

ALLOTMENT OF TIME FOR CONSIDERATION OF CERTAIN REPORTS

MR CHAIRMAN I have to inform Members that under Rule 153 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I have allotted—

- (i) three hours for the consideration of the Government motion regarding the Tenth Annual Report of the UPSC;
- (ii) two hours for the consideration of the Report of the Assessment Committee on Vijnan Mandirs, 1960, and
- (iii) two hours for the consideration of the Fourth Annual Report of the National Coal Development Corporation Limited for the year 1959-60

REFERENCE TO NOTICES OF MOTIONS FOR PAPERS

SHRI MULKA GOVINDA REDDY (Mysore) Sir, I have sent notice of a Motion for Papers regarding the aggression in Cuba committed by the U S A and another one regarding the situation in the Congo, the treatment meted out to our Indian troops

MR. CHAIRMAN We have sent them to the Prime Minister We are awaiting his reply

THE FOREIGN AWARDS (RECOGNITION AND ENFORCEMENT) BILL, 1961

THE MINISTER OF STATE IN THE MINISTRY OF TRANSPORT AND COMMUNICATIONS (SHRI RAJ BAHADUR) Sir, on behalf of Shri Satish Chandra, I move for leave to introduce a Bill to enable effect to be given to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York, on the tenth day of June, 1958, to

which India is a party and for purposes connected therewith

*The question was put and the motion was adopted*

SHRI RAJ BAHADUR Sir, I introduce the Bill

TENTH ANNUAL REPORT OF THE UNION PUBLIC SERVICE COMMISSION

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI B N DATAR) Sir, I beg to move—

"That the Tenth Annual 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 Rajya Sabha on the 21st December, 1960, be taken into consideration "

Sir, this is the Tenth Report that has come before the hon House for its comments We are aware, Sir, that on previous occasions certain matters were discussed, and I am very happy to find that the UPSC have acknowledged the full co-operation which the Ministries and the Departments have given them in carrying out their duties So far as the present report is concerned, it has mentioned certain circumstances which have to be looked into very carefully. It has also pointed out certain difficulties in getting the full strength from recruitment It has also pointed out certain irregularities Lastly, only in one case out of 15,000 odd that had been referred to the UPSC had there been a difference of opinion and Government had to depart from their advice and take action on the lines that have been pointed out in the memorandum Thus you will find, Sir, that there has been the fullest measure of co-operation from the Government, as they are anxious that

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the views expressed and the recommendations made by the U.P.S.C. should receive the fullest respect and that as far as possible they should be implemented.

Sir, in the course of the report they have pointed out that in certain cases they find it difficult to make recruitment. They have mentioned three cases. One is with regard to the Scheduled Castes and Tribes. You are aware, Sir, that in respect of the Scheduled Castes and Tribes, whenever there is to be direct recruitment, a certain percentage has been fixed. It is different in the case of the All-India Services. It is still higher in the case of other services that have to be dealt with. In all these cases, whenever there has been such a reservation, the U.P.S.C. have been requested to follow what are known as relaxed standards provided they feel that after taking into account the relaxed standards the particular candidates come up to the minimum prescribed qualifications. As the House is aware, the U.P.S.C. have been given this discretion, and they have been using it quite fully, but all the same they have to point out, as they have done in this report, that there are occasions when the requirement or the quota that has to be filled, so far as the Scheduled Castes and Tribes are concerned, does not come up to the requirement that is given. Though no reference has been made here, they have also

12 noon pointed out that the complaint, or rather the deficiency, was very great so far as the all-India services were concerned. It was true that in certain cases they came from families where the environment was not what it ought to have been and, therefore, on earlier occasions expression was given in his House as in the other that some arrangement should be made for the purpose of giving tuition to some of those candidates who were likely to appear at these all-India competitive examinations. This question was taken up with the various universi-

ties. It was the Allahabad University that agreed to have such a course of tuition, and I am aware that the course of training through which the Scheduled Caste and the Scheduled Tribe candidates have gone during the year has been of immense value in respect of their general training; they have come up fairly high and the results are far better even at the final all-India competitive examinations than they were formerly. That is a step that the Government have specially taken for them. In other respects also, wherever it is possible, it is the desire of the Government to see that such special tuition or training is offered to those classes of people for whom some reservation has been made. But still candidates to the extent of a suitable number are not available in spite of all the attempts made in that direction.

