

to the competent martial law authority or something like that—that is the language.

This, I think, dispels any idea that the Government's approach has been only legalistic and not extra-legalistic. That is in answer to Shri Nath Pai's contention that my presence here shows that the Government has been thinking only in legalistic terms.

Shri Nath Pai: I said your presence was only a confirmation of that attitude.

Shri A. K. Sen: I hope now that it is quite a confirmation of the contrary after I have given all the facts.

I think what the Prime Minister thought was that since the matter was so closely connected with the evidence, a criminal case and various other things, and since I had done this from the very start—not that the Prime Minister could not have done it much better, he would have done it much better—possibly it would be better if he left it to me. There is no intention on his part to escape responsibility. And I think it will be nice if some of us relieve him from time to time on some of these matters. (*Interruption*).

Shri Jaipal Singh: This refers to what I said by way of intervention. I have no doubt whatever that my young friend has done his job much better than the Prime Minister would ever have done it.

Shri A. K. Sen: I am deeply obliged to Shri Jaipal Singh....

Mr. Deputy-Speaker: Most of the time the hon. Member remained absent.

Shri A. K. Sen: I am deeply obliged to Shri Jaipal Singh who has always been generous to me.

Shri A. C. Guha: He is making amends for the protest, he made earlier.

Shri A. K. Sen: Let us hope and we firmly resolve that our efforts will be crowned with success. As I said, in

this matter, the goodwill and the unanimous support of the House is a great asset. Let this House not think on divided lines on matters like this which are matters of national concern.

Mr. Deputy-Speaker: The discussion is over; let us take up the next item.

15.12 hrs.

MOTION RE: TENTH REPORT OF THE UNION PUBLIC SERVICE COMMISSION

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I beg to move—

"That this House takes note of the Tenth Report of the Union Public Service Commission for the period 1st April, 1959 to 31st March, 1960, together with the Government Memorandum thereon, laid on the Table of the House on the 21st December, 1960."

Sir, this is the tenth report of the Union Public Service Commission. We received this report on the 9th October, 1960. Copies were thereafter prepared and translations also were duly placed before this House. I may also point out that there was one instance out of a large number of cases that had been referred to the Union Public Service Commission in which Government considered it advisable to depart from their advice.

According to the provisions of the Constitution, whenever the advice of the Commission is departed from a memorandum has also to be submitted. That has been done only in one case and the whole report is now before the House for debate.

So far as the general provisions of the report are concerned, I may point out that the nature of the complaints that were being made formerly against Government has disappeared to a large extent. Year to year certain complaints were being addressed against

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Government. But in view of the fact that Government have been taking care to see that the recommendations or the advice tendered by the Commission are generally accepted....

Shri Braj Raj Singh (Firozabad): Generally!

Shri Datar: Naturally, generally. If in one case we depart from the advice it is generally and not always. Therefore, Government have always been very careful to see that all the complaints are duly respected and, wherever necessary, they are completely attended to.

It is for this purpose that I wish to bring under review a few of the points that the Union Public Service Commission have made in their report. They have started with the question of accommodation. So far as accommodation of the U.P.S.C. is concerned, two points may be noted. Additional accommodation for its work is being provided and the work is under construction. The U.P.S.C. have also desired that there ought to be a big examination hall for holding various examinations at Delhi. That question also is under the consideration of the W.H.S. Ministry.

The next point that the Commission have made is with regard to the exemption of certain posts from the purview of the Commission. That has been done with their consent. They have pointed out how in respect of the numerous examinations they have to hold, naturally a lot of time has to be taken up and considerable arrangements have to be made by them.

With regard to only one point, bearing on the results of the direct examinations, I should point out that the position so far as the recruitment of Scheduled Castes and Scheduled Tribes is concerned, it has improved to a certain extent. Year after year, as you are aware, either on the debate relating to the U.P.S.C. report or the

report of the Commissioner for Scheduled Castes and Scheduled Tribes, it was often contended that the intake was rather too low. For that purpose certain suggestions have been made. One of the steps that the Government of India have taken was to have the selected candidates of the Scheduled Castes and Scheduled Tribes duly trained and taken through a course of tuition. For that purpose the Government of India approached a number of Universities. Ultimately, the Allahabad University agreed to undertake the training of selected Scheduled Caste and Scheduled Tribe candidates for the various examinations of an all-India character. These classes are being held at Allahabad and the Government of India have been bearing the cost. And, I am very happy to find that the results at the all-India competitive examinations of the Scheduled Caste and Scheduled Tribe candidates have been on the whole improving.

I would invite the attention of the House to the fact that in the year under report, 14 Scheduled Caste candidates and 8 Scheduled Tribe candidates were recommended on the result of these examinations. Even this also is not very high but things have been improving as a result of the training that is being offered to the boys of Scheduled Castes and Scheduled Tribes. I am looking forward to a larger intake of candidates from the Scheduled Castes and Scheduled Tribes.

In this case we follow two principles. One principle is that we have to maintain highest standards of efficiency so far as the services are concerned. On the other hand, subject to the maintenance of these standards it would be open to the U.P.S.C. to see to it that relaxation of standards are properly applied. For that purpose, a provision has been made in the rules that subject to compliance with these two rules or important principles the intake of the Scheduled Caste and Scheduled Tribe candidates has gradually to increase. And, I am happy that the constructive steps that the

Government of India have taken in this respect are bearing fruit.

The U.P.S.C. have further pointed out the need for what may be called planning in the matter of recruiting so far as the technical personnel is concerned. Government of India require a very large personnel. So far as this question is concerned, there was a time when there were no sufficient opportunities for offering training. Therefore, the number of candidates that could be found suitable for the numerous government appointments fell far short of our requirements. For that purpose, the Government of India have taken a number of steps. One step is the opening of a number of technical institutions; medical colleges, engineering colleges and a number of other colleges are being opened throughout the length and breadth of India. Secondly, apart from this training in colleges and institutions, some sort of training, so far as the particular post or the requirements of a particular post are concerned, has also to be taken into account.

Lastly, in this respect, we are having what is known as a manpower directorate. It is the function of this particular organisation to find out what would be the requirements of the various departments of the Government and when should the U.P.S.C. be informed of them,—that should be well in time—so that they can attend to the question of having such a recruitment, if necessary, on what can be called a mass scale. That aspect is also being followed and the advice given by the U.P.S.C. in this respect is being duly attended to.

Some complaints are often made that after certain posts are requisitioned and the U.P.S.C. are requested to select candidates and make recommendations in that respect, sometimes such recruitment is cancelled. It is true that in certain cases they are so cancelled on reasons of economy. That also has to be taken into account. We have got an Economy Board which is functioning throughout the year for this purpose.

Shri Braj Raj Singh: What is the argument for it?

Shri Datar: What is the use of this interruption? Let me finish my argument.

Mr. Deputy-Speaker: Order, order.

Shri Braj Raj Singh: After they cancel the appointments, what arguments can be there?

Shri Datar: Even after the Chair has called the hon. Member to order, the hon. Member persists! Often-times it becomes necessary, either on account of economy or on account of a change in the needs regarding the recruitment, that such requisitions have to be cancelled. The Government of India are aware that this is a very large organisation and often-times, in anticipation of what is required to be done, certain requisitions are addressed to the U.P.S.C. But the number of cancellations is not very large. Therefore, I would submit that so far as this large organisation is concerned, these things become sometimes inevitable.

Then you will find that the cases of re-employment are not many, and the U.P.S.C.'s advice in this respect is generally accepted. Certain irregular appointments and delayed references have also been pointed out, but you will find that in all these cases what happens is certain rules have been made, and so far as temporary appointments are concerned, it is open to the Government of India to make appointments without reference to the U.P.S.C., provided they are required only for one year or some smaller period. What happens is, sometimes, when such appointments are to be made, we could not anticipate whether they have to be further extended or carried on. Rules have been definitely made, according to which the position has to be reviewed, and if it is found that an appointment which ordinarily was to be for less than a year had to be continued for more than a year, then the U.P.S.C. have to be informed of

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this requirement. Therefore, it depends upon the anticipations, and oftentimes, the anticipations prove wrong. That is the reason why it has been pointed out by the U.P.S.C. Even in such cases the number is not very large.

A complaint has been made about making references or requisitions in time. There also, I have pointed out the reason. The Government or the Department starts with the belief that it might not be necessary to have the appointment for a longer period than one year.

Ultimately it is found that it is so required. The moment it is found that it is so required a reference is made or a requisition is addressed immediately to the U.P.S.C. Therefore, naturally, they have made a complaint in this respect. But I have pointed out the reason why in all such cases what has been done is inevitable.

