

[Shri B. K. P. Sinha]

of the applications did not conform to the specifications of the advertisement. But since the Chairman of the Bihar State Co-operative Bank had particular candidates in mind, so one day before making the appointment he would change the advertisement and formulate a fresh advertisement in such a way that the candidates whom he had in mind could be easily selected by him.

Mr. Vice-Chairman, if this case that I have narrated indicates the state of affairs in the Union Public Service Commission, the Union Public Service Commission, in my opinion, does not act differently from the Bihar State Co-operative Bank.

**THE MINISTER OF FOOD AND AGRICULTURE (SHRI JAGJIVAN RAM):** The Chairman belongs to your district.

**SHRI B. K. P. SINHA :** I hope the Auditor was from yours.

Therefore, Mr. Vice-Chairman, I say that in future : (1) You must have a sprinkling of eminent public men and professionals, jurists, judges and people like that, in the Public Service Commission. It should not become a closed preserve only of retired civil servants. (2) In making selections, please keep in mind that the first, the second and the last qualification of a Member of the Public Service Commission should be integrity, integrity in a wider and higher sense, not in a narrow or small sense.

**SHRI M. N. KAUL (Nominated) :** But how to find it out in advance?

**SHRI B. K. P. SINHA :** The Members of the Public Service Commission are not appointed at the age of 18 when their predilections are not known. They are appointed at the age of 55 or even at the age of 60. By that time if the Government cannot know the predilections and the character of a man, I think such a Government is a very inefficient Government, and I do not believe that my Government is an inefficient Government.

Therefore, they must be very cautious in making appointments to these high bodies. This is all I have to say, Mr. Vice-Chairman.

## MESSAGES FROM THE LOK SABHA

I. THE APPROPRIATION (RAILWAYS)  
No. 4 BILL, 1969

II. THE APPROPRIATION (No. 4)  
BILL, 1969

**SECRETARY :** Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary of the Lok Sabha :

(I)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Appropriation (Railways) No. 4 Bill, 1969, as passed by Lok Sabha at its sitting held on the 26th August, 1969.

The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

(II)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Appropriation (No. 4) Bill, 1969, as passed by Lok Sabha at its sitting held on the 26th August 1969.

The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Sir, I lay a copy of each of the Bills on the Table.

MOTION RE THE 16TH, 17TH AND  
18TH REPORTS OF THE UNION  
PUBLIC SERVICE COMMISSION—  
contd.

श्री शीलभद्र याजी (बिहार) : माननीय वाइस-चेयरमैन महोदय, भारत का जो पब्लिक

सर्विस कमीशन है उसके बारे में यह समझा जाता है कि वह स्वतंत्र और निष्पक्ष हो कर जो नियुक्तियां होती हैं उनको करता है। अभी हमारे पूर्व वक्ताने उसमें एक दोष निकाला। हो सकता है कि उनकी बात में कुछ सच्चाई हो और हो सकता है कि ऐसा होता हो। लेकिन साधारण तौर पर जो यूनियन पब्लिक सर्विस कमीशन है उसकी उतनी शिकायत नहीं रही है।

यूनियन पब्लिक सर्विस कमीशन के द्वारा जो लोग लिये जाते हैं उनकी योग्यताओं के सम्बन्ध में मैं कुछ कहना चाहता हूं। अभी सरकार की भाषा नीति यह है कि हमारे देश में जितनी क्षेत्रीय भाषाएं हैं उन सब में कभी कभी इंटरव्यू लेने की बात होती है और कभी हिन्दी और अंग्रेजी में ही इंटरव्यू लेने की बात होती है। लेकिन मेरा यह खयाल है कि अगर हमें अपनी पंचवर्षीय योजनाओं को चलाना है और हमारी समाजवाद की जो नीति है उसको हमें आगे बढ़ाना है तो नियुक्तियां करते समय हमें इन बातों को भी विशेष महत्त्व देना होगा। समाजवाद की जो नीति है वह किसी पार्टी विशेष की नीति नहीं है। 1954 में संसद् के दोनों सदनों ने समाजवाद की नीति को ग्रहण किया है। लेकिन समाजवाद को चलाने वाले, प्लानिंग को चलाने वाले जो आई०ए०एस०, आई०पी०एफ० या इस तरह के बड़े बड़े अफसरों की नियुक्तियां पब्लिक सर्विस कमीशन के द्वारा होती हैं, वे इसकी परिभाषा भी नहीं जानते हैं कि समाजवाद किस चिड़िया का नाम है, योजना क्या है, उसकी परिकल्पना क्या है। दूसरे देशों में ऐसा होता है कि जो योजना होती है या पार्टी की, गवर्नमेंट की जो नीति होती है उसको अफसरों के साथ साथ जो पार्टी के सदस्य होते हैं, जो पार्टी के कारकुन होते हैं, वे भी चलाते हैं। लेकिन हिन्दुस्तान में हमने जिस तरह की डेमोक्रेसी को ग्रहण किया है उसमें किसी पार्टी का कोई मदस्य सरकारी मुलाजिम नहीं बन सकता है। यदि आज हम

