्रीटिव सर्विस में हमें कभी कभी रात को ११, १२ या २ बजे जाना पड़ेगा। अब भी तो हम दो दो हफ्तों के लिए बाहर चली

जाती हैं और हमारे बच्चे घर पर रहते हैं। तो क्या अगर हम एक दिन दो एक घंटे के लिए रात को बाहर जायेंगी तो हमारे बच्चे नहीं रह सकेंगे? मैं यह कहना चाहती हूँ कि इस तरह के रूल बनाकर हमारे रास्ते में रोड़े न अटकाये जायें। जो स्त्रियाँ इस काबिल हैं और वहाँ जाना चाहती हैं वह खुशी से जायें ऐसा हम चाहती हैं। ऐसा नहीं होना चाहिए कि कानून बनाकर आप उन स्त्रियों के रास्ते में बन्धन लगा दें जो इस काम को करने योग्य हैं और जो इस काम को करने की इच्छुक भी हैं।

दूसरी चीज यह है कि आप कहते हैं कि विवाह के बाद स्त्रियाँ ऐसी सर्राविस में न जायें। तो क्या विवाह के पहले उनको यह काम करना चाहिए, यह कहां तक ठीक हो सकता है यह हमारी समझ में नहीं आता। इसका तो मतलब यही है कि आप स्त्रियों को ऐसा हक देने के लिए तैयार ही नहीं हैं क्योंकि हमारे समाज में स्त्रियों को उसी समय बाहर निकलने की इजाजत मिलती है अब उनकी शादी हो जाती है। शादी से पहले माता पिता लड़कियों को कहां जानें भी नहीं देते। इसलिए इस प्रतिबन्ध का मतलब तो यही है कि कोई हिन्दू समाज की स्त्री इस प्रकार की सर्राविस में न आवे। इस प्रकार के प्रतिबन्ध उनके लिए लगाकर उनकी तरक्की में रोड़े न अटकाये जायें। इसलिए मैं अपने होम मिनिस्टर साहब से यही प्रार्थना करूंगी कि वह इस रूल को कि विवाहित स्त्रियाँ एडीमिनिस्ट्रटिव सर्राविस में न रखी जायें कानून में न लायें नहीं तो स्त्री समाज इसके विरुद्ध बलवा करेगा। उनको यह भी ख्याल रखना चाहिए कि इस जनरल इन्स्पेक्शन में स्त्रियों ने सरकार को कामयाब बनाने के लिए कितनी हिम्मत से काम किया, कितना आगे बढ़ कर काम किया। मैं यह कह सकती हूँ कि मौजूदा सरकार को कामयाब बनाने में स्त्रियों का वोट अधिक था। अब फिर इन्स्पेक्शन जाने वाला है। उन पर इस प्रकार का प्रतिबन्ध लगाकर हम सभी स्त्री समुदाय से विरोध माल ले लेंगे और इस तरह से बहुत सी स्त्रियाँ सरकार

के खिलाफ हो जायेंगी। इस चीज का भी आपको बरा ध्यान रखना चाहिए। यह न समझना चाहिए कि हमारा समय निकल गया है। अब ऐसा न समझिये कि हमने स्त्रियों की मदद से आजादी हासिल कर ली, लेकिन फिर ऐसा मौका नहीं आवेगा। मैं आपसे कहती हूँ कि किसी समय ऐसी चीज से भी काम लिया जा सकता है जो कि कभी भी काम नहीं आती। अगर आप इस तरह से स्त्रियों के लिए सर्राविस के लिए प्रतिबन्ध लगावेंगे तो यह आपके लिए और देश के लिए भी खतरानाक चीज होगी।

आनरबल मिनिस्टर साहब ने कहा कि स्त्रियाँ कहती हैं कि जहां हमारे पति हैं वहीं हमारा ट्रांसफर कर दो। लेकिन मैं कहती हूँ कि स्त्रियाँ ही ऐसा नहीं कहतीं पुरुष भी ऐसा कहते हैं कि जहां हमारी पत्नी है वहीं हमारा ट्रांसफर कर दिया जाय ताकि हम अपने बाल बच्चों के साथ ठीक से रह सकें। तो आप यह नहीं कह सकते कि स्त्रियों के अन्दर एफिशेंसी नहीं है, स्त्रियाँ यह नहीं कर सकतीं वह नहीं कर सकतीं। सरकार के लिए इस समय इस प्रकार का कानून न बनाना ही ब्रिचकर होगा।