Then, one instance has been pointed out by the U.P.S.C. in which the Government had to take a different view. That related to a high railway officer whose conduct was not found to be satisfactory. So far as the report of the enquiry officer is concerned, the U.P.S.C. agreed with this particular officer that the charges against this particular officer of the railways were substantially proved. If the charges had been proved, as it has been pointed in the memorandum here, the officer's action was far from satisfactory. It involved the Government in a direct loss of more than Rs. 40,000 and an indirect loss of a similar amount. Under these circumstances, if the facts as they have been stated would be taken into account, there was scope for believing that his conduct was far from honest. That is where a difference arose between the U.P.S.C. and the Government of India. The U.P.S.C. made rather a general remark that his conduct was excellent. The conduct of the officer, unfortunately, was

not excellent at all. In one year it was stated that it was satisfactory. In the other year it was stated that his conduct was not good and therefore his promotion was stopped. In addition to these instances there was also another instance where his conduct was found to be not proper. Under these circumstances, the Government of India were perfectly entitled to come to the conclusion that this was not a case for a lenient treatment. The House will understand here that the difference between the Government of India and the U.P.S.C. was with regard to the manner of treatment on the footing that certain items of misconduct had been proved. The U.P.S.C. held that a lenient treatment would be better. The Government of India came to the conclusion that in the interests of efficiency of the services, in the interests of what had been disclosed in the course of the enquiry, it would not be proper to treat this officer with leniency. Therefore, the Government of India came to the conclusion that he ought to be removed from service.

Here you will find, therefore, that the Government of India desire to act strongly in a case where there is suspicion that an act is not a *bona fide* one and the Government has been involved in a considerable loss. It is for this reason that the Government did not like to accept the advice of the U.P.S.C. so far as its recommendation of lenient treatment was concerned. In the interests of maintaining the highest standards of efficiency the Government considered it essential that he should be removed from service.

Even here, the House will kindly note, after we received the U.P.S.C.'s advice we made a back reference to them requesting them to consider all these circumstances that are sufficient to require a measure of punishment which is far more than what they had recommended. But even after that they stuck to their original advice and, naturally, the Government of India had to take recourse to the removal of this

officer from service for the reasons which I need not deal at great length because they have been pointed out in the memorandum.

Considering all these circumstances, I am satisfied that the U.P.S.C. and the Government have been doing their work with as much efficiency as is possible under the circumstances, and the relations between the U.P.S.C. and the Government are exactly what the House had desired them to be.

Some hon. Members are likely to enquire as to why we differed from the U.P.S.C. In this particular case I have given the reasons. But you will find that the total number of references in respect of which advice was sought from the U.P.S.C. in the year 1959-60 was 15,136. In all the other 15,135 cases we have accepted the U.P.S.C.'s advice and only in one case we did not accept it for the reason that we desired to take stronger action against a defaulting officer than what the U.P.S.C. had suggested. Under these circumstances, I am confident that the House will agree that the U.P.S.C.'s recommendations have always been treated with full respect and their advice which is considerably valuable is always properly respected.

Mr. Deputy-Speaker: Motion moved:

"That this House takes note of the Tenth Report of the Union Public Service Commission for the period 1st April, 1959 to 31st March, 1960, together with the Government Memorandum thereon, laid on the Table of the House on the 21st December, 1960."

May I know how many hon. Members wish to participate in this discussion?

Some Hon. Members rose—

Mr. Deputy-Speaker: I see eleven hon. Members rising in their seats. Then I shall have to place a time-limit on speeches. We have got 1½ hours now.

Shri Braj Raj Singh: We have not decided upon the time for this discussion. Have we?

Mr. Deputy-Speaker: No; time has not been allotted.

Shri Braj Raj Singh: On a Government motion we may fix four hours.

Mr. Deputy-Speaker: That was exactly what I was coming to if he had allowed me. I would have certainly put it to the House. What time, hon. Members feel, should be allotted to this?

Shri Harish Chandra Mathur (Pali): Let hon. Members have the freedom to speak.

An Hon. Member: Four hours.

Shri Datar: Two hours will be sufficient. I shall reply tomorrow.

Mr. Deputy-Speaker: If I have to accommodate these eleven hon. Members and if I give fifteen minutes to each, that will mean about three hours and the total time allotted will automatically become four hours. But if hon. Members can finish in less time it will be better.

Shri Braj Raj Singh: No, Sir.

Mr. Deputy-Speaker: Ordinarily the time allowed will be ten minutes. In some cases it will be 15 minutes when some points are being made.

Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes): In some cases 30 minutes.

Mr. Deputy-Speaker: That would not be possible. I am going to call Shri Jaipal Singh first of all and he should not set a bad example.

Shri Jaipal Singh: Mr. Deputy-Speaker, Sir, I am very glad you have given me the credit of setting an example. I take this example from you.

[Shri Jaipal Singh]

In discussing the U.P.S.C. we should not forget the Provincial Service Commissions. I know we should not discuss the State Public Service Commissions, but we cannot completely divorce the impact of what we say here on the States.

First of all, I think, example is better than precept. You have already asked me to set the example. I want the Home Ministry to set the example. What kind of an example have they been setting? The hon. Minister and his senior colleague sometimes, not always, have been telling us how meticulously they have been honouring the Constitution. They always howl at the word efficiency, 'subject to efficiency'. I have had a great deal of experience in the matter of selection.

Mr. Deputy-Speaker: Is howling a good example?

Shri Jaipal Singh: I have for about ten years been associated with selection of officers of the highest grade. If I had the hon. Ministers and the Treasury Benches to appear before me, I would like to tell them that if I had to put this test of efficiency, there would be a disastrous result. This question of efficiency was thrashed out when the Constitution was being made. What is efficiency? Who decides that? It depends upon who the Chairman is and who the personnel are. The Constitution has righteously and, if I may say so in a humble way, sanctimoniously endeavoured to provide some sort of an entry to the so-called Scheduled Castes and Scheduled Tribes.

The hon. Minister, year after year, tells us, since the appointment of the Special Officer to the President, there has been an improvement. The figure 14 is what he told us today. He is proud of the achievement. I am not. I want to tell my hon. friends across the Table there in the Treasury Benches that this is no performance on their part. We have had universal scholarships awarded. But, again and again, we are told, subject to efficiency.

Who decides what efficiency is? You go to the Union Public Service Commission, you go to the State Public Service Commissions, you go to the Railway Commission: everywhere the same thing obtains. I have never begged; I will never beg. I do not desire that our standards should be lowered. Let no one think that the standards are being maintained or even being enhanced by the non-Scheduled Castes and the non-Scheduled Tribes. Let us make no mistake about it. What does Swaraj mean? I would rather be misgoverned, badly governed by my own people than by somebody else. In the matter of service, the same problem crops up. I am not complaining. All that I am saying is that the Special Officer to the President has failed in his duty. This is not the moment to criticise him, because we have another debate. The point is, there has been absolutely no improvement. I can quote instance after instance where there have been first class graduates, eminently qualified academically. If they have to appear before me, they would be equally competent to get through. But, no. They are only Scheduled Castes and Scheduled Tribes. Who are the people before whom they have to appear? I come from an industrial belt. You have been there. You have been to my home town. I hope you would re-visit it. You will see a dismal picture there.

Mr. Deputy-Speaker: If I am invited.

Shri Jaipal Singh: You do not have to be invited. The Gurdwaras always invite you. My house is always there. You do not have to be invited.

What I am trying to point out is, there is the Sindri fertiliser factory. If the managing director is from Bengal, what happens? The first eight posts are filled by Bengalis. Then the ninth would be somebody from Madras. If you change that over, as is the case in the Hindustan Heavy Engineering Corporation, if you put a Madras

there, what happens? Even the chap-rassis have to be imported from Madras. I am sorry, I have to say this. We talk of national integration. We are on the eve of general elections. I do not wish to make any capital out of this.

Mr. Deputy-Speaker: The beauty of the countenance is always on the eyes of the beholder.

Shri Jaipal Singh: I am trying to point out this. You are building enormous dams. The Prime Minister goes round saying wonderful achievement, wonderful feat of engineering in the country. Four hundred Santali villages have been submerged. What have you done for them? You say that the Heavy Engineering Corporation will be doing as large as 200 tons of foundry work. Eight villages are displaced. What have you done for these eight villages?

Take the Universities, for example. What happens? Take my old province of Orissa. I say, old province, because Orissa was previously a part of one province, Bengal, Bihar and Orissa. You started Universities there. Roorkee produces all the engineers that are first class: a first class degree every one of them gets. Orissa retaliates. They also say, all right, if only first class engineers are eligible, we will produce first class engineers. That is happening at the University and educational level. We set certain standards. I am going by the standards. I am not objecting to efficiency as such. But efficiency has become not an objective matter, but it has become a subjective matter. If Shri Datar is head of the Public Service Commission, generous as he is, he is a human being, and I know exactly what he will do. He will repeat the same performance he has been repeating year after year in this House, namely 'We are doing the very best, and Government are honouring everything'. But where are the results? Let him produce the results. He has failed in that. What I maintain is that if there has to be national integration, just as the Plan-

ning Commission has been seriously thinking of the dispersal of factories and the like throughout the country, so that there is an even distribution, so that every corner of our country, feels that note is being taken of it, subject to certain considerations, namely that it is no good your putting up a steel factory, if the coal is not there or if the iron ore is not there and the like, likewise, here also there should be equitable distribution. We are trying to have an equitable dispersal of development projects, but when it comes to the U.P.S.C., what do we find?

Look at the figures at the Centre, look at the figures supplied by the U.P.S.C. I dare not go, because it would be out of place for me to do so, into the reports of the State Public Service Commissions. But look at the U.P.S.C. We have been independent for nearly fourteen years. But has there been any real basic change? Look at the Armed Forces. Time was under the old regime when only the martial races were there. And who were the martial races? Not Shri Datar, but you, Sir, were there; I was there, and somebody else was there. But we have destroyed that myth. I want to know what Government have done to destroy this myth of efficiency that only certain people are efficient, and that the others can never be efficient.

Nowadays, how do we set about this question of efficiency? It is objective as well as subjective. I have given up the case of my old province, Orissa, a backward province. But for the fact that it has become a separate province, believe me, no Oriya would have been sitting in this House. We have plenty today, even at the table we do, because Orissa is a separate State. But if we had to set this test of efficiency and leave it to my hon. friend the Minister, there would be no Oriya here. I am putting this straight, because it is a question of national integration. We are not job-hunting. I am not here to beg. I shall get a place in my own right, without the hon. Minister protecting me. But if the country has to

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go ahead, if there has to be national integration, we must take this point up very seriously.

I would rather damn efficiency, in order to meet the other point, that is to say, the question of national integration where *pro rata* representation is given population-wise, caste-wise, region-wise, language-wise, and every other-wise. Otherwise, we are just nowhere. This is what is happening with many of our projects.

Today, if you go round the country—and I do travel and I think more than most other people, and I can tell you—you will find that most appointments are political appointments. Even where we are dealing with non-political work like community development projects,—next time, you come to Ranchi, I hope I shall be there with a red carpet to receive you; last time, I just missed you; and I would like to take you about a hundred miles west of the Gurdwara at Ranchi to show you what I mean by this—this is what we find. A community development project is a project to employ unemployable Congressmen. That is the position. I am sorry I have to say this. Unfortunately, we are on the eve of the general elections, and it is very unbecoming on my part to make a statement like this. Unfortunately, I do not get an opportunity to speak much. You, Sir, have limited me already; I think I have another 25 minutes, according to you.

Mr. Deputy-Speaker: minus 20 minutes.

Shri Jaipal Singh: I am quite happy with the five minutes left to me.

Shri Sinhasan Singh (Gorakhpur): Even the first example has become bad.

Shri Jaipal Singh: His standard of madness is not mine.

In the matter of the Central services, I feel that we should think of all-India representation at every level. He

mentioned 14 as the figure. I think I am right in saying that.

An Hon. Member: For ST, it is only 8.

Shri Jaipal Singh: He thought of the Indian Administrative Service; Am I right?

Shri Datar: Yes.

Shri Jaipal Singh: Seven of them are from Assam only. If he will check up, he will find that. We are not that raw. I may be wrong; it may be last year's figure. But the fact is that 7 are from Assam. Why 7 from Assam? What happens to the rest of India if 7 are from Assam? We know exactly what it is. We know exactly why Nagaland is conceded. I want my hon. friends in the Treasury Benches to realise this. If they think that violence pays, let them say so. It is violence that has paid in Assam. If they think that is the only way for Scheduled Castes and Scheduled Tribes, let them say so. Let them not be bogus Gandhians.

This is what is happening today. In the case of Assam, it is not that they do not deserve these 7 appointments. They richly deserve them. But suddenly, overnight, when you find that universal scholarships are being awarded throughout India, involving crores of rupees, you find 8 people taken—7 from Assam and one from my own home State. That means 7 plus 1 equal to 8. The rest of India does not just exist. They are not efficient, they are not up to standard. I want Government to think very seriously about this.

I am not concerned merely with Scheduled Castes and Scheduled Tribes. There are others very, very important. They are not backward classes. They are people who are well off. They have a right to be represented in the services. I am not

worried about backwardness. In my view, backwardness should not become a vested interest. Because I am backward, therefore, I am entitled to all sorts of privileges! I have not been a beggar and I have no intention to be a beggar. But I would rather be misgoverned by my own people rather than by my friends over there.

Shri Harish Chandra Mathur: I think we will be taking a very superficial view if in considering this Report we just concede that while there were 15,000 cases referred to the UPSC, they differed only in respect of one, and therefore, there is a wonderful record to present to this House. Even in this matter of one case in which they have differed, I have no quarrel with the Government. They have every right to differ in a case where they feel like that and in this particular case at least, I am in support of the Government, that they have rightly and legitimately differed from the UPSC in awarding a fitting punishment to an erring officer. This is not only the first time that they have done this. If I remember correctly, even in the last Report, there was a similar case, of an Executive Engineer. When we discussed the report from the UPSC regarding the LIC case, nobody in this House paid compliments to the judgment arrived at by the UPSC or the Government in regard to the punishment to be given.

The great hon. Home Minister then stated that he was more in agreement with the dissenting note than with the general report of the UPSC, and I drew his attention to the fact that not one Member in this House was in tune with the working of the UPSC. So, I wish to assure my hon. friend the Home Minister that this House is not exercised at all about certain cases where they differ in their opinion with the UPSC. If so, we will be taking a very superficial view.

Let us examine whether the UPSC has been able to acquit itself to the satisfaction of this Parliament and

this country. The UPSC is not an end in itself, it is only an instrument which has been devised by us and by the Constitution to be able to give us a healthy service, to be able to inject some sort of morality into the services. All cases of appointment and recruitment are made through them; cases of promotion have to be handled by them; cases of disciplinary action are referred to them. So, we devised an independent body which will be able to give to this country a perfectly sound administrative set-up. Now, after 15 years, let us take stock of the situation and see whether we have the desired administrative set-up.

The other day in this House we referred to the observations made by Justice Mullah about the Indian Police Service. Very devastating remarks have been made by that Judge. On that occasion I defended, and defended very strongly, that the Chief Minister of UP had a right to express his opinion, as also the Members of this House. At that time I was not aware that this matter was before the Supreme Court or it was going. I did not take notice of it. Because I defended it I should not be misunderstood, and therefore I put a question, which was answered only yesterday, asking the Home Minister as to what note he had taken of the judgment, of the damaging observations made by the Judge of a High Court who had life-time experience as a practising lawyer, as was pointed by Shri Sadhan Gupta, and who was one of the most distinguished Judges. And the reply which I get from the Home Minister is: well, the UP Government is thinking of going in appeal to the Supreme Court. I thought it was too serious a matter of which the Central Government would take immediate note, because here is the entire Indian Police Service, which is being recruited through this institution of the UPSC, which is in such bad health. Is the UPSC and the Home Ministry functioning to the satisfaction of this country? We must do some heart-searching. Let us understand where we stand in respect of

[Shri Harish Chandra Mathur]

our administrative services. Here, it is about the highest police service that such observations have been made.

I also want to invite the attention of my hon. friend to a very illuminating article written by Shri Panikkar, who was one time our Ambassador, and is at present Vice-Chancellor of the Jammu and Kashmir University. The gist of the article, which is about the Indian Administrative Service, is this question: whether it is the steel frame or whether they are courtiers. He says that during these 15 years what used to be the steel frame at one time was degenerated into a team of courtiers. If this is the state of affairs, then I think it is a very dismal degeneration of the services, and the UPSC report and the functioning of the UPSC will not be of any satisfaction to this country and this House, and these figures which are being branded in our face will be absolutely meaningless.

I think, therefore, it is high time for us now to appoint a high-powered body to go into the entire question of how best the recruitment should be made: how best the training should be given and what sort of instruments have got to be devised and whether the present UPSC is a fit enough instrument to fulfil the requirements of free India or not.

Let us go into deeper matters. I do not deny that the UPSC is possibly doing its best, that the Home Ministry is possibly doing its best, but even the best they are doing is not satisfying this country. The result is that there has been considerable deterioration not only in the morals but in the working also. When I say this I realise that there has been an extra load of work; the work has increased. There has been a different type of work which has come into their hands to which they were not very much used. There are devoted government servants and they are as devoted and patriotic as anybody else who sits in this House. But we are all aware that

there are irritating delays, that there is corruption everywhere where people come into direct contact with the services. There have been complaints. Let us examine all these things and come to certain conclusions as to where we stand and what changes have to be brought about.

Coming directly to the present composition of the Commission I have certain observations to make. I think even before this high-powered body is appointed to go into the entire important question, the present composition of the UPSC needs second thought. There is a general practice for officers just on the verge of retirement to go to the UPSC and take appointment there. I think the UPSC is not there to provide for somebody here in the Secretariat. The men who may be sent there from here may be men of gold. I have absolutely nothing to say against them. Supposing the Home Secretary is appointed the Chairman of the UPSC. He may have rendered the most valuable services; he may be an excellent man. But it is a most unhealthy convention. This is highly demoralising. Then, people will not have that confidence we want people to have in this highly independent institution.