अपने किसी कारकुन को किसी ओहदे पर बैठाना चाहें तो उसको हम बैठा नहीं सकते हैं क्योंकि यहां सारी नियुक्तियां पब्लिक सर्विस कमीशन के द्वारा होती हैं। जो लोग कमीशन के द्वारा नियुक्त किये जाते हैं उनको जो हमारी समाजवाद की नीति है उसका बिल्कुल भी ज्ञान नहीं होता है। वैसे जो आज हमारी मूल नीति है वह समाजवाद की नीति है। आज चाहे जनसंघ के लोग हों, चाहे स्वतंत्र पार्टी के लोग हों, चाहे पी०एस०पी० के लोग हों, चाहे एम०एस०पी० के लोग हों, चाहे कांग्रेस पार्टी के लोग हों, हमारी संसद् ने जिस समाजवाद की नीति को ग्रहण किया है वह सब के लिये एक आदर्श है। लेकिन आज जो परिस्थिति है उसमें हम अपने कारकुनों को, अपने कार्यकर्ताओं को ऐसे ओहदों पर ले नहीं सकते हैं क्योंकि यूनियन पब्लिक सर्विस कमीशन रास्ते में आयेगा, इस लिये हमारे लिये यह लाजिमी हो जाता है कि पब्लिक सर्विस कमीशन के लिये हम इस तरह के कानून, रूल्स बनायें, इस तरह के रूल्स बनायें कि आई०ए०एस० और आई०पी०एस० के पदों पर जो लोग नियुक्त होते हैं उनके लिये जिस तरह से बहुत सी योग्यताएं निर्धारित हैं उसी तरह से उनके लिये यह भी आवश्यक है कि वे यह समझते हों कि समाजवाद क्या चीज है, समाजवाद के प्रोग्राम को कैसे चलाना चाहिये, प्लानिंग को कैसे चलाना चाहिये। आप पार्टी के सदस्यों को तो ले नहीं सकते हैं। इसलिये जो सरकारी मुलाजिम है, जो सरकारी कर्मचारी है, जो बड़े बड़े ओहदों पर काम करते हैं, जो बड़े बड़े कल-कारखानों के इंचार्ज हैं उनको कम से कम इस बात का तो ज्ञान ही चाहिये कि समाजवाद क्या चीज है और समाजवाद कैसे दूसरे देशों में चलता है। इसलिये जो हमारा भारत का पब्लिक सर्विस कमीशन है वह बड़े बड़े अफसरों की नियुक्ति के लिये जो योग्यताएं निर्धारित करता है उसमें वह जो हमारा मूल आदर्श है, जो हमारा अकीदा है सोशलिज्म का, जो हमारा प्लानिंग का आधार है, उसको भी स्थान दे। जब तक वह ऐसा नहीं करेगा तब तक हमारी समाजवाद की

[श्री शोलभद्र याजी]

गाड़ी चल नहीं सकती है, और हमारी प्लानिंग भी चल नहीं सकती है।

आप गृह मंत्रालय के मुनते हैं कि बड़े बड़े आई० ए०एस० और आई०सी०एस० हमारे बड़े बड़े कारखानों के नियंत्रण में हैं, लेकिन फिर भी उनमें घाटा हो रहा है। इसका कारण यह है कि उनको बिजनेस चलाने का ढंग ही नहीं मालूम है। हमलिय आज जरूरत इस बात की है कि ऐसे पदों पर वे लोग नियुक्त किये जायें जिनको बिजनेस का ज्ञान हो। इसके साथ साथ उनको समाजवाद को भी जानना चाहिये, प्लानिंग को भी जानना चाहिये। जब हम कहते हैं कि हम अपने देश में समाजवाद कायम करेंगे तो बड़े बड़े सरकारी अधिकारियों को इस बात का भी ज्ञान होना चाहिये कि समाजवादी राज्य में मजदूरों के साथ उनका क्या रिलेशन होगा, किस तरह का उनका भ्रातृत्व का भाव होगा। आज परिस्थिति यह है कि जो बड़े बड़े अफसर हैं वे तृतीय और चतुर्थ श्रेणी के कर्मचारियों को अपने नौकर से भी बदतर समझते हैं, और उनके साथ वैसा ही व्यवहार करते हैं। इस तरह जहां यूनियन पब्लिक सर्विस कमीशन बहुत सी क्वालिफिकेशन्स निर्धारित करता है वहां वह जो हमारे मूल आधार है उनको भी उसमें शामिल करे। इसके साथ साथ जो हमारे प्रदेशों के पब्लिक सर्विस कमीशन्स हैं उनको भी यह करने की जरूरत है।

दूसरी बात मैं यह कहना चाहता हूँ कि जो हमारी यूनियन टैरीट्रीज है, जैसे मणिपुर है, त्रिपुरा है, गोआ है, अंडमान है, वहां से एक छोटी से छोटी नियुक्ति के लिये भी दो दो दर्जन लोग दिल्ली आते हैं। ये सारी यूनियन टैरीट्रीज हैं इसलिये इनमें नियुक्ति के लिये जो इंटरव्यू होता है वह दिल्ली में ही होता है और उसके परिणामस्वरूप कैंडीडेट्स को दो दो और ढाई ढाई हजार मील में चल कर यहां आना पड़ता है। तो इसके लिये व्यवस्था यह होनी चाहिये कि यदि ज्यादा से ज्यादा वहां के लोगों को लेना है तो यूनियन पब्लिक