Shri Gadgil (Poona Central): Mr Deputy-Speaker, I will not refer to the assumed disabilities or the apprehended discrimination which has been referred to by most of the ladies so eloquently. My advice to them is to trust in the Prime Minister and, till the assurance materialises, to rule the men rather than rule the affairs of the country.

What I am concerned most, Sir, is with Rule 4, namely, the method of recruitment to the services. In this there is a significant omission and reference to this aspect of the rule was made by Mr. Raghuramiah. Inasmuch as the Central Secretariat Services which were promised right from 1949 onwards that they would be given a definite place and some chance to be recruited to the Indian Administrative Services, that omission is, in my humble opinion, not in the best interests of the services and the

[Shri Gadgil]
proper administration of the Central Secretariat.

In 1948 and 1949, a good deal of attention and thought was given by the Government to this question and, after elaborate consultation with the Provincial Governments then, a certain scheme was drawn up, which was known as the Indian Administrative Service, Central Secretariat Scheme. That scheme was prepared by no less an experienced administrator than the late Gopaldaswami Ayyangar and that scheme was approved by the States. There was some initial objection but, after explanations were offered, they were accepted and all the Provincial Governments accepted that scheme. That scheme shortly was this.

Out of the total number of officers that will man the Central Secretariat, 50 per cent. were to be from the I.A.S. Officers who will be given on deputation or a sort of tenure contract to the Central Secretariat; about 20 per cent. were to be on what was described as a quasi-permanent deputation on quota from the various States and about 30 per cent. were to be from the Central Secretariat Services themselves.

Now, this was an ideal arrangement and I cannot describe it better than to quote the words of the late Gopaldaswami Ayyangar.

"The scheme has evolved proposals which should eliminate the existing difficulty and produce an All India Service so organised and worked as to produce personnel not only for immediate requirements but the ultimate needs, which is as good as could be obtained under the existing circumstances."

One who is familiar with the working of the Central Secretariat will easily appreciate the great and important part the Central Services men play, not only in the formulation of the policies of the Government, but also in supplying the data, in

fact, doing all the preliminary work so far as administrative decisions are concerned. In any good service which is charged with the duty of running a modern State, there must be two aspects present. One aspect is, there must be one cadre or, so to say, one service which will be the custodian of all the knowledge, which will be the custodian as regards procedure and routine. We might say whatever we like against red-tape but some minimum red-tape is absolutely necessary. The other aspect is that at a proper level of the hierarchy as well as at the proper stage of the life of the person concerned, there must be some sort of induction so as to secure freshness of outlook and some experience of actual administration in the field. From that point of view, this scheme which was proposed and approved by the Cabinet was an ideal one. I do not know why there has been a departure from this. As I understand, and I am informed, it was because the Chief Secretaries of the various States that met in conference about a few months back—I think in April last—came to the conclusion that these members of the Central Secretariat Service should not be recruited to the Indian Administrative Service.

If you refer to rule 4, the constitution is like this. Men could be recruited by competitive examination, and by promotion of members of the State Civil Services. If promotion of a member of a State Civil Service is considered to be good, correspondingly, on the same level is the service of Central Secretariat, Class I. Whether the people belong to the Central Secretariat Service, Class I, or to the Provincial Civil Service of a particular State, or they come through the open door of competitive examination, more or less they come from the same strata of society, more or less they have the same intellectual equipment and so on. Generally, it is the same, but there are, of course, brilliant exceptions who are far above the average, but speaking in terms of average, they are practically on the same

