

## 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 Gov-  
ernment having to pay the compensa-  
tion 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 com-  
pensation 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 Gov-  
ernors of the College.

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

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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 exer-  
cise 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 autono-  
mous with its own Governors who  
make appointments and dismiss offi-  
cials, 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 institu-  
tion?

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 associa-  
tion 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 institu-  
tion which selects the staff. He was  
properly selected. Then it was found  
that he was not fit and that his con-  
tinued association with the institution  
was not in the interest of the institu-  
tion. That is why the Principal dis-  
pensed 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 वहां की संस्था, जो धन उसके पास उपलब्ध है, उसका उपयोग करे और उसी के आधार पर सरकार खर्च दे ?

**श्री एस० सी० चागला :** जी मंत्री मदद देना है वह इसलिये देती है कि बराबर उसका उपयोग हो। मगर जब तक एक इन्स्टिट्यूशन आटोनामस है तब तक उसकी आटोनामी में इन्टरफियर करना वाजिब 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 of 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