सर्विस कमीशन वहां जा कर इंटरव्यू लेने का प्रबन्ध करे। इन टैरीट्रीज की जो राजधानियाँ हैं वहां पर यूनियन पब्लिक सर्विस कमीशन को इंटरव्यू लेने की व्यवस्था करनी चाहिये। कैंडीडेट्स को यहाँ बुला कर के जो इतना खर्चा करवाया जाता है, वह ठीक नहीं है।

तो यह जो भाषा के बारे में गवर्नमेन्ट की नीति हो गई है कि रीजनल लैंग्वेज में इंटरव्यू लिया जाये, इसमें मैं विश्वास नहीं करता हूँ क्योंकि इससे राष्ट्रीय एकता आने वाली नहीं है। अधिक से अधिक हिन्दी और अंग्रेजी में ही इंटरव्यू होना चाहिये। यदि आप को सब रीजनल भाषाओं में इंटरव्यू लेना है तो आप पहले से इसका प्रबन्ध कर लें और जिस सूबे में आप जिन आई०ए०एस० और आई०पी०एस० अफसरों को भेजें उनको आप उस सूबे की लैंग्वेज पहले पढायें, नहीं तो उनको दिक्कत होगी और इससे राष्ट्रीय एकता में भी सहायता नहीं मिलेगी।

इन शब्दों के साथ मैं यह कहना चाहूंगा कि जो पब्लिक सर्विस कमीशन की नियुक्ति की पालिसी है और जो उसके रूल्स हैं, रेगुलेशन्स हैं, कायदे हैं, उनमें मौलिक परिवर्तन होने की जरूरत है।

हमारे प्रधान मंत्री ने परसों कहा कि ब्यूरोक्रेसी को खत्म करना है, नौकरशाही को खत्म करना है। तो भाषण से खत्म करना है, भाषण से नौकरशाही खत्म हो जायेगी। जब तक उनको सिखलाया नहीं जायेगा तब तक नीतियाँ ठीक से कार्यान्वित नहीं हो सकती। तो शुरू से सिखलाने की आवश्यकता है। इसकी ट्रेनिंग होनी चाहिए। जहाँ आई०ए०एस० और आई०पी०एस० की ट्रेनिंग होती है वहाँ कोर्स में यह भी होना चाहिए। तो भाषण देने से ही तो ब्यूरोक्रेसी नहीं जाती। यदि उन्हें समाज का सेवक बनाना है, देश का सेवक बनाना है और आपस में कर्मचारियों में भ्रातृत्व का भाव भरना है तो ट्रेनिंग में यह चीज आना नितान्त आवश्यक है और इस दिशा में यूनियन पब्लिक सर्विस

कमीशन और प्रदेश के पब्लिक सर्विस कमीशनो को आगे चलना चाहिए।

SHRI KRISHAN KANT (Haryana)  
Mr Vice-Chairman, I am glad that after all we are discussing the report of the U P S C. But I am sorry that we are discussing it as if it is a Five Year Plan draft. We discuss it after three or four years and sleep over it. The main purpose of discussing the report of the U P S C every year is that when it comes to this House this House could go into it, discuss it, read it, digest it, and give some suggestions. But it now seems that a routine formality is being completed. Are we to discuss the reports of three or four years together? If so, I do not think we can do justice even to one report. We have to go through it fully, give our suggestions, make our criticism, so that the Government can benefit by it and certain modifications, if necessary can be made, the basic lacuna, whether it is the fault of the Home Ministry or of the Parliamentary Affairs Ministry should be looked into and henceforward it should be seen that the report of the U P S C is discussed every year and not all of them put together for three or four years in order to complete a formality.

THE VICE-CHAIRMAN (SHRI M P BHARGAVA) It is the fault of the Members also Mr Krishan Kant

SHRI KRISHAN KANT Mr Vice-Chairman, you remember during the last session I think you and I both of us pressed for a discussion of these reports, but later on time was not found for that. It came on the agenda papers also

While discussing the U P S C report the basic and the fundamental thing to be looked into is our man-power planning. The man-power requirement in the different fields of work of the country, whether in industry or agriculture or the private sector, should be so tallied that the recruitment of personnel required in the different sections of the Govern-

ment work could be properly taken up. In this connection, while dealing with the scientific and technical personnel required, with your permission, I would refer to the remarks which the U P S C has given in its Eighteenth Report which is very very revealing and which shows how there is a complete misplanning of the requirements of man-power and the availability of scientific and technical personnel.

On page 51 of its report the UPSC says—

“The Commission feel that one of the primary requirements at present is the need for systematic planning of personnel requirements, irrespective of whether such personnel have to be recruited on the results of a competitive examination, selection by interview, promotion, or by any other method.”

Sir, the Home Ministry has been writing about this thing to the different Ministries since 1957 but to no effect.

“In regard to recruitment by selection also the need for some advance planning is obvious. Reference to this aspect particularly in the context of the personnel requirements for scientific and technical posts, were made by the Commission in some of their earlier reports. The importance of the matter was also brought to the notice of Government. As a result the Ministry of Home Affairs issued instructions in 1957 to all Ministries/Departments etc., enjoining on them to prepare along with their budget demands, their requirements of scientific and technical personnel and forward the lists to the Commission to enable them to plan ahead the recruitment process. The Ministries were also requested to examine what further steps were required to ensure that there was proper planning for recruitment of such personnel, particularly where the demands were high. The Ministry of Home Affairs have also since then drawn the attention of the various Ministries/Departments to the need for forward planning in the matter, and for the preparation of consolidated lists of likely

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requirements to be sent to the Commission every year"

Mr Vice-Chairman, what was the result?

"The Commission note, however, that various Ministries/Departments etc have so far not been able to furnish any useful information in pursuance of these instructions"

These instructions are probably thrown into the waste paper baskets or into the inventory rooms where they lie no action being taken on them

"The likely requirements intimated by the Ministries, etc for the year 1965-66, for instance, were in respect of 434 scientific and technical posts, which represent barely 21 per cent of the number of such posts for which requisitions were actually sent to the Commission during the year"

So, this shows how these people are man-power planning the various Ministries are doing

"Similarly, the anticipated requirements given to the Commission for the year 1966-67 were for 927 posts which constituted barely 33 per cent of the posts for which requisitions were actually placed on the Commission. In respect of the year 1967-68, only 3 Ministries/Departments had sent some advance information of their likely requirements. These estimates totalled 162 posts, as against 2,377 scientific and technical posts for which requisitions were actually received by the Commission during the year"

So, this shows how these people are misplanning and why the posts are lying vacant. The work is not being properly done

"In this connection, the Commission would also like to observe that not only have the employing Ministries/Departments been unable to give any reasonably accurate advance information regarding their anticipated requirements, some of them have also not been able to cooperate

their day-to-day demands, with the result that the Commission continue to receive requisitions for recruitment to identical and analogous posts as and when vacancies occur during a year"

So, they do not do even that. At least even if the analogous and complementary posts are known, the Commission can go ahead and recruit people in certain periods of time. But there seems to be some misplanning in spite of the recommendations of the UPSC for a number of years. May I know from the Minister of Home Affairs as to what the Ministry of Home Affairs is doing? What has it done? Is it sleeping over these reports just as these UPSC reports are not discussed here? What are the officers of the Home Ministry doing? They are not looking into any of these reports and no action is taken on this printed junk and this has been thrown out. That is why they are not discussing the reports here. This is a very serious thing. Further—

"There have been a few instances where panels for promotion have not been reviewed for a period of over 3 years, or more, with the result that appointments continued to be made on the basis of out-of-date panels"

This is a very serious matter which I hope the Government and the Ministry of Home Affairs will realise

Now, I would like to refer to some of the studies made by the Directorate of Scientific and Technical Personnel about the posts lying vacant while a number of engineers, scientists and technical personnel are unemployed and are roaming about in the streets of India and are frustrated without jobs. This report shows 'vacancies continued for over one year as percentage of total vacancies'. It says—

"In the Agricultural University and Technical Departments the percentage of junior posts which remain vacant for over one year is 33.5 per cent. The percentage of senior posts is 28.2. In the University Post-Graduate Science Departments it is

staggering Fortytwo per cent of junior posts were lying vacant for over one year and 36 per cent of senior posts were lying vacant for over one year. In the I I T and Departments 15.8 per cent of vacancies in the junior scale and 36.2 per cent of vacancies in the senior scale were lying vacant for over one year. In the Polytechnics it is still staggering. The percentage of vacancies in the junior scale lying vacant for over one year is 38.1 and the percentage of vacancies in the senior scale lying vacant is 64.8."

While we know that engineering graduates are roaming about without jobs, the technical people have also no jobs. They do not know what to do. The Government is making plans and here is a report which shows how many posts are lying vacant for over one year and even more than one year and how they are not properly filled in.

"In the Medical Colleges and Hospitals it is a fantastic thing. The percentage of junior posts lying vacant for more than one year is 42.8 and that of senior posts is 65.3."

And we know that many of our friends came back to India from abroad after their studies there. They came here with high degrees, but they went back because they could not get jobs here. What is all this happening in this country? Is there any coordination or serious thinking? I do not know whether reports are also considered in a coordinated manner. In this connection may I refer to the report of the Estimates Committee—the 93rd report—which has recommended

"The Committee feel that as the manning of posts in scientific and research institutions is a matter of crucial importance in the context of development plans for the country, a high-powered Committee consisting of representatives of the UPSC, Ministries of Home Affairs, Finance and Education and the leading research institutions such as the Atomic Energy Commission, the CSIR, ICAR, etc. may be constituted to in detail into the question of recruitment of scientific personnel so that

the most promising talent is inducted into these institutions through a system of objective assessment. The committee consider that it should not be difficult to bring about a modicum of uniformity in the procedure for recruitment to research institutions through the expertise of the UPSC."