Then they have pointed out that in certain cases especially where Government servants have to be appointed at such distant places as Manipur or Tripura, the two Union Territories or at Pondicherry also, candidates are not forthcoming for serving in those areas. In fact this is one of the great difficulties so far as these territories are concerned. As the House is aware, we are anxious to see that the tone of administration there is improved to the fullest measure and that it comes on a par with that of the other enlightened States of India. Therefore, special steps are being taken. All the same, in spite of certain alluring concessions that are made to them, the number of candidates that are ready to serve in these distant areas is not very large. Therefore, the U.P.S.C. has expressed that in such cases, it finds it difficult to get the full strength and submit the figures. Similarly also, there are certain fields in technology and others where it becomes difficult to get good candidates. So far as this point is concerned, as you are aware, either we advertise for such posts in India or in some cases elsewhere also. And

we have also recently taken certain steps to see to it that those Indians who are very well qualified but who are residing in other parts of the world also are entitled to serve the Government of India, and with a view to attracting them to the services here, we have started the practice of having them interviewed in certain foreign countries also because the cost of bringing them down here is very high. This system also has been followed. As you are aware, we are maintaining a register of highly qualified persons in the field of technology and in other technical fields. Now that has yielded some results, but still we are anxious to pursue it. In these fields there are certain departments for which it becomes very difficult to get the required strength. For that purpose the UPSC has suggested that some step should be taken for giving training to graduates in such subjects. That matter also has been considered. As the House is aware, we have got a Directorate of Man-power. The function of this Directorate is to find out what would be the normal strength of Government servants under the various sectors during the Second Five Year Plan or now under the Third Five Year Plan. This Directorate is seized of this problem also and the Government are considering what action is necessary for the purpose of giving training to graduates and others in such technical subjects in respect of which we are not getting candidates either by direct recruitment or by invitation from abroad. For that purpose certain training has to be gone through and other steps have to be taken for attracting good people. As the Report points out, there are certain posts which could not be filled up at all. It is a matter of sorrow that in spite of all the attempts that the Government and the UPSC together have made, there are certain posts which could not be filled up at all because qualified candidates were not available. That is a deficiency that has to be looked after. This is so far as the first point that has been mentioned by the UPSC is concerned.

Then, on the basis of what I have stated, we are inducing the various Ministries and Departments to take recourse to what is known as forward planning, namely, planning for the future before actually the work starts. For example, some months before the Third Five Year Plan started, this question had been taken in hand. And as the UPSC has pointed out if the requirements of the various Ministries and Departments had been communicated to them well in time, they might have taken recourse to what is known as mass recruitment for meeting those requirements. That is also being followed to a very large extent and the desire is to avoid all shortages and to have people who are required immediately, otherwise, the work is likely to be handicapped, the work is not likely to be taken in hand well in time in spite of the provision made by the Government for financing it. This is a matter which has to be duly taken into account and that is being attended to fully.

Then the UPSC has pointed out what they call certain irregularities or defects. Now at this stage I will mention them only in a general manner and I might reply at great length if some hon. Members raised those points specifically. Now the complaint about irregularities that the UPSC has recorded in this Report might be categorised under the following heads. One is that sometimes the recruitment is cancelled. The ordinary system is that whenever certain posts have to be filled up, then according to the regulations made in that behalf we have to approach the UPSC. That is, we requisition the UPSC to give us so many candidates after following the usual procedure by advertisements or interviews or otherwise as the case might be. In certain cases, even after such recruitment had been called for before the interview had started certain posts were cancelled. Now their number has been given as 13. Thirteen recruitments were cancelled after advertisement but before interviews. Then, Sir in some cases they had to

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be cancelled even after interviews. Now it is true that this course causes some inconvenience, but that cannot be helped Sir. Such instances are not many. A large recruitment is had, a number of examinations are held and the candidates have to be recruited. Under this background you will find that the number of such cancellations before and after is very small. It is 13 plus 9 only. Now if the recruitment has to be cancelled on account of a number of circumstances that subsequently arise, they have to be fully taken into account. For example, you will find that in some cases, after a review of the whole position by an Economy Committee of the Government, if they recommend that certain posts should be abolished, then even though the matter has been taken up with the UPSC, still, in the interests of economy, Sir, recruitment to such posts has to be cancelled. Then in certain cases what happens is that a particular work that is being carried on by one department is transferred to another, and then in that case it becomes superfluous to make a new appointment. Sometimes, in the interests of economy, or when no full work is available, then certain posts have to be held in abeyance.

Now these are some of the matters which have to be taken into account. In other cases sometimes what happens is that when a particular post becomes vacant on account of the promotion of the incumbent thereof to a higher one, then we call for recruitment from the UPSC. A requisition is given to them, but by the time they would be in a position to make recommendations the man who was promoted has reverted to his former position. In such cases you would agree that it would not be in public interest to fill in that post merely because the UPSC were requested to do it. Now one more case I might point out in this connection where a particular post had been advertised for but after some time on account of the transfer of such work to an autonomous body, naturally,

there was no need for the Ministry or the Department to make such appointments.

I have pointed out in a general way, Sir, that in certain cases such cancellations have to be done to a small extent, and as I pointed out, their number is very small, they have to be done in the interest of public service.

Then they have also complained of—what they call—delayed appointments. Now their complaint is that as soon as their recommendations are received

DR H N KUNZRU (Uttar Pradesh) Not the late appointments but the late references to the Commission.