level. It happens as a mere chance or accident that if twenty are recruited, the boy is put at twenty-one. Does it mean that he is so inferior? Because he is recruited to the Central Secretariat Service, Class I, does it mean that all his future prospects or promotion should be barred? In any scheme of salary, in any pattern of service, a modern government has to see that there is continuous incentive right from the moment of recruitment to the day of retirement. You cannot ask the people to have the same enthusiasm, to show the same amount of energy and alertness in the work unless there is some incentive for them to do it. There is a time-scale which works on automatically. Thereafter, there is what is known as the scheme of selection, but even then, as you see the Provincial Service, there also people are recruited in certain percentage from the lower services to the Provincial Service. Here again, you have made provision that members of the Provincial Service should be recruited to the Indian Administrative Service. I fail to see what logic is there in preventing or excluding members belonging to the Central Secretariat Service, if they are otherwise suitable, from getting into the Indian Administrative Service. As I said, the principle of incentive and its importance cannot be belittled. I cannot do better than quote from the Report on Public Administration made by Mr. Gorwala—

"It is very desirable that people in the lower grades of the public service should be given adequate opportunity to prove their fitness for more responsible work. What is necessary is to evolve a system by which those among the lower ranks who are fit for higher positions can be discovered and appointed; if they disclose talent, there should be scope for their advancement in the higher service."

Even assuming that one reaches the top post in the Central Secretariat Service, he cannot go beyond the post

of Under Secretary. After serving, say, fifteen years of service, if he is to remain continuously with that status and if he is not to have any chance of getting into a higher category by way of promotion, provided he has got the requisite experience and talent, I think the morale of that Service will be considerably affected. There is a certain class consciousness in each cadre, whether you belong to the Central Secretariat Service, or the Provincial Service or the Indian Administrative Service. If a certain proportion from the lower grades can aspire to go high, then I think the morale is boosted and anything which goes contrary to this is bound to affect the efficiency of the administration. May I, therefore, suggest to the Government that if they want more time to think over the matter, they should certainly take more time. I also find the objection of the Chief Secretaries was not so much to the scheme as it is, but they were against what is known as the quasi-permanent deputation of members to the Indian Administrative Service from the respective provinces. Because they objected to a part of the scheme, it does not mean or it shall not be predicated as being opposition to the total scheme. If I interpret their objection correctly, then there is some hope and some justification for the Government to review the whole matter.

My humble submission is this. I am not concerned with A or B or C, but I am concerned with this matter because I have some experience, very humble experience, of five years' work in the Central Secretariat and I feel that top people may come and go, but those officers of the Central Secretariat Service, Class I, are there for years together and I may say they know much more than the Secretaries and certainly much more than the presiding Ministers—I mean no offence to anybody.

The Minister of Agriculture (Dr. P. S. Deshmukh): A very good confession!

Shri Gadgil: As citizens, what we tax-payers are concerned about is,

[Shri Gadgil]

that the Central Secretariat should be managed efficiently and that, for the purpose of efficiency, a proper constitution of a cadre for Central Service is an absolute necessity. I am conscious that people will say that these men must have district experience. You can send people who are selected, for a year or so in order that that objection can be removed. After all, the 'hard core' of the Central Secretariat Service is constituted by these people. Please do not do them any injustice, especially when you have promised in 1950 that you would implement the scheme in 1951. You started implementing a little and then dragged on, and complete implementation has not followed. Assurances were given to them by the predecessor of the present Home Minister, Shri C. Rajagopalachari, that no wrong would be done to them. Now, I am very sorry that there seems to be some wrong done if the rule remains as it is. I would, therefore, urge a review of the whole situation.

Shri P. N. Rajabhoj: I want to put one question, Sir.

Mr. Deputy-Speaker: No. The hon. Home Minister will now reply.

Shri P. N. Rajabhoj: I want to put it because it is an insult to my community.....

Mr. Deputy-Speaker: May be.

Shri P. N. Rajabhoj: I am very sorry you are ignoring my community's problems. I have no confidence in the Home Minister so far as the Scheduled Castes' interests are concerned.....

Mr. Deputy-Speaker: Order, order. The hon. Member cannot go on talking like this. The hon. Member always says on the floor of the House that he is the only and exclusive representative of the Scheduled Castes, which I refuse to recognise, and if he goes on interrupting like this, I will take very serious notice of it. There are other Members who are equally competent to represent the Scheduled Castes' interests. For instance, Shrimati

Ganga Devi, who spoke, belongs to the Scheduled Castes.