I do not know why it has not been implemented till now. I would like to know from the Government and the Ministry of Home Affairs what has happened to this recommendation of the Estimates Committee. Was such a coordinating committee formed where an integrated picture of the positions available in the country and the persons available in the country could be met and people could be properly fitted in proper places? What is happening is out of frustration many people after wandering for years go to posts for which they are not suited. They have all the qualifications but they cannot get the jobs because of no proper planning. Here is an analysis which has been done by the CSIR which shows that 20% of these persons who have engineering qualification felt that the work they are doing could be done by diploma holders and not necessarily by degree holders. Eight per cent of them felt that non-engineers could discharge their duties. That shows the complete mismanagement. People who can do better jobs are doing smaller jobs and people who have no place perhaps, because of certain other things, as Mr. Sinha said, get better jobs. This is the state of affairs. Is this the way to function when the country needs a lot of engineers and technical people? I do not know what they are doing to fit proper people in proper places. A diploma holder should do a particular work and the engineer should do his work.

Another significant factor which has been overlooked till now is about the scientists and technologists. So much hue and cry has been there about engineers because they come out in large numbers but they have no jobs. This situation is going to arise about the scientists and technologists as well which nobody is taking care of now.

[Shri Krishan Kant]

Those scientists and technologists who have certain experience and who have certain educational experience in particular lines what do they do? They get some posts where they are not required and their unemployment problem is going to have a staggering effect if it is not properly looked into by the Government, which they are not doing now, because till now either in the CSIR or in the Institute of Applied Manpower there is no assessment of how many scientists have come up and how many are properly working in their places and how many have not found their proper places

There is another interesting study also made by the CSIR of Indians holding faculty positions in Canada. I have just related how so many posts are vacant in Universities Polytechnics, IITs and other places for more than a year. Here is a study of three countries. One of them shows that the number of Indians holding faculty positions in Canada is 171. Of these 12 are Professors, 52 are Associate Professors, 88 are Assistant Professors, 16 are lecturers. So 171 persons are persons of Indian origin who have qualified and they are working in the faculties in Canada. In the same way here is another study showing the people working in UK, Australia and New Zealand. There are 184 persons total who are working there. Five are working as Professors, 7 as Readers, 128 as Lecturers, 26 as Fellows, 18 in other positions of research and teaching.

Another study shows the number of Indians holding faculty positions in the USA. There are 920 Indians who are qualified and are functioning in the faculties of the universities there. There are 10 as Chairmen or Deans or Heads, 68 as Professors, 79 as Associate Professors, 172 as Assistant Professors, 87 as Lecturers and the others are 282. The total comes to 920. What do we find in India? As I told you, our positions are lying vacant for one or two or even three years. I have given you the details of the various studies. What is this incongruity? What is the Government doing about it? Have

they ever thought of doing anything about it? They say that people come with bigger qualifications and what shall we do with them. I feel that if a Committee as suggested by the Estimates Committee had been formed, many of these persons could have been brought here and fitted into proper positions and those very institutions could have started a number of centres of studies and certain units could have been built up around them as they do in the advanced countries and any country would have been proud of the development of those centres. What has been done in this connection? Nothing. Mr. Shukla referred to the problem of Indians abroad and said that the UPSC Chairman has gone to foreign countries to select them on the spot. Do you know when he went? He went in June-July when there was vacation in the universities there. How could he select them? Where could he find them? I think he has gone at his convenience and not at the convenience of the students working in the universities. This is complete mis-planning. If you have to send him, send him at a time when he can meet the people in the Universities because if they go for training outside, to factories, you cannot find them there. It will not be possible to fulfil the objective if it is done that way.

Regarding selection committees, Mr. Sinha referred to very important things and said that influences do work. One of the things I would suggest for scientific and technical posts is this. The Selection Committee should have experts not one or two, because they may be influenced, but there should be at least 4 or 5, not merely from the Department concerned but from the other places also so that a qualitative and independent judgment could be made and they could be properly selected and no influence can be there.

Another thing for the proper mobility of the persons, the Government should relax the rules so that the scientific and technicians can really apply to other posts not only once or twice but for as many times as possible so that properly qualified persons

can have proper positions in the country and not, because of unemployment, have to take up smaller positions only. Then because of the time-lag between an advertisement calling for interviews and the selection, which takes time—and the Department also takes such a long time in accepting the candidate and sending an offer—by the time the candidate gets the offer he will have gone to some other job and so selections become useless. A proper study should be made and you should know what is being done.

About people not going to NEFA or other hard places, I think if you want directly people to go there, they may not be able to go. For places like that where people cannot go direct, it is better to send people on deputation for a year so that they know they can come back and you need not select fresh people who may have to go and live there for their life. So by rotation people can go to those places and you can get people for those posts as well.

Finally, I say that the whole question should be properly examined in the light of the recommendations. I would like to point out that for one full year two members of the UPSC were not appointed. The U P S C was functioning without the appointment of two members, and do you think the U P S C can function properly in such a situation? And even now the report says that their proper service conditions have not been given to them. In this condition you want the U P S C to function. This is a deplorable state of affairs. I hope we will not stop here by discussing these three reports and we shall have more opportunity to discuss the whole subject threadbare.

[THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) in the Chair]

DR BHAI MAHAVIR (Delhi) Mr Vice-Chairman, Sir I have in the beginning to support the observations made by the previous speaker with regard to the casual manner in which this very important subject is being handled. That Parliament should be

asked to discuss three years' reports in such a short time shows that the Government does not attach much importance to the consideration which Parliament can give to this matter, and may be they do not attach much importance to the work which the U P S C is expected to do in this country. It is my submission that in a country in which the generality of our political life or our politicians is corrupt, where principles are being thrown overboard for obliging individuals or for obliging groups based on caste, or other personal loyalties, the institutions which can be kept untarnished by these considerations will be the only institutions which can be expected to save democracy from getting a bad name all over, and the U P S C, like our judiciary is one institution which is supposed to have a name regarding impartiality, judiciousness and independence of judgment. If in the U P S C also, as Mr Sinha was saying earlier, if in the selections by the U P S C also pressures are being brought to play a part, and if the U P S C also is being made to oblige individuals or persons who count, it is a very serious matter and it is something to be put down. As he was saying, if right at the source from where independence of authority or from where detachment in respect of various judgments or decisions can be expected to flow, if even there things are going to get polluted in the manner in which it is alleged they are being done, it would be something which should cause worry to all of us. I think it is something which is very necessary for us to look into. If there are charges, those charges should be verified, and it should be ascertained if there is any truth in them. In any case Caesar's wife should be above suspicion and the U P S C in our country, along with the judiciary, I would assert, is more to be protected. Its reputation is to be protected in a greater measure with greater scrupulous attention than that of any Caesar's wife that might have lived at any time in history. Therefore, Mr Vice-Chairman, I would submit that it is something which calls for great care, great caution and great attention on the part



[Dr Bhai Mahavir]

of the Ministries and leaders of the Government. This fact itself that three reports should be hustled through in a manner in which we are not able to study them minutely for want of time, and express our views here is a case in point. I personally confess that I have not been able to do justice to these reports. I have only been able to go through them in a very casual and in a very hurried manner and to note down some of the points which appeared to me to be important enough to be mentioned here. Otherwise, for a thing like this there should have been more time made available to us so that we could make the maximum contribution we could to this debate. In all public life there are those people who try to be independent, who try to be impartial, who try to go by merit. If even on them there is such a tremendous pressure as alleged, it is because of the general atmosphere or the climate in which we live. I have a little experience of these matters because belonging to the party which is running the administration in Delhi today we have tried to set new standards and actually this is something for which we can be proud. We have given up all the discretionary powers which were there regarding the appointment of teachers or other appointments. Previously, when the Chief Executive Councillors used to be Congressmen, they had the discretionary powers, which they exercised even in filling the seats in the teachers' training institutions. But we gave up that power. Our people did not exercise that power in the allotment of other things also, in the allotment of tractors, in the allotment of quotas, in the allotment of permits in short in respect of anything where discretionary powers had been kept and had been used well, of course misused in the majority of cases. We have given up those powers merely because we want the country to have an example of things being done strictly on merit, also of appointments made strictly on merit. Regarding the teachers in Delhi, for example we made a formula, a fool proof formula, which can

be applied to all cases in all circumstances. The marks obtained in the Matriculation or Higher Secondary or Intermediate or Degree class and then in the Training class, all these marks were calculated on the basis of a formula which was made known to the people, and then we said, 'Well, this is the formula and on this basis we are going to select people, people who come right from the top merit-wise.' Now this is what we attempted and this is what we have stuck to despite the pressures which are brought to bear on us, because lots of people come and say, "Well, Sir, everything is happening." They say, "You are talking of going by merit and strictly by merit here. Well, where is the institution or where is the authority in this country which will go by merit alone, which will not listen to pressures, which will not be pressurized into doing things other than on merit?" And now, if people talk of the UPSC also in this way, it is something which pains people who want the country's highest and independent appointing authority to be above reproach in all circumstances. So it has pained us because here responsible Members, Members who know what they are saying well, they have been alleging that this is a fact and the UPSC affairs need to be looked into. Certainly, if there are any skeletons in the cupboard of the UPSC, I would submit that this is perhaps the most urgent thing to be attended to. But the pity is that our Government, our Ministers, they are hardly free from their own internal intrigues, their faction fights, to attend to any important affairs of the country's administration. Mr Vice-Chairman, Sir, this is the first observation I wished to make. Apart from that I wish to make the point that it is high time that our Union Public Service Commission's Examinations began to offer opportunities for candidates to take the tests in their own languages, in their regional languages and no more should knowledge of English or fluency in English be made the determining factor, which it has been all these days. We are a free country. Mere knowledge of English or mere fluency of expression

in English, because a person has had the benefit of studying in some convent school or he has had the benefit of being born and brought up in a highly Anglicized family, that alone should not equip him for or should not give him a favoured position. It should not be that because he is able to impress the people with his knowledge of English or his command over this language he gets a start which all other people are denied. Therefore, it is high time that we switched over to our own languages, and the Jan Sangh has accepted this as the stand. We do not even insist on Hindi in this respect, we say that for purposes of recruitment the tests should be conducted in the regional languages. After the selection has been made, the people should be given the opportunity to acquire working knowledge in either English or in Hindi till this interim period continues, and after this they should be posted, so that they can take on their jobs with proper equipment. But up till now many people about whom we hear, whom we know, they suffer a handicap because they do not know much of English or their fluency has been restricted either to their own mother tongue or, if they are of a Hindi-speaking area, to Hindi only. This is something which should not be

5 P.M. allowed to continue for long. I

would also mention here something regarding the functioning of the UPSC. There are complaints often reaching us that secrecy which should be maintained with strict scrupulousness, secrecy about marks, secrecy about assessment, secrecy about tests, secrecy about results, is not maintained in the fool-proof manner in which it is expected to be maintained. That is why people carry stories of all types about the way the appointments are made in the UPSC. When I look at these Reports I find that there are reasons why there should be use of discretion in a particular manner. Of course when discretion is given to a particular body or to particular persons and they are permitted to use their discretion without limit it would lead to corruption. But here it is not only that; it is some-

thing more. There are certain appointments which are provisional and there are others which are temporary appointments and I find that they are not just some exceptional cases but they are cases running into thousands and I find them in all these Reports. For example in the 16th Report there are 2093 cases in which the Commission agreed provisional appointments to be made. In the next Report there are 2592 cases and in the third Report similarly there is a large number. I do not quite get the figure just now but it is not less than these figures. Of course I can expect that an explanation will be given that these are temporary appointments and no standard rules are laid down and because they are to last only for a few months the UPSC permits them. They are of course permitted by the UPSC but if you keep this alongside with what the UPSC observes then they fall into some sort of a pattern. The UPSC refers for example to late references and irregular appointments. Lists are given of cases where delayed references were made to the UPSC by the various authorities making appointments of their own choice and then not reporting them in proper time. There are instances given in the Reports which show that when a certain query is made by the UPSC six to eight months pass and only after that some reply is sent and that reply is again found to be unsatisfactory, then the UPSC again asks for certain things and in this way 2 to 2½ years pass and the only thing that ultimately comes out of it is that the UPSC says that it is something irregular which should not have been done. If the UPSC is ineffective to this extent it is something worth exploring if we are making the best use of this agency of which, as I said, the country should be proud. This should work in a manner in which not only justice is done, not only impartiality is observed but that it appears also that justice is being done and impartiality is being observed. Mere doing justice will not do, it should be realised by everybody that justice is being done. Merely being impartial will not be enough, everybody should be able to realise and understand that

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there is no question of any type of influence being exerted but the picture as is painted in these Reports does not give me that confidence which I wish to have in this regard I find for example there are instances of delayed references and irregular appointments and one is not really able to understand Here is the case of a permanent Assistant Engineer who was appointed under the Public Works Department, Tripura, it was on an *ad hoc* basis The appointment was made on May 19, 1960 and the reference to the Commission was made in 1965 It was observed that the officer had held this post till January 15, 1964 but the Commission were not consulted regarding the appointment Or December 13, 1965 it was pointed out to the Government of Tripura that this was not regular and they were asked why a reference was not made to the Commission as soon as it was anticipated that he would hold the post for over a year On September 14, 1966 they gave their reply The question was asked by the Commission on December 13, 1965 and the reply was given to the Commission on September 14, 1966, and the Government of Tripura replied that after the incumbent resigned with effect from March 4, 1960, they had to appoint this officer on a purely temporary basis and they wanted to have the scale of pay also revised The question is for years and years the State Governments keep on using their discretionary powers in a manner which the UPSC does not approve of and are we going to accept this as the normal state of affairs? Perhaps the UPSC has no executive power It can only disapprove of a particular appointment If there are certain States or certain agencies which are habitual defaulters, in this respect it is something which should cause concern to all of us

I see another example in the same Report I am referring to the 17th Report and it is about the post of Administrative Officer in Engineering Department of the Municipal Corporation of Delhi This also makes an

interesting reading In February 1966 after a lapse of more than two years the Municipal Corporation sent a reply to the UPSC about a question they had asked I must add here that this was when the Municipal Corporation was managed and run by the Congress Party, let there be no misunderstanding about it because we came in the picture much later All this happened when the Corporation was being run by the same party which was the ruling party in the Centre The UPSC asked the Corporation why the *ad hoc* arrangements were allowed to continue for such a long period without consultation with them The officer continued in that particular job till December 8, 1965 when he relinquished charge and returned to his parent Department I would not have mentioned all these if it had only been some local bodies and the Corporation who were the defaulters Here I find that on April 25, 1966, the Planning Commission sought the approval of the UPSC to the appointment of an officer to the post of Adviser (Industry and Minerals) stating that the existing incumbent of the post would be proceeding on leave preparatory to retirement in June 1966 It was observed in this connection that the officer who had been holding the post had been appointed for a specific period from March 5, 1964 to November 15, 1966 but the UPSC had not been consulted regarding his appointment It was pointed out by the UPSC to the Planning Commission that the appointment and the retention of that officer in the post for over two years without consultation with the UPSC was not regular Of course that is perhaps all that they can do Even Planning Commission and our Ministries also are guilty of such things There are cases in which on the one side appointments are made in a provisional manner under the discretionary powers and on the other side there are delays in sending offers of appointment to candidates selected by the UPSC The UPSC has observed in their 18th Report—the last Report that we have here—that there are delayed offers of appointments to candidates recommended by the Commission The