Another thing I would submit is this. With the best of their intentions they might go there. But they are far removed from the everyday realities of life. Every day complaints are coming from the people that they are not very suitable. You must choose somebody who has been in direct contact with the people, who has been listening to the criticism, who has been rubbing shoulders with the people, who has been moving about in the country some eminent person of tried integrity, as Chairman of the UPSC, somebody who has had some other experience also.

I am glad they have accepted my suggestion that one of the members should be a judge of the High Court.

Though at that time the Home Minister resisted that idea, somehow we find one of the judges has been appointed.

An Hon. Member: Retired?

Shri Harish Chandra Mathur: I do not think. He may have retired from the High Court but he can go up to 65 in the UPSC. We hear Government saying that they would not raise the age of superannuation of civil from 55 to 58. But those who are to be members can easily go up to 65. They may have another 6 or 7 years of life in the UPSC for they can go up to 65.

16 hrs.

Then, I would say that we must have in the UPSC at least one highly qualified technical person, I mean to say some engineer or scientific person. The scientific personnel have been completely ignored in this country. The unfortunate fact is that those people who take decisions are the people in the administration, that is, in the administrative services. There is a general feeling in the entire country—I wish to convey it to the Home Minister—that the technical people who are working in specialised fields, such as the engineers, the scientists, etc., are treated shabbily. The IAS people and other people in the administrative services have a strange sense of superiority as if they alone are the repository of all wisdom. It is entirely wrong. The man who is there all the time, the technical man who knows the thing, should be in a position to change the policy and change the thinking. It is absolutely necessary that he should be one of the most senior members and in times to come I wish the technical man becomes the Chairman or some such higher authority. He must be the Chairman of the particular committee where the technical personnel is being recruited, and it is not enough if he is just invited to attend a meeting and be associated with it. Therefore, I hope the composition of the UPSC will be examined carefully.

Then I wish to invite your particular attention to another matter. We have been discussing the report of the UPSC annually in this House. I would like to know whether a note has been taken of the criticisms which we offer here. We would like to know whether the hon. Home Minister takes note of the suggestions made by hon. Members; whether he examines them and whether he gives thought to them and comes to a conclusion. He might reject the suggestions. It is not necessary that all the suggestions should be accepted. If he rejects any suggestions, especially when there is a unanimous opinion about a suggestion made, we should be informed of it.

I should like to draw his attention particularly to *viva voce* and the written tests. There is a lot of suspicion in the minds of the people, and I think it is correct also, that all is not well in this matter. Member after Member has spoken on this subject very strongly. You will remember, Sir, that the Speaker himself was pleased to make certain observations last time when we debated the report of the UPSC. The Speaker said that if candidates securing 50 to 58 per cent or more in the written tests were thrown out on account of the *viva voce*, the UPSC should append a list giving the reasons for such a rejection, for according to him, the *viva voce* was not standard. I do not suggest that the *viva voce* may have some standard or no standard and so on. But here was a concrete suggestion. We want a list to be appended. It has been said that some of the candidates who were at the bottom of the list, with hardly 40 per cent or so were just brought up to the top during the *viva voce*. We do not know how far this allegation is correct. If we had a list, we would be able to know.

My experience has been extremely bitter, particularly regarding the promotion. I definitely demand of the hon. Minister to take note of the suggestions made here and to give some account of what has been done about

[Shri Harish Chandra Mathur]

them. Year after year, we have been saying this. I was submitting my point about promotion, especially from the provincial service to the IAS cadre. I know of a certain case where a person who was in the Rajasthan Administrative Service could not get up to the senior cadre there, that is, the next higher grade, and he was rejected. But he got into the IAS very conveniently! There may be one or two or three such cases which have happened, but this completely demoralises the entire service and they feel that everything goes by something which is extraneous and which is unmerited.

Mr. Deputy-Speaker: The hon. Member should take greater care because it is a delicate subject, and our limits are confined to the discussion of the UPSC's report. When we say that some extraneous considerations are brought in, these are reflections that we should avoid so far as the services are concerned. So far as the criticism of the system and the instrument that we have for recruitment and other things are concerned, I kept silent. I did not interfere. Of course, we can discuss it, we can criticise it, we can think over it. So far as the suggestion for having a high-powered commission to go into this and to consider whether this instrument is all right or something different should be devised was concerned, I allowed it. But when we come to concrete things, and then cast aspersions or reflections they must be avoided.

Shri Harish Chandra Mathur: I entirely agree with you, Sir. But possibly I was not properly understood. I never said that extraneous considerations were responsible for this. What I said was when such a thing happens when a man who has been rejected for a junior appointment is selected for a higher appointment, it gives such an impression, rightly or wrongly. I did not say that any extraneous considerations arose in that matter at all.

Mr. Deputy-Speaker: When it is rightly, then there is something.

Shri Harish Chandra Mathur: I do not know whether it is there or not. I am only stating the circumstances, the facts which will lead to such a feeling. It is unfortunate.

Mr. Deputy-Speaker: That is another way of saying the same thing.

Shri Harish Chandra Mathur: But how can you ignore what has actually happened?

Shri Braj Raj Singh: If that be a fact, then what will be the case?

Mr. Deputy-Speaker: Here I must interfere because this has been voiced from another side. If it be a fact, then too we have to think over it and not publicly discuss it. We cannot take it up here. If some hon. Member is to stand up and say that the Public Service Commission has not been fair or impartial in this respect, can we take it up here and decide that here? The Constitution does not allow that. Therefore, we have to be careful. It could be discussed with the Home Minister. It could be complained against to him. Certain other measures could be adopted. But it should not be a matter for public controversy and it should not be said here. By implied imputation also we should not come to this conclusion here that the Public Service Commission have not been true to the responsibilities or the obligations that have been entrusted to them.

Shri Braj Raj Singh: Sir, since you have referred to me....

Shri Datar: The hon. Member might be mis-informed. I would like the hon. Member to be careful as to whether his information is correct.

Mr. Deputy-Speaker: There cannot be a public controversy.

Shri Harish Chandra Mathur: Sir, I do not propose to pursue this matter any further. But so far as the factual

statement is concerned, my hon. friend questions it. I have on several occasions while discussing this subject here stated certain facts. Have they been challenged? Last time, Sir, you will remember, the same question arose. I stated the same thing last time, and I gave some facts.

Shri Jaipal Singh: Sir, what the hon. Member has said is completely out of court as far as we in the Lok Sabha are concerned. Even if the hon. Member knows the true facts, that has nothing to do with us. We are not concerned with it. It is completely out of court so far as Lok Sabha is concerned, as you have already ruled.

Shri Harish Chandra Mathur: I could not be half as irrelevant as my hon. friend is. As a matter of fact, I did not know what he was saying when he started the discussion. There is nothing out of court. I do not understand what he means—except for a flair—by saying something like that. That does not help anybody.

Shri Jaipal Singh: It is a State subject.

Shri Harish Chandra Mathur: It is not at all a State subject. I am afraid he has no understanding of the subject. It is not at all a State subject. It is the UPSC's representative who goes and makes a selection. How can it be a State subject? He was all the time talking about State subject.

Shri Jaipal Singh: I am sorry I must ask my hon. friend not to misrepresent me. He talked about Rajasthan Administrative Service. He said about some junior man being selected and all that. What I maintain is, anything that relates to State Service Commission is out of court here.

Shri Harish Chandra Mathur: It is not out of court at all.

Mr. Deputy-Speaker: He was referring to an employee who was reject-

ed for a subordinate service but considered fit for a superior service, and he said that that gave certain impressions in the mind of the public that perhaps the later test was not fair. He was saying that the people might legitimately impute motives or come to such conclusion. That was what he was aiming at.

Shri Harish Chandra Mathur: That was done by the UPSC.

Mr. Deputy-Speaker: He is hinting at the same thing though my request to him was that he should avoid that. He has now directly hit the Public Service Commission.

Shri Harish Chandra Mathur: He thinks that it is a State subject; so I said that selection is by the UPSC.

In the matter of promotion another very unhealthy practice has unfortunately crept into the services. Promotion to the IAS is almost on the recommendation of the UPSC. They are also in a very great difficulty. They find themselves in difficulty to select the right type of man because they have to depend entirely on the record which is presented before them. I find that there is no check and records are being prepared in the ministries in such a manner that if you want to favour a particular officer, in two, three or four years' time his record is made up and he is pushed up. I know of any number of such cases.

Shri Datar: This is unfair.

Shri Harish Chandra Mathur: It is unfair to the Home Ministry and not to the UPSC.

Shri Datar: The Home Ministry does not come into the picture at all so far as promotions are concerned. It is the UPSC.

Mr. Deputy-Speaker: I am not sure how it proceeds, but according to what he has said just now probably the

[Mr. Deputy-Speaker]

UPSC is supplied with records of employees who have to appear before them for promotion for which the ministries have to prepare notes and send it to them. This is what he believes is done.