Shri P. N. Rajabhoj: But she belongs to the Congress.

Mr. Deputy-Speaker: Let not the hon. Member again and again interrupt like this.

Dr. Katju: We have had a most interesting, a most eloquent and a most appealing debate. I have, however felt that it has been somewhat unrealistic and somewhat theoretical. Before I say a few words, I should like to draw your attention to the background. The background is the country becoming independent in 1947, and this question immediately cropped up. So far as Government is concerned, so far as people on this side of the House are concerned, they need no persuasion that in the field of public duty, men and women are absolutely equal and entitled to absolutely equal rights and equal opportunities. The only question was that public service should not in any way be prejudiced. The public servant exists for the purpose of serving the public. The public service does not exist for any particular class of people. This question cropped up and then a decision had to be taken, and it was taken in 1948 that in every public service of any description, men and women were entitled to equal admission, equal rights, but over and above that, there was the question that there might be some Services which might require additional qualifications and where this factor of marriage might prove an impediment. It is not a question of sex or difference between man and woman, but the question of the public interest should not be prejudiced in any way. A decision was taken. In regard to certain Services—the Prime Minister referred particularly to the Indian Foreign Service—this factor of marriage should be a relevant consideration. That policy was, in 1949, reinforced—I do not know whether on the floor of the House, but in actual fact it was reinforced—by my very distinguished and honoured predecessor, Sardar Patel.

Then came the Constitution. Some one asked: what about the provisions in the Constitution? The articles to which reference was made were 13, 14, 15 and 16. In fact, we did take legal opinion. The highest legal officer we have got, the Attorney-General, was consulted in July 1950 and he gave his clear opinion that this is not a case of drawing any distinction, or making any discrimination between sex and sex: it is only a question of safeguarding the public services from any prejudice which might be caused by the factor of marriage. As I said elsewhere, supposing a woman were to say: "Well, by the custom of my community or the injunction of my religion, I must keep on a *burqa*; I cannot appear before the ordinary public." Government may be justified in making a rule that for the Administrative services or any other Service, it is desirable that the applicant, or the servant concerned, if she is a woman, must appear in public and she must discard this seclusive habit." That has nothing to do with the sex.

Shrimati Sucheta Kripalani rose—

Dr. Katju: I have got very little time—I must tell her—and I should be allowed to go on.

Mr. Deputy-Speaker: This has been a ladies' day: I find from the list that most of the speakers have been ladies. Why should there be any interruption now?

Dr. Katju: Mr. Deputy-Speaker, I am going to adopt a rule not to look at any Member, but look at you only.

Mr. Deputy-Speaker: The Chair is sexless.

Dr. Katju: Government may make a rule that for a particular Service, every applicant should be of a height of five and a half feet. Now that would incapacitate and exclude many men and many women. But you cannot question it on the ground of sex.

So the Attorney-General gave us his opinion that there was no breaking, or defeating, or defying the letter of the all through from 1948 onwards. Then Constitution. That practice has stood

came these rules. The Act for the establishment of the Indian Administrative Service was passed in 1951. The rules were drafted; the rules were sent out to all the State Governments. They took their own time in considering them. Please remember that the Indian Administrative Service is an all-India service; its members go to every single State. The cadre is primarily for every single State and then we take our quota for Central purposes. So, the States took time to consider the matter and finalised the draft. Then came the meeting of the Chief Secretaries and these rules represent the united wisdom, or unwisdom of all the State Governments. I am saying this not for the purpose of getting away with it. I have now become accustomed to the affection of my communist friends and the very fine references that they sometimes make to me over and over again. But I cannot take credit for the wisdom of these rules, because, as I said, it is the concentrated wisdom of all the State Governments of India.

In the first place, the speeches which were delivered by my hon. friends, the lady Members of this House, would lead one to believe that this rule applies to every single married woman in every public service. Nothing of the kind. It only applies to one Service and no other Service. There is no such bar in the Teaching Service, in the Educational Service, in the Engineering Service, in the Indian Medical Service—there must be about fifty Services; then you have the Central Secretariat, Provincial Secretariat, Class I Service, Class II Service, etc. etc. It applies only to one Service, namely, the Indian Administrative Service.

