

RAJYA SABHA

Thursday, the 4th -June, 1964/th 14th
Jyaistha. 1886 (Saka)

The House met at eleven of the clock, MR.
CHAIRMAN in the chair.

ORAL ANSWERS TO QUESTIONS

TERMINATION OF SHRI R. DESAI'S SERVICES

*133. SHRI DAHYABHAI V. PATEL:
■ Will the Minister of EDUCATION be pleased to state:

(a) whether Government have made any enquiries into the abrupt termination of the services of Shri Raman Desai, Director, Administrative Staff College at Hyderabad, before completion of the term of his contract;

(b) the reasons why this was done resulting in considerable loss to Government having to pay the compensation as awarded by the Court for wrongful termination of services;

(c) what action has been taken against officers responsible for this loss to Government; and

(d) what is the amount of compensation paid?

THE MINISTER OF EDUCATION (SHRI M. C. CHAGLA): (a) No, Sir. The Government are not concerned with appointment or termination of services of staff in the Administrative Staff College of India which is an autonomous body registered under the Societies' Registration Act, XXI of 1860. According to the Articles of Association of the Society, the power of appointment and termination of services vests in the Court of Governors of the College.

(b) There was no loss to Government as the College is not fully financed by the Government. The College receives a block grant which covers only a part of its total expenditure.

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(c) Does not arise.

(d) Rs. 16.983-42 nP.

SHRI DAHYABHAI V. PATEL: May I ask whether the Government gives adequate amounts by way of grants to this institution and if grants are given, does the Government not exercise any control or has it no voice to ask how moneys are spent?

SHRI M. C. CHAGLA: Well, Sir, as I have pointed out, we do give grants but when a body is autonomous with its own Governors who make appointments and dismiss officials, Government normally does not interfere.

SHRI DAHYABHAI V. PATEL: May I know whether the Government have enquired into the reasons why this officer was dismissed, particularly when his dismissal has resulted in a loss of over Rs. 16,000 to the institution?

SHRI M. C. CHAGLA: Yes, Sir. The reason for the dismissal of the officer was that his services were found to be unsatisfactory by the Principal who felt that his continued association with the College would not be in the interest of the institution.

SHRI DAHYABHAI V. PATEL: Was this appointment made after reference to the Public Service Commission or any similar body before selection?

SHRI M. C. CHAGLA: Sir, there is a Selection Committee of the institution which selects the staff. He was properly selected. Then it was found that he was not fit and that his continued association with the institution was not in the interest of the institution. That is why the Principal dispensed with his services.

श्री विमलकुमार मन्नालालजी चौरडिया :

क्या श्रीमान् यह बतलायेंगे कि जो सहायता इस इंस्टिट्यूशन को दी जाती है, वह जिन नियमों के अन्तर्गत दी जाती है उन नियमों

में यह प्रावधान है या नहीं कि वहाँ की संस्था, जो धन उसके पास उपलब्ध है, उसका उपयोग करे और उसी के आधार पर सरकार रकम दे ?

श्री एस० सी० चागला : जो सरकार मदद देती है वह इसलिये देती है कि बराबर उसका उपयोग हो। मगर जब तक एक इन्स्टिट्यूशन आटोनामस है तब तक उसकी आटोनामी में इन्टरफियर करना बाजिब नहीं है।

SHRI R. S. KHANDEKAR: May I know what is the remedy for Government servants whose services are terminated by these autonomous bodies which receive Government grants?—Should they go to a court of law or are there any rules whereby the Government can come to their help in getting them redress?

SHRI M. C. CHAGLA: Well, Sir, there is such a thing as master and servant in our country. The normal procedure is for the dismissed official to make representations to the body which has dismissed him. But if he chooses to be recalcitrant and does not accept that decision, well, he has a right to go to a court of law, and that is what exactly Mr. Desai did. He was dismissed; the Principal got ratification of the Board. Notwithstanding that, Sir, he went to a court of law and the court held on technical grounds that this dismissal was not valid and awarded damages to the extent of about Rs. 16,000.

DR. SHRIMATI PHULRENU GUHA: May I know how long he was in service?

SHRI M. C. CHAGLA: Well, Sir, he was appointed on the 20th September, 1960. It was for a period of two years. But his services were terminated before that, they were terminated from 31st December, 1961. So, he was there for about a year or a little over a year.

SHRI G. M. MIR: May I know, Sir, for how long he served the institution before his services were terminated?

SHRI M. C. CHAGLA: Sir, under the terms of appointment he was appointed for a period of two years with effect from that date, namely, 20th September. Clauses 4 and 5 or the appointment order contain provision for the termination of the contract.

SHRI NAFISUL HASAN: Sir, the charge which the hon. Education Minister has just referred to appears to be too general. Was there any specific allegation against the officer? His continued association with the institution was not in the interest of the institution, well, that appears to be a very vague and general charge. Was there any specific allegation-against that officer?

SHRI M. C. CHAGLA: Well, Sir, no institution can run if its Principal is not entitled to say that the services of a particular official are unsatisfactory. That is the conclusion he came to.

MR. CHAIRMAN; Next question.

SERVICES OF ADMINISTRATIVE OFFICERS IN THE INDIAN COUNCIL OF CULTURAL AFFAIRS TERMINATED

*134. SHRI A. M. TARIQ: Will the Minister of EDUCATION be pleased to state:

(a) whether it is a fact that the services of Administrative Officers in the Indian Council of Cultural Affairs have been terminated recently; and

(b) if so, what are the reasons therefor and what is the number of officers whose services have been terminated?

THE MINISTER OF EDUCATION (SHRI M. C. CHAGLA): (a) Yes, Sir.

(b) On the recommendations of the Finance Committee of the Council which were made with a view to effecting economy in expenditure