Shri Datar: The information is supplied by the State Governments. Let him not use the expression 'ministries'.

Mr. Deputy-Speaker: There too there must be ministries. Now the hon. Member should try to conclude.

Shri Datar: He should not insinuate us.

Shri Harish Chandra Mathur: I do not insinuate the Home Ministry at the Centre. I do not say anything against them. I am glad that my hon. friend is satisfied.

Shri Datar: He should not say anything against....

Shri Harish Chandra Mathur: Against anybody?

Shri Datar:unless he is provided with some material. Otherwise what happens is that on the basis of a suspicion or incomplete information we come to certain conclusions which are likely to be wrong.

Shri Harish Chandra Mathur: I wish that this matter is examined. It is very relevant and important, because it has also a very demoralising effect on the services, as to how their records are maintained, how the entries are made, how they go to affect their promotion and how certain things are held back. If the UPSC itself will go into this matter, appoint some enquiry committee and just examine some of the concerned officers who have been affected, they themselves will come to certain conclusions. Here my hon. friend made a much more dangerous allegation when he said, "Just appoint a Madras". He was castigating not an individual but

the entire country, the national character and everything. But I say that human nature being what it is the present system has resulted in something which does not give satisfaction to the Services. Let the UPSC examine this matter. Let them go into it and see what is the reaction of the people who have been affected and who have been rejected. They will be able to tell much better stories because they know about their own record and past services of those who are selected. This will be something very revealing. If there is some dissatisfaction among the services and if it is based on these things, it is a matter which must be enquired into and looked into.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri Harish Chandra Mathur: How many minutes more, Sir?

Shri Braj Raj Singh: He should conclude.

Shri Harish Chandra Mathur: All right, I conclude in deference to the hon. Member.

Shri L. Achaw Singh (Inner Manipur): Mr. Deputy-Speaker, we have been discussing the Tenth report of the U.P.S.C. This report has been prepared under some constitutional obligation and not under any ordinary statute. In these circumstances, it would have been rather better if the Government and the Commission had given a little more attention to the preparation of this report. Except in one case of disciplinary action against an official of the Western Railway, the Government has not given adequate explanation to the various complaints or on the various points raised in this report. The report is before us. We find that there is no adequate explanation to many of the points, as I have said just now.

I would, first of all, like to refer to para 26 of this report. The Commission has referred to many cases,

especially cases of irregular appointments and delayed references. On previous occasions, this point has been discussed before the House. Three such cases have been referred to in this particular report. The Commission observes:

"The Commission took objection to these appointments, which were made contrary to the recommendations of the Departmental Promotion Committee, Commission and without following the procedure prescribed for consultation with the Commission, and found no justification to regularise these appointments."

I beg to submit that these *ad hoc* appointments are discouraging our young people and they have also created unnecessary misunderstanding. I am sure these *ad hoc* appointments under Regulation 4 of the U.P.S.C. (Exemption from Consultation) Regulations, 1958 is the source of all corruption, nepotism, favouritism and backdoor tactics. Most of these appointments have come through the backdoor. When the cases of such *ad hoc* appointments are sent to the U.P.S.C., the reason given is that these appointments are for another six months, so the post may not be advertised, consultation was not necessary and the appointments made by the Government have to be regularised. I do not think this is desirable. We should avoid such things as far as practicable. I submit that this Regulation is an omnibus one. Every sort of irregular appointment can be covered by this regulation and some unscrupulous hands have misused the powers given under this rule. Though the rule says that when the appointment is temporary and necessary in the public interest to be done immediately, the appointing authorities may be empowered to make these appointments and there would be no consultation with the U.P.S.C., no advertisement need be published and there need be no interview, I find, in many cases, this rule has not been observed. The

Commission refers to 26 such cases in Appendix XIV. It is a matter of regret that the delays in the matter of reference of some of the cases are quite inordinate. In one case regarding the appointment of a Junior Field Officer in the Ministry of Commerce and Industry, reference was made after 9 years and 5 months. The Remarks of the Commission have to be noted:

"The Commission regret to note that there continue to occur not only cases where consultation with the Commission has been inordinately delayed, but also cases where appointments made were irregular *ab initio*."

This is exactly the wording used by the Commission in their report. In the case of the Union Territories like Manipur, Tripura and Himachal Pradesh, the U.P.S.C. is the appointing authority, and they serve all the Union Territories. For all practical purposes, the Extra Assistant Commissioners are appointed by the UPSC. But in this matter, the Chief Commissioners are the real authority for such appointments, because only on their recommendation the UPSC would make the final recommendation to make the appointment. The Chief Commissioner is the maker of our destiny, and he can make or unmake, appoint or dismiss government servants. I would refer to just one case.

So far as the Union Territories are concerned, as I have already stated, the UPSC is the authority that recommends the appointment of high government officials. The Chief Commissioner's recommendation is very much important, because the UPSC attach much importance to his recommendations.

Recently, there has been a case relating to the appointment of two extra assistant commissioners. These two extra assistant commissioners were appointed on a temporary basis. It so happened that these two young gentlemen happened to be favourites

[Shri L. Achaw Singh]

of the Chief Commissioner's household, and, they were appointed as extra assistant commissioners under the Manipur Administration. There were many other people serving as SDC's who could easily have been promoted, who were more senior and more experienced. Even if there had been any necessity for the appointment of these extra assistant commissioners, the SDCs could have been easily promoted and they could have filled up those vacancies. Even the creation of these vacancies was very controversial. What I mean to say is that there was a lot of opposition. After their appointment, naturally, the cases were referred to the UPSC. The UPSC set aside those appointments, and they rejected these two extra assistant commissioners. But even after the final decision of the UPSC, these two gentlemen were retained in some capacity or the other. I do not know what the Manipur Administration could do with these people, but then, they have been retained in some other capacity.

That is why I say that the UPSC should be more strict, and Government also should have stricter control over the appointments, promotions and deputations of officers in these Union Territories. Even if some temporary appointments are made, they should immediately refer such cases to the UPSC. Otherwise, there would always be scope for arbitrary appointments. Sometimes, the authorities in the Union Territories act in a very dictatorial way, and sometimes, they act in such a way that such appointments would be very harmful to the interests of those for whom they are appointed.

The Commission have drawn attention to another point, namely the delayed offers of appointment to candidates recommended by the Commission. 42 such cases have been referred to in Appendix VI. I do not understand why it takes two years in a

particular case to offer appointment to a candidate recommended by the UPSC. This is a very unhealthy practice, and it should be avoided. As regards these cases, the Government should have also given us an explanation along with this Report. That has not been done in this case.

I would like to refer to paragraphs 16 and 23 of the Report. Here reference is made to 16 army officers' appointments to civil posts and their advice regarding 210 cases of deputation of personnel. This information is very scrappy. We require more details regarding these cases.

There is another case, regarding re-employment of retiring/retired officers. This is mentioned in paragraph 24. Here also the information given is very scrappy. It does not contain any details so as to enable us to scrutinise it. I think the Government or the Commission should have given us more details, because it is so important, especially from the point of view of the employment policy of the State.

Government also owe an explanation to the House in regard to para 17 of the Report wherein it is stated that in 18 cases, requisitions were cancelled after advertisements were issued and interviews completed in some cases. The hon. Minister stated that this was inevitable. But I submit that such cases should be avoided, as far as practicable.

As regards Manipur, Tripura and Pondicherry, these are out of the way territories. The UPSC has observed that it is very difficult to get good candidates from these territories, and for appointments also to posts in these territories, it has not been possible to get good candidates from other parts of the country.

The Commission has already drawn our attention to one point, namely, that we should make special arrangements for training our young men in the departments of science and engineering. I would urge upon the

Ministry to make special arrangements for the training of our local men, coming from these Union Territories, to take up such appointments in the specialised fields. Otherwise, the time will be far away when we will be able to make the development works initiated in these Union territories yield any result.

Lastly, I would refer to 1779 cases of government employees who have been made quasi-permanent. Under the Central Services (Temporary Service) Rules, 1949, those employees who have served under Government for more than three years would be given quasi-permanent status. In the Manipur Administration, there are several employees who have served already more than three years. The Chief Commissioner is the authority there. They should have been made quasi-permanent. But there are hundreds of these people who have been deprived of this benefit. You know that under this status they get certain facilities for being Government servants, and they would have been entitled to this privilege if they had been made quasi-permanent, but the Government has not done it, I do not know why. So, the UPSC and the Home Ministry should issue directions to the Administration of these Union Territories to make quasi-permanent all Government servants who have served already more than three years.

Mr. Deputy-Speaker: Shri Sinhasan Singh. (Interruptions) Has a speech to be made there in the Benches before he speaks?

Shri Sinhasan Singh: He knows Hindi much better than I know.

Shri Jaipal Singh: I asked him to speak in Gurmukhi, not in Hindi.

Mr. Deputy-Speaker: That is a reflection against the Chair that he can understand only Gurmukhi, and not Hindi. I hope he did not mean that.

1491 (Ai) LSD—9.

Shri Jaipal Singh: No, Sir.

Shri Sinhasan Singh: In his present mood, we should not take him very seriously. He is still laughing at my remark.

उपाध्यक्ष महोदय, मैं इस यू० पी० एस० सी० रिपोर्ट के सम्बन्ध में बोलते हुये सदन और मंत्री महोदय का ध्यान खास तौर से दो चीजों पर दिलाना चाहता हूँ। एक तो रिटायर्ड हैंड्स के रिइम्प्लायमेंट के बारे में और दूसरा यह कि कमीशन ने करीब ३३ आदमियों को जिन्होंने कि अपने आवेदन-पत्रों में गलत उम्र दिखलाई थी उनको ५, ५ और १०, १० वर्ष के लिये नौकरी के लिये आवेदन देने के अधिकार से निकाल दिया। उनको इसवास्ते नौकरी के अधिकार से अलग किया गया कि उन्होंने अपने आवेदन पत्रों में कम उम्र दिखलाई थी अर्थात् ऐज सर्टिफिकेट्स में काट पीट करके अपनी उम्र २३ और २४ वर्ष लिखने का प्रयत्न किया था। अब हर एक प्रार्थी को अपनी अर्जी के साथ इस तरह का एक ऐज सर्टिफिकेट देना पड़ता है और हर एक प्रार्थना पत्र के अन्त में इस तरह से लिखा होता है :—

"I hereby certify that so-and-so, son of so-and-so, is known to me for the last so many years, and that the contents of the petition are true to the best of my knowledge."

अब यह सर्टिफिकेट देने वाले गलत ही देते हैं

उपाध्यक्ष महोदय : यह तो आमतौर पर पार्लियामेंट के मेम्बर्स देते हैं।

श्री सिहासन सिंह : इसीलिय तो हम ने सत्य और झूठ के बीच में यह शब्द "सम टाईम" का निकाल लिया है और सर्टिफिकेट देते वक्त "फोर दी लास्ट सो मेनी ईयर्स" की

[श्री सिहासन सिंह]

जगह हम "सम टाईम" यह शब्द लिख देते हैं और जिस से कि धर्म बच जाता है। लेकिन मेरा तो गवर्नमेंट से यह कहना है कि आखिर प्रार्थियों को इस तरह का झठा सर्टिफिकेट देने को बाध्य करने के पीछे उद्देश्य क्या है ? साथ ही सर्टिफिकेट जोकि हर एक एप्लीकेशन के अन्त में देना पड़ता है और उस को एम० एल० ए०, एम० पी० या गजेटेड आफिसर सर्टिफाई कर सकता है, इस सर्टिफिकेट को हासिल करने के लिये हमारे प्रार्थियों के और खास तौर से देहात के रहने वालों को बड़ी दिक्कत पेश आती है और वह इधर उधर मारे मारे फिरते हैं कि कहीं कोई एम० एल० ए० अथवा एम० पी० मिल जाय। वास्तव में देखा जाय तो इस के द्वारा असत्य का प्रचार होता है क्योंकि उन को यह जानते हुए कि भी कि यह उम्र सही नहीं लिखी है उस को सर्टिफाई करना पड़ता है क्योंकि न करने से वह प्रार्थनापत्र रुक जाता है।

मुझे यह भी कहना है कि वैसे भी आप केवल उस सर्टिफिकेट पर कायम नहीं रहते हैं और नौकरी मिलने के बाद दुबारा उस के बारे में पुलिस अथवा सी० आई० डी० से इनक्वायरी कराते हैं कि उस की वह मान्यता सही है या नहीं और इस तरह का कंरेक्टर सर्टिफाई करा लेने के बाद ही उस को नौकरी देते हैं। मेरी समझ में नहीं आता कि तब आप उसे पहले सर्टिफिकेट के लिये क्यों हैरान करते हैं और झूठ बोलने पर क्यों विवश करते हैं ? जहां तक मैं समझता हूं इस का उद्देश्य यह होता है कि कम से कम प्रार्थनापत्र आप के पास आयें। इस के अलावा और कोई उद्देश्य नहीं हो सकता है। अब शहरी क्षेत्र के लोग तो इस तरह का सर्टिफिकेट हासिल कर के भेज भी देते हैं लेकिन देहाती क्षेत्र के प्रार्थियों को इस के लिये बड़ी दिक्कत उठानी पड़ती है और कभी कभी उन के प्रार्थनापत्र इस कारण रुक भी जाते हैं।

मेरा मंत्री महोदय से अनुरोध है कि वह इस पर विशेष ध्यान दें। मैं ने पहले भी कई दफे यह कहा है कि इस तरह का सर्टिफिकेट देने के लिये प्रार्थियों को क्यों हैरान करते हैं। इतना ही नहीं बल्कि इस के कारण प्रार्थियों और उन के साथ ही जो सर्टिफाई करते हैं उन दोनों को असत्य बोलना पड़ता है और आज हम लोगों को सर्टिफाई करते वक्त जो धर्मसंकट पेश आता है वह क्या उचित है। हो सकता है कि मंत्री महोदय जब मिनिस्टरी छोड़ कर जायेंगे तो उन को भी वही दिक्कत पेश आयगी।

श्री बजर्राज सिंह : वे आसानी से नहीं छाड़ेंगे।

श्री सिहासन सिंह : मेरा तो कहना है कि उन को भी यह दिक्कत हो सकती है और पहले हुई भी होगी। और कभी आगे भी उन के सामने भी इस तरह का धर्मसंकट उपस्थित हो सकता है। इसलिये मेरा उन से अनुरोध है कि वे इस पर गम्भीरता से विचार करें क्योंकि इस तरह की चीज रख कर आप किसी का भी लाभ नहीं करते हैं उल्टे इस से असत्य का ही प्रचार होता है। इसलिये इस सर्टिफिकेट को निकाल देना चाहिये।

दूसरी चीज मुझे यह निवेदन करनी है कि आज जो ३३ प्रार्थी विभिन्न परीक्षाओं में बैठने से डिस्कवालिफाई या डिबार कर दिये गये और उन को ५, ५ या १०, १० वर्ष के लिए डिबार किया गया वह इसी कारण किये गये कि उन्होंने ने इन इम्तहानों में बैठ सकने के लिए उम्र में काट पीट कर के २३, २४ वर्ष की उम्र करने का प्रयत्न किया था। इस तरह से आप देखेंगे कि आज सर्विस करने वालों की शुरुआत ही असत्य से प्रारम्भ होती है। हर एक लड़के के माता पिता लड़के के हित को ध्यान में रख कर कि आगे चल कर वह ऊंची नौकरियों के इम्तहानों के लिए एलिजिबल हो सके स्कूल में दाखिल करते

वक्त ही उस की उम्र तीन, चार साल कम लिखाते हैं, लेकिन कुछ माता पिता खास कर ग्रामीण लोग जोकि इतनी जानकारी नहीं रखते हैं, वह चूँकि अपने लड़के की सही सही उम्र लिखा देते हैं, इसलिये होता यह है कि हालांकि उन का लड़का होनहार निकलता है तो भी, वह इन ऊँची नौकरियों के लिए ओवरएज हो जाता है और वह उन इम्तहानों में नहीं बैठ पाता। आप इस तरह की बंदिश लगा कर सत्य को मार रहे हैं और असत्य को प्रोत्साहन दे रहे हैं। क्या आप इन उच्च नौकरियों के लिए एज लिमिट नहीं बढ़ा सकते। अंग्रेजों के लिए तो समझा जा सकता है कि वह हम को इस तरह से झूठ बोलवा कर खराब करना चाहते थे लेकिन अब तो हमारी अपनी सरकार है और जोकि गांधी जी के तत्वाधान में कायम हुई है क्या वह भी असत्य पर कायम रहेगी और हम लोगों को असत्य ही बोलना पड़ेगा ? इसलिये मैं चाहूँगा कि आप नौकरी के लिए कम से कम उम्र बजाय २३ या २४ के बजाय २५ वर्ष रखें। हमारे दश में प्राचीन काल में २५ वर्ष की अवस्था तक मनुष्य ब्रह्मचारी रह कर विद्याध्ययन करता था और २५ वर्ष बीत जाने के बाद ही वह गृहस्थ आश्रम और नौकरी धंधे आदि में जाता था

उपाध्यक्ष महोदय : १०० वर्ष का समय कैसे पूरा करेंगे अगर २५ वर्ष इस तरह से रख लेंगे ।

श्री सिंहासन सिंह : अब २५ से ५५ तक तीस साल होते हैं । वैसे पुरानी परम्परा के अनुसार वानप्रस्थ ५० वर्ष की आयु में होना चाहिये आप ने ५५ से कर लिया है ।

उपाध्यक्ष महोदय : वानप्रस्थ और सन्यास कैसे पूरा करेंगे ?

श्री सिंहासन सिंह : अब नौकरी से ५५ वर्ष की आयु में रिटायर होने के बाद वानप्रस्थ आश्रम में एक तरह से दाखिल हो जाते हैं और जिन्हें ७५ वर्ष के उपरान्त

जीवित रहने का सौभाग्य प्राप्त हो वे यदि चाहें तो सन्यास धारण कर सकते हैं ।

मेरा तो पुनः आप से यही निवेदन है कि प्राथियों और उन के मां बाप को स्कूल में दाखिल कराते वक्त जो उम्र कम कर के लिखानी पड़ती है और असत्य बोलना पड़ता है उस झूठ को बोलने के लिए आप प्रेरित न करें और यह इसी तरह हो सकता है कि आप बजाय २३-२४ वर्ष के २५ वर्ष की एज लिमिट रख दें

उपाध्यक्ष महोदय : मैं समझता हूँ कि आपकी उम्र भी उन्होंने कम लिखाई होगी ।

श्री सिंहासन सिंह : जी हाँ, मेरे माता पिता ने मेरी उम्र तीन साल कम लिखाई थी लेकिन जहाँ भी अब मैं अपनी उम्र लिखता हूँ तो अपनी सही उम्र ही लिखता हूँ । और उसी प्रकार शायद आप सब की उम्र कम लिखी हो ।

उपाध्यक्ष महोदय : मैं उन को झूठा नहीं कहता—वह बच्चे के हित में ऐसा करते हैं । यह कोई अच्छी बात नहीं है कि आप अपने माता पिता को इस तरह से झूठा कहें और उन की गलती निकालें ।

श्री सिंहासन सिंह : अब माता पिता ने जो गलत उम्र लिखाई वह इसी आधार पर लिखाई कि हमारा लड़का आगे चल कर उच्च नौकरी के इम्तहानों में बैठ सके और लड़के के हित को ध्यान में रख कर उन्होंने कम उम्र लिखाई । मेरा तो कहना है कि आप ऐसी प्रथा ही क्यों रखते हैं जिस में कि माता पिता को झूठ बोलना पड़े और आप को अपने बच्चों की गलत उम्र लिखानी पड़े । आप उन को लड़के के हित में झूठ बोलने के लिए विवश क्यों करते हैं ? अगर आप इस उम्र को बढ़ा कर २५, २६ रख देते हैं तो फिर कोई दिक्कत नहीं होगी और लोग इस झूठ बोलने से बच जायेंगे ।

[श्री सिंहासन सिंह]

रिटायर्ड हैड्स के रि-एम्प्लायमेंट के बारे में मुझे यह कहना है कि आप ने यहां केन्द्र में रिटायरी की आयु ५५ वर्ष रखी है। उत्तर प्रदेश की सरकार ने पहले रिटायरी की आयु ५८ साल रखी थी लेकिन अब उन्होंने ने भी उस को घटा कर ५५ साल कर दिया है। आप के एक स्टेटमेंट में लिखा हुआ है कि आप यहां सेंटर में सब को ५५ साल की उम्र में रिटायर कर देंगे अब बतः टेक्निकल हैड्स की जरूरत महसूस होने पर एक्सटेंशन दे देंगे। लेकिन जैसाकि अभी हमारे माथुर साहब ने कहा कि कोई आप के सेक्रेटरी हैं जोकि रिटायर होने के पूर्व ही पब्लिक सर्विस कमिशन में घुसे जा रहे हैं। वहां वह छः साल तक सर्विस में रहेगा। मेरे विचार में यह व्यवस्था देश के हित में नहीं है। जैसाकि पूर्व-वक्ता महोदय ने कहा है, अगर सरकारी नौकर रिटायरमेंट के बाद फिर नौकरी पाने के लिये लालायित रहें तो फिर एफिशेंसी कैसे पैदा होगी? अगर हम ने शासन में एफिशेंसी रखनी है, तो रिटायर्ड आदमियों को पुनः नौकरी में नहीं रखना चाहिये। एफिशेंसी के लिए दो बातों का डर सरकारी नौकरी में होता है : प्रमोशन न मिलने का डर और एफिशेंसी-बार का डर। जब किसी को रिटायरमेंट के बाद फिर नौकरी में रखा जाता है, तो उस को प्रमोशन न मिलने का डर नहीं होता है और हटाए जाने का तो सवाल ही नहीं उठता, क्योंकि वह पहले से ही हटाये हुए होते हैं और सरकार की मेहरबानी से सर्विस में होते हैं। खुद नौकरी पाने के बाद वह अपने मातहत काम करने वालों को एक्सटेन्शन और री-एम्प्लायमेंट देता है, क्योंकि वह खुद री-एम्प्लायड होता है, जिस का परिणाम यह होता है कि नये नौजवान सर्विस नहीं पा सकते हैं। अनुभव के नाम

पर हजारों नौजवानों को सर्विस की प्राप्ति से वंचित किया जाता है और किया जा रहा है।

मैं ने कई नौजवानों से बातें की हैं। वे ईमानदारी से सर्विस करने आते हैं, लेकिन पुराने अफसरों के पुराने ढंग से, जो मर-सोनरी भावना से भरे रहते हैं उन को भी अपने ढंग में ढाल देते हैं। उन को अपने अफसरों की मर्जी के मुताबिक चलना पड़ता है और अगर वे नहीं चलते हैं, तो उन के कैरेटर-रोल में एंट्री कर दी जाती है और वे मारे जाते हैं। आवश्यकता इस बात की है कि देश की सर्विसिज एक ऊंचा आदर्श सामने रखें, क्योंकि वही देश का शासन चलाते हैं और बहुत से अधिकारों का उपयोग करते हैं। अगर उन पर ऊंगली उठती है, तो यह बात देश और शासन के हित में नहीं होती है।

इस रिपोर्ट में कहा गया है कि लगभग छः सौ आदमियों के नाम री-एम्प्लायमेंट के लिये कमिशन के पास भेजे गए, जिन में से तीन सौ को मान लिया गया। प्रश्न यह है कि क्या यह संख्या कम है। और फिर यह मामला छः सौ आदमियों की री-एम्प्लायमेंट तक ही खत्म नहीं हो जाता है। उन लोगों ने आगे और लोगों को री-एम्प्लायमेंट किया होगा और यह संख्या छः हजार तक हो गई होगी। इस नीति के कारण सरकार उन बीस पच्चीस लाख नौजवानों को एम्प्लायमेंट से वंचित कर रही है, जो कि हर साल तैयार होते हैं। एफिशेंसी, देश की ताकत और एम्प्लायमेंट, किसी भी लिहाज से विचार किया जाये, तो हम इस परिणाम पर पहुंचेंगे कि रिटायर्ड आदमियों को फिर से सर्विस में लेने की नीति का त्याग करना चाहिये।

एक बार यह बात चली कि अवकाश प्राप्त करने के बाद किसी व्यक्ति को कोई

काम नहीं दिया जायेगा, लेकिन हम देखते हैं कि कहीं न कहीं, कुछ न कुछ काम लगा करता है और हर जगह गड़बड़ी होती है। हर एक आदमी दातार साहब का मुँह देखता है कि अगर वह खुश रहेंगे, तो काम चलेगा वरना नहीं। होना यह चर्चा है कि सर्विसिज में हर एक आदमी यह समझे कि अगर मैं काम अच्छा करूँगा, तो तरक्की होगी, दातार साहब और श्री लाल बहादुर शास्त्री इस विषय में कुछ नहीं करेंगे। अगर इस के विपरीत ऐसी स्थिति पैदा की जाती है कि सरकारी नौकर यह समझे कि रिटायरमेंट के बाद री-एम्प्लायमेंट के लिये दातार साहब का मुँह देखना पड़ेगा, तो वह अपना काम छोड़ कर उन को खुश करने का प्रयत्न करने में लग जायेगे और इस से कार्य-कुशलता में कमी आयेगी।

मैं आशा करता हूँ कि अगले चुनावों के बाद हम दोनों के यहाँ पर आने की नीवत आयगी या नहीं। भगवान जाने क्योंकि यह तो जनता के हाथ में है। अगर हम आयें, तो मैं आशा करता हूँ कि उस वक्त री-एम्प्लायड लोगों की संख्या नहीं रहेगी और कमीशन को अपनी रिपोर्ट में यह नहीं कहना पड़ेगा कि इतने रिटायर्ड लोगों को री-एम्प्लाय किया गया।

कमीशन की कुछ रिपोर्ट्स का सरकार ने मान्यता दी है और कुछ को नहीं दी है, कुछ को रखा है, कुछ को नहीं रखा है। मुझे इस बात की प्रसन्नता है कि रेलवे के एक आफिसर के सम्बन्ध में कमीशन की रिपोर्ट को न मान कर सरकार ने उस आफिसर को सर्विस से अलग कर दिया है। इस के लिये मैं सरकार को सन्धुवाद देता हूँ।

अगर प्लानिंग कमीशन, जो कि देश का निर्माण का काम कर रहा है, कोई गलत काम करे, तो हमारे लिये यह दुखकी बात होगी। वहाँ पर एक आफिसर को १९४५ से १९५६ तक १५०० रुपये की तन्खवाह पर नौकर

रखा गया। १९५४ से १९५६ तक वह मेम्बर-सेक्रेटरी, प्राहिबिशन एन्ववायरी कमेटी पद पर रखा गया। वह पोस्ट खत्म होने के बाद वह बराबर चलते रहे और प्लानिंग कमीशन उस को बराबर किसी न किसी काम पर लगाता रहा। कभी छः महीने और कभी आठ महीने के लिये उन की सर्विसिज बढ़ाई जाती रहीं। १९५७ में उन की उम्र साठ साल हो गई, लेकिन फिर भी उन को सर्विस में रखा गया।

Mr. Deputy-Speaker: Individual cases shall not be referred to.