Shri Bhagwat Jha Azad (Purnea cum Santal Parganas): But why?

Dr. Katju: I am coming to it.

As the Prime Minister pointed out, it is not exclusive; there is nothing absolute. It does not say you cannot come in. It is a permissive thing; you have no absolute right to come in.

[Dr. Katju]

Now what is the Indian Administrative Service. If you become a doctor, very well, you are working in your dissection room, or operation theatre, or giving medicines for typhoid, and so on. Similarly, if you are a teacher, you are working under comfortable conditions in a lecture room, in a College or University, or in a class room in a school. If you are an engineer, there you are standing over there, working—you may do what you like. If you are a Secretary, whether you are a first-class Secretary, Joint Secretary, Deputy Secretary, or Under Secretary, you are there working all right. But unfortunately or fortunately, it is only in this Service, that you have to deal with other men's lives. I am not suggesting for one moment that it is only a man who can deal with other men's lives. Of course, women can do it. They brought every-one of us into this world.

The Indian Administrative Service by its very nature—it consists of perhaps, 400 or 500 members, I am not sure of the number,—may have to shoulder enormous responsibilities at a time of which no notice may be given in advance. My hon. friend quoted me and said that he did not know what the word "tazias" means. This is the month of *Moharrum* and in Northern India, you know, Mr. Deputy-Speaker, that at any time trouble may flare up in the *Dussehra* processions or *tazia* processions. The District Magistrate or the Sub-Divisional Officer may at dead of night receive a notice: "Come along".

Shrimati Sucheta Kripalani: How many women went out to work during the riots?

Dr. Katju: I have taken a vow that I shall not answer that.

Mr. Deputy-Speaker, the risks involved are great and Government have taken the view that the Central Government should have the power to see to it that women, however fit they may be otherwise, may not endanger public security because of the factor of their marriage.

Shrimati Tarkeshwari Sinha: On a point of clarification: I want to know from the Home Minister.....

Dr. Katju: I have heard of points of order, not points of clarification.

Mr. Deputy-Speaker: Order, order, the hon. Minister may be allowed to go on.

Dr. Katju: Whenever any Member raises a point of clarification, I consider it as a confession of his or her inability to comprehend: I do not want any Member should make that confession.

We are discussing a very serious matter. I do not want to go into those other matters. That was the aim and object of the rule as it has been framed and as it has been working for the last seven years. No one has quoted a single instance, either by name or without name, of any injustice having been done. No one has said that any representation was made and that somebody was thrown out. It is not merely a question of personal advantage or disadvantage. Government has to take notice of the possibility, the remote possibility, that cases may occur where grave harm may be done to the public interest because of the inefficiency, supposed inefficiency, possible inefficiency of the person at the head of the Department.

Shri Bhagwat Jha Azad: Can you quote an instance?

Dr. Katju: There is no suggestion that in India, unlike Russia, the Government does not want to utilise the talents of Indian womanhood for the purpose of building canals, for the purpose of building bridges, constructing houses. Let them become engineers. Who prevents them from becoming engineers; or becoming scientists—he is not here—or becoming colleagues of Dr. Meghnad Saha? There you have to go. Let them marry husbands. I am only waiting for the day that might come—I hope it might come in my lifetime—when Indian ladies would adorn the Benches of our High Courts and dispense equal and impartial justice. Who prevents them? Who prevents them from becoming teachers,

Superintendents or going to Medical Colleges and other institutions?

That is just one thing. And of course it gave an opportunity to every lady Member of this House, with the permission of the Deputy-Speaker and the Chairman, to come forth and declare as if some heavens had fallen upon them and they are excluded from every service in India. That is something which I do not want.

I do not want to carry on this, because I should like to make it quite clear. The Prime Minister has said that these are rules which have been made, these are not parts of the law, they can be changed by Government. I undertake to consider every single thing that has been said, matter of substance, leaving aside the eloquence part of it. And if there is any substance,—I want to please all of you, I am not wedded to anything—I shall examine. My friend there was reading her amendment: If you bring marriage this way or that way it would be more graceful. I shall examine the language, and if your purpose would be served by putting marriage in a positive or negative form, there is no harm in doing that.

Mr. Deputy-Speaker: Is there a negative marriage also?

Dr. Katju: There is one thing which may require examination. That may be a sort of omission. I should like to get the benefit of the opinion of the lady Members on that topic. It is this. The rule provides specifically that a public servant who marries two wives, well, shall be got rid of, because bigamy is not provided for.

Acharya Kripalani: If he has a mistress, what happens?

Dr. Katju: My friend is in the habit of putting very persuasive and, what shall I say, seductive questions. It is very difficult to answer them.

I was pointing out—I ask all the lady Members to pay particular attention to that—under the existing rule if a man marries a second wife, well, he goes. What is to happen if the second wife whom he has married is

also a public servant? If a woman who is a public servant knowingly marries a man who is also a public servant and who has got an existing wife (who is not a widower), now the husband goes because he marries a second time. But the woman does not marry a second time by marrying a man who has got a first wife. So far as that woman is concerned it is her first marriage. Do you want that she should also go? I only want a clear consideration because we are going to consider the rules and drafting the rules and the substance of the rules. This is a matter which requires serious consideration from their side. Would you like, please understand the question.....

Mr. Deputy-Speaker: The hon. Minister will kindly address the Chair.

Dr. Katju: The question is this—so that there may be no difficulty about it—if a man who is a public servant marries a second time he jeopardizes his employment. But the second wife is also a public servant, and with her eyes open she marries a public servant who is already married; she becomes a second wife to a public servant. Do my hon. friends, the lady Members, want that something should be done to that second wife or she should be left alone?

Shrimati Sucheta Kripalani: Let her lose her job.

श्री काटजू : अभी नहीं सुनना चाहता । पहले आप कन्सल्टेशन कर लीजिये ।

I suggest they might hold a conference about it consisting of the lady Members of both Houses of Parliament and the one hundred and fifty girls whom they have brought to Delhi, to the Parliament Hall. Let them sit and give an answer to that question. It is a fundamental question. It interferes with the fundamental right of a woman to marry whomsoever she likes.

Shrimati Sucheta Kripalani: Will the Home Minister preside over the conference?

Dr. Katju: I want to be serious now. Very many references, personal references, have been made to me. The ball was set rolling by my hon. friend over there.

Acharya Kripalani: Because you are so popular.

Dr. Katju: In spite of my attempts and my previous membership of the Communist Party I could not understand.

Shri V. P. Nayar: Were you ever a member of the Communist Party?

Dr. Katju: That has been followed, and I really do not know what has been said and what has not been said. If you were to enumerate the occasions on which the word Home Minister has been used, it must be five hundred. I want to say one thing very seriously. I have now lived in public life for some time. But I have the good fortune of having been brought up by a mother who never was a member of a legislative assembly, who lived the life of a Hindu woman. She was born in 1859, and died at the age of eighty in 1939. It was at her breast that I learnt that man and woman are equals, they are entitled to equal opportunity, and a woman is entitled to live a life of her own. I tell you I would be false to her if I were to think of any condition in which a woman was to live a life of subordination. I would rather like to die first than do that. My lady friends might like to have a look at it, and I want with your permission, Sir, to present to the House and lay on the Table a narrative which I have written about her. It may do her good and I may be understood.

Dr. Rama Rao (Kakinada): In her name, please withdraw this rule.

Dr. Katju: It pained me to hear "Is the Home Minister a Ramchandra or Devata or what?" And they say the Prime Minister is very good. Otherwise, if the Prime Minister had not intervened I might have been torn into pieces by all these kind hearted people. What have I done? In these rules I have given everything.

So, Sir, with your permission I shall lay this on the Table.

Mr. Deputy-Speaker: The hon. Minister knows quite well that unless he referred to any passage in the book here, it cannot be laid on the Table of the House. With all respects it will be received and kept in the Library.

Dr. Katju: That is all right. I do not want to make a record of it.