Commission has selected the candidates, some of them are very brilliant very promising but the actual offer of appointment is made to them with such unnecessary and such avoidable delay that the UPSC has had to mention it here in the Report. There is a mention here of the Combined Engineering Services Examination which was held in August-September 1966. The results were declared on June 2, 1967 and in order to expedite matters what the Union Public Service Commission did was, medical examination was held simultaneously with the interviews so that there would be no delay in the appointments. In spite of that the Commission regret to note that none of the four candidates, including one belonging to the Scheduled Caste, allotted to the Central Engineering Service (Roads) Class I, has so far been appointed by the Ministry of Transport and Shipping (Roads Wing) even though four vacancies were reported by the Ministry for being notified by the Commission for the information of prospective candidates. What does it mean? (Interruptions) It seems that some committee meeting is going on there. The Ministry.

**THE VICE-CHAIRMAN (SHRI AK-BAR ALI KHAN)** Order, order please

**SHRI A G KULKARNI** (Maharashtra) He is going to become a Minister

**SHRI CHITTA BASU** (West Bengal) At least he should stand us a party

**SHRI OM MEHTA** (Jammu and Kashmir) I will do it

**DR BHAI MAHAVIR** The position here is the Ministry reported four vacancies for being notified by the UPSC. Proper steps were taken. The UPSC held interviews. Medical examination also was conducted simultaneously to avoid delay, but with all that till the end of that year nothing had been done. I do not know what happened. This Report is only for the year ending March 31, 1968. Since then if there has been some progress nobody can say, but till the end of that year the appointments were not made. The jobs were properly notified.

The men were selected. The Commission has observed.—

"The Commission further note that all the four candidates ranked very high on the merit list, and, had the Ministry informed the Commission in proper time that there were no clear vacancies in the Service to be filled on the results of the examination, the candidates concerned would have been allotted for appointment to some other Class I Service(s)/posts with due regard to the ranks obtained by them."

But for this long delay, they might have been absorbed elsewhere and all the expenditure and botheration the UPSC was put to was all a waste or the tax-payer's money was a waste. Proper men are not appointed and what is to be regretted more is that possibly the Ministries wanted these posts to be filled up by certain other persons whom they had in view and because those persons were not selected there was a delay in the appointment, so that ultimately the selected people could go elsewhere and find some place where they could earn their bread. Then, a second offer might be made, if it comes to selection by the UPSC and get their own people selected. If this is the situation, it is a very bad state of affairs. I would suggest that in order to do justice to the UPSC, in order to ensure that the UPSC does justice to these jobs and people do not have anything to complain or anything to regret, it is necessary that all these things should be looked into. The reports should come in for a much more elaborate and considered review and assessment in this House. As the previous speaker said unless that is done it would be a mere formality. Because a report has to be submitted, it is submitted and in a hustled manner the stamp of approval of Parliament is obtained. This would not be a desirable state of affairs. Therefore, I suggest that the whole thing should be looked into by the Government from such an angle that no bad name comes to the UPSC. Its working should be reformed or the rules amended if there are any lacunae. The Ministries should also listen to

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them. There are thousands of appointments of a temporary nature. There should be no delays wherever selections have been made and their appointments should be made without undue interference.

**THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY):** Mr. Vice-Chairman, we had a very useful discussion on these important Reports. Though we wish that every Report should be discussed in the respective years, we could not do so for want of time. Of course, the Home Ministry has placed all these Reports on the Table in time every year. Members criticised the functioning of the UPSC and gave very good suggestions. They will all be examined and I hope the functioning of the UPSC will improve.

Hon. Members, Dr. Bhai Mahavir and Shri Sinha, wanted the UPSC examinations to be conducted in all the regional languages. The UPSC has decided that this year, in 1969, for the competitive examination for the all-India services in respect of two papers, i.e., essay and general knowledge, which are compulsory, the candidates would be allowed to answer in their respective regional languages.

Criticism was made about the recruitment of scientific and technical personnel. The Estimates Committee went into the working of the UPSC and they submitted their Report, containing their recommendations in March, 1968. The Government is considering them. We have replied to 26 recommendations and replies to the remaining will be sent very shortly.

The recruitment of technical personnel is a subject of reference to the ARC. We are awaiting their report. When the report of the ARC is received, it will be given proper consideration.

The Hon. Member, Shri Sinha, also referred to an appointment in the Health Ministry. This is a matter concerning the internal working of the UPSC. All these things have been gone into by the Estimates Committee thoroughly. The hon. Member, Shri Yajee, said that candidates appearing for the examinations from the Union territories should be able to appear for interview in their respective Union territories. This is not possible as it will entail a huge expenditure. All the candidates who appear for interview are paid allowances and other arrangements are made so that they can come here conveniently and appear for the interview.

All the suggestions made by the hon. Members will be duly examined and I hope the various Ministries which have been charged saying that they have not sent any reports on the technical personnel will in future send their reports regularly and that the working of the UPSC will improve.

**THE VICE-CHAIRMAN (SHRI AK-BAR ALI KHAN):** The House stands adjourned till 11 A.M. the day after tomorrow.

The House then adjourned at nineteen minutes past five of the clock till eleven of the clock on Thursday, the 28th August, 1969.