श्री सिंहासन सिंह : इस कमीशन ने अपनी रिपोर्ट में रेफर किया है।

उपाध्यक्ष महोदय : फिर तो जरूर रेफर कीजिये।

श्री सिंहासन सिंह : उन को कभी इस काम में और कभी उस काम में लगाया जाता रहा और इस तरह वे १९५४ से १९५६ तक सर्विस में रहे और उन्होंने गवर्नमेंट से १ लाख ८० हजार रुपये प्राप्त किया। देश का प्लानिंग कमीशन, जो हमारे भारत का निर्माण करने जा रहा है, इस तरह गलत काम करता है। बड़े दुख की बात है। मेरा कहना यह है कि अगर इस प्रकार प्लानिंग कमीशन जैसी बड़ी संस्था ने १५०० रुपये पाने वाले बड़े बड़े अधिकारियों की इर्रगुलर एपॉयंटमेंट कर ली, तो यह हमारे लिये, प्लानिंग कमीशन के लिये और सब के लिये शर्म की बात है। मैं कमीशन को धन्यवाद देता हूँ कि उस ने इस ओर ध्यान दिलाया है। अगर चालीस पचास रुपये पाने वालों की इर्रगुलर भर्ती हो जाये, तो कोई न्यायादाहानि नहीं होगी, लेकिन अगर बड़े बड़े तन्खवाहदार अधिकारी, जिन पर निर्माण का काम निर्भर है, इस तरह बैंकडोर से आ जायें, तो वह हमारे लिये अच्छा नहीं है।

[श्री सिंहासन सिंह]

सरकार की इस नीति के कारण लोगों में यह भावना फैल गई है कि इस वक्त तो नौकरी कर लो छः महीने के बाद कमीशन से रेगुलराइज़ हो जायेगी। अगर इस व्यवस्था को हटा दिया जाये, तो अच्छा होगा। बहुत से लोग हम को तंग करते हैं कि दातार साहब को कहिये कि हम को नौकर रख लें, बाद में कमीशन से रेगुलराइज़ हो जायगा। यह अवस्था सब के लिये दुःखमय है।

मैं चाहूंगा कि सरकार पब्लिक सर्विस कमीशन की स्ट्रेंथ को बढ़ाये। वही सब तरह की भर्ती करे और किसी को बैकडोर से सर्विस में न आने दिया जाये।

Shri Kodiyan (Quilon-Reserved—Sch. Castes): Mr. Deputy-Speaker, Sir, I wish to make only a few observations. The hon. Minister while initiating the discussion on this report stated that the intake of Scheduled Castes and Scheduled Tribes in the Public service has increased to a certain extent. He said that 14 candidates from among the Scheduled Castes have been recommended for I.A.S. But looking to Appendix III in this report, we find that even for this I.A.S. service 741 candidates applied, 369 appeared for the examination and only 14 have been recommended. The total number of applicants from among the Scheduled Castes in the year 1959-60 who applied for the various posts, according to this Appendix III, is 2,888 out of which only 152 persons have been recommended, and out of these 152 we find that 101 have been recommended for the post of assistants only. Up to the grade of assistants, I must concede, there has been some improvement, but above that, so far as the higher posts are concerned, even at present the intake of Scheduled Castes and Scheduled Tribes candidates is extremely inadequate.

The Commission in the Report has pointed out that for certain posts exclusively reserved for the Scheduled Castes and Scheduled Tribes candidates were not available. Therefore we cannot have satisfaction that compared to previous years there has been a little improvement in their intake into the public services. The fact remains and everybody knows that the representation of these weaker sections in the public services is extremely inadequate. In view of this fact, I would request the hon. Minister to relax further the rules for recruitment of these people to the public services. If any such further relaxation is done, I do not think that it will be wrong.

I am grateful to the hon. Minister that Government have taken certain steps to give special coaching to selected candidates from among these communities. But I want to know what actual progress has been made in this scheme of introducing special training for Scheduled Castes and Scheduled Tribes. Even today only one university has accepted this scheme, that is, the Allahabad University. I would request the hon. Minister to extend the scheme to other universities also, specially in the south, because people from the south will find it very difficult to come and have this training course at Allahabad. Therefore some more centres may be opened in some other universities also.

Every effort will have to be made to bring the weaker sections to the level of others. Special concessions will have to be given to these people. But unfortunately I must point out certain institutions are being kept exclusively for the benefit of the richer sections. I am referring to the Sainik Schools, that is, the military schools which are being opened at various centres in the country. I am told that the tuition fee for one year together with the caution money and some other fees in these schools may come to about Rs. 2,000 per year and

if the parents of a child who is qualified for admission to these Sainik Schools do not remit this amount, the child will not be admitted. I understand further that no exemption is being given in this respect to the Scheduled Castes and Scheduled Tribes. Therefore I think the result will be that these institutions will be the exclusive privilege of the richer sections only.* I would request the hon. Minister to look into this matter also and give some concession to these people.

The next point that I wish to make is a very pertinent one. The Commission has suggested that there must be forward planning in the matter of recruitment to the services, specially in the fields of science and technology. The hon. Minister has stated that Government have taken into consideration this point also and recently they have started new technical institutions for training our young men in this specialised field. But mere starting of new technical institutions will not be enough because we find that in our country today, on the one hand, we complain of lack of adequate personnel in the technical field and, on the other, we find that a large number of engineers and other technical personnel are unemployed. The pattern of education in the country is such that we are faced with such a paradoxical situation. The point I wish to make is that the pattern of our education must be correlated with the requirements of planned development of our country. For a particular period, for example, the Third Plan, in a particular field of engineering, say Electrical engineering or in any other field, say Geology or any other sphere, we must have a precise idea as to the actual requirements. If we have an idea of the actual requirements, we can plan in advance and encourage our young people to take up those special subjects. Therefore, I think the Commission has rightly pointed out that this matter of forward planning is

of urgent importance. I think the Government will consider this point also very seriously.

Several Members have referred to irregular appointments and delayed references. I am sorry to state that this has become a regular feature of the U.P.S.C. reports. In all the reports, we come across this complaint from the U.P.S.C. So far as cancellation of certain recruitment is concerned, I can understand the reason advanced by the hon. Minister that on considerations of economy at a latter stage, they were forced to drop the idea of appointing certain officers. That, we can understand. But, there is no justification whatsoever for delaying references to the Commission for over a period, in certain cases, of more than two years. They have given several examples here, and an Appendix has also been added. I need not go into them. There is one glaring example. That is about an officer who was appointed in the Planning Commission in the Prohibition Enquiry Committee. It says:

"An officer was appointed, without prior consultation with the Commission, to the post of Member-Secretary of the Prohibition Enquiry Committee in December, 1954 and he held this post up to 31st January, 1956 on a consolidated pay of Rs. 1500 per month. The officer was later appointed as an Officer on Special Duty with effect from 1st February 1956."

The point I wish to make is that this officer who was first appointed on 31st December, 1954, held his post in different capacities up to 31st January, 1960, that is up to a period of about 6 years. According to rule 4 of the U.P.S.C. (Exemption from Consultation) Regulations, 1958, it is incumbent on the Government to refer all cases of appointment where the appointment is likely to continue for more than one year. But, in this case, we find a glaring violation of these regulations. I find no justifica-

[Shri Kodiyan]

tion whatsoever in delaying the reference.

17 hrs.

I am sorry to state that the hon. Minister said that these irregular appointments and delayed references are, in most cases, inevitable. If it is inevitable, then I think it is time that the U.P.S.C. should be told that it is none of their business to refer to these delayed references and irregular appointments. It is a very sorry State of affairs that every year these irregularities should happen. Therefore, I would request the hon. Minister not to explain away these irregularities, with technical reasons, but

to see that these irregular appointments and delayed references are at least brought to the minimum.

Shri N. R. Muniswamy (Vellore): Perhaps, the report of no other commission or corporation has come under so much of criticism as the one that we are now having under discussion.

Mr. Deputy-Speaker: We shall hear the rest tomorrow.

17.91 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, November 30 1961|Agrahayana 9, 1883 (Saka).