I only want to say in the end that while many friends here have been repeating—I do not know whether seriously or light-heartedly—this thing about equality and that discrimination should not be done, I personally venture to say that there are very few men in India who believe more strongly—and have believed so for the last fifty years—of this cult about equality of man and woman, than myself. I say India cannot prosper, cannot make any progress at all unless we hold our womenfolk genuinely and with all the earnestness that they are equal and entitled to equal opportunity that India owes to them.

6 P.M.

Shri P. N. Rajabhoj: On a point of order, Sir,.....

Mr. Deputy-Speaker: Order, order. There is no point of order, now.

Dr. Katju: May I ask the Deputy Minister to say a few words, Sir? Or, do you propose to call him?

Mr. Deputy-Speaker: I am not going to call him. There is no time.

श्री पी० एन० राजभोज : हमने अमेंटमेंट नम्बर ६ ऑर्डर दिया है। उसके बारे में मिनिस्टर साहब ने कुछ नहीं कहा।

Mr. Deputy-Speaker: Order, order please. There is no time.

Dr. Katju: With reference to the point raised by my hon. friend, Shri Gadgil, about the Central Secretariat Service, in the summary it was said that the matter was raised in the Chief Secretaries Conference and the Government

have not decided it. Government are considering the whole matter and if necessary we will make a reference to the Cabinet, and see that there is no hardship there. He can trust me, I shall see that there is no hardship.

Mr. Deputy-Speaker: I am sorry, this debate is to conclude by 6 o'clock. It is now six o'clock. I am not in a position to call upon the Deputy Minister for Home Affairs to intervene in the debate.

I shall now put the motions to the vote of the House. We have the Half-an-hour discussion. I shall now put the motion of Shri V. P. Nayar.

Pandit Thakur Das Bhargava: May I suggest that in view of the statement of the Prime Minister, it is more desirable that these motions should be withdrawn rather than pressed. Ultimately, they may be brought again, if necessary. As the Prime Minister said, there should be no negative vote on the matter. I would request my friends, Shri V. P. Nayar and others, to withdraw them.

Shri V. P. Nayar: There is this obvious difficulty. Under the All India Services Act, it is absolutely necessary that we should record our vote.

Mr. Deputy-Speaker: Should there be any discussion on this? Are all of them willing to withdraw?

Shri V. P. Nayar: No.

Mr. Deputy-Speaker: Now, the motion standing in the name of Shri V. P. Nayar.

The question is:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services Act, 1951, the Indian Administrative Service (Recruitment) Rules, 1954, laid on the Table on the 10th September, 1954, be repealed.

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

The motion was negatived.

Shri Raghuramalah: I hope that hon. Minister had reference to my motion when he said that he will consider it.

Dr. Katju: Yes.

Shri Raghuramalah: In view of the assurance, I beg to withdraw.

The motion was, by leave, withdrawn.

Shri Thimmaiah: I beg to withdraw all other motions.

Some hon. Members: All motions withdrawn.

Mr. Deputy-Speaker: All right.

The motions were, by leave, withdrawn.

ALLEGATIONS OF CORRUPTION
AGAINST THE DEPUTY SHIPPING
MASTER, CALCUTTA PORT

Shri H. N. Mukerjee (Calcutta North-East): I want to raise a discussion.

Mr. Deputy-Speaker: For the consideration of hon. Members. Because on this Half-an-hour discussion there would not be any vote, hon. Members need not draw my attention to the lack of quorum. By that I do not mean that hon. Members should go and there should be no quorum. There is an interesting debate. They may continue to sit. Notwithstanding the absence of Members here or there, inasmuch as no voting will take place, the House will sit and adjourn after discussing this at 6-30.

[PANDIT THAKUR DAS BHARGAVA *in the Chair.*]

Shri H. N. Mukerjee: I want to raise a discussion because of the unsatisfactory nature of certain answers which I elicited by means of a question on the 17th September, 1954. On that day, I was told by the Minister of Transport that Government was aware of the serious allegations of corruption which were published in the *Modern Review* of Calcutta dated September, 1948 as well as other papers against the Deputy Shipping Master of Calcutta Port. I was also told that the Special Police