SHRI B N DATAR Late offers of appointment—delayed offers of appointment. I am dealing with the first point. The hon Member is bringing in something to which I shall make a reference subsequently. Now what in this particular case the UPSC has stated is that after certain recommendations have been made the posts are not offered in time, that there is inordinate delay. That is the complaint which has been made by the UPSC in their report. It is true, Sir, that in some cases there are delays, but certain formalities have to be gone through, for example the medical examination, the verification of antecedents and character. These are usual things that have to be done, and sometimes they take considerable time, and, therefore, it cannot be taken as a matter of course that the moment the recommendation is received, then immediately it is to be implemented by offering the appointment to the person concerned, or to the candidates who have been recommended by the UPSC and, therefore, Sir, in such cases there is bound to be some delay, because the formalities, before the posts can be offered, before the offers of appointments can go, have to be gone through. These are what they have called

SHRI AKBAR ALI KHAN (Andhra Pradesh): These are necessary, but the question is whether the time taken is reasonable time.

SHRI B. N. DATAR: I feel that, as far as possible, the delay should not be inordinate. I agree, but some time is bound to go.

Now they have also complained and given certain instances—to which I need not refer in detail at this time—where they say that the references were delayed and that in some cases the appointments were made in an irregular manner. So far as this question is concerned, the general observation that I can make at this stage would be that in certain cases it is open, under the rules that have been made with the approval of the U.P.S.C., to make appointments. For example, if a post has to be created, and ordinarily it is likely to last for a period below one year, then naturally no reference to the U.P.S.C. is necessary at all. Now in some cases it is found that the work is lengthened or is protracted. In such cases something has got to be done, to have the work go on as it is.

A reference has been made, Sir, to a committee appointed by the Planning Commission to go into the question of prohibition, and there a secretary was appointed, and the Planning Commission had believed that the work was likely to be finished earlier. But it took considerable time and, therefore, the particular appointment had to be continued. Otherwise the work was likely to suffer, and after the report was received, a number of very valuable suggestions had been made, and those suggestions had to be fully scrutinised at Government level. They had, for example, suggested that certain steps should be immediately taken in hand and a phased programme should be gone through and that a central prohibition committee should be appointed for the purpose of co-ordinating the work that was being carried on by the various States and the Centre, together. Now here, in

order to carry on, rather in order to follow up this work naturally the services of a particular man, who had been formerly the secretary of a like committee, were necessary. Now that particular officer about whom some complaint has been made in this report was a man from the public—a non-official worker. He was the Parliamentary Secretary to the then Chief Minister of Madras, Shri Rajagopalachari. He had considerable experience and, therefore, his services were required not only while the enquiry went on but also after the enquiry had been completed and before certain further steps recommended by the committee were taken in hand. That was the reason why in that particular case his services had to be continued. And in that case it might be also noted, Sir, that the U.P.S.C. subsequently agreed to a *post facto* concurrence for that appointment.

Now they have mentioned two other cases. I need not go into them at this stage, but I might point out that in certain cases Government have to appoint a particular person but the actual work starts after some time, or sometimes the work has to be held up.

[THE DEPUTY CHAIRMAN *in the Chair*]

In one case, Sir, to which a reference has been made, an appointment had been made but the work had to be postponed for some time, because the general reorganisation of the whole department had been contemplated and had to be finished. In that particular case an officer had to be appointed in connection with a particular mill to see as to whether the work therein was going on properly. Now the whole work had to be stopped for some time—until that department had been completely reorganised and only thereafter the work can be carried on. In certain other cases, Sir, as a result of such reorganisation or otherwise sometimes the posts become unnecessary. In one case there were three posts. They were reduced to two. With regard to one, the U.P.S.C. opinion had been taken and the man recommended by them had been

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appointed, but so far as the other was concerned, it was felt that he might be available from the departmental candidates, and as the House is aware, there the D.P.C. or the Departmental Promotion Committee comes into operation. Now it was found that such a candidate was not available from the department at all. I am pointing out the general circumstances. Therefore, in that particular case Government had to appoint somebody to carry on the work.

Thus, you will find, Sir, that even though three or four instances have been specifically mentioned by them and certain others in a general way in one of the Appendices, still I should point out that there are occasions where it becomes extremely difficult to follow a particular course unless the work were to be held up or unless the claims of certain others were not to be immediately attended to. It is on account of such unavoidable circumstances that the Government have to carry on the work in the manner that they have done, but all along, Sir, at some time afterwards, though not exactly at that time, references were made, and in some cases it might be noted that after such references—though they were delayed—had been made, the U.P.S.C. were kind enough to go through the whole affair and they came to the conclusion that though the reference was delayed, they ultimately gave their *post facto* concurrence to the particular matter.

These are naturally the difficulties of the Government. The Government, as you are aware, is a very huge organisation. During the course of their many activities for which the Government have to establish various departments, it is quite likely that oftentimes such things do happen, but still they cannot be called irregularities in the sense that they are gross irregularities or they have been purposely made. The difficulty is that sometimes Government have to take immediate action and the U.P.S.C. generally agree that the Government sometime immediate-

ly or thereafter would make a reference as early as possible. In spite of this may I assure the House that it is our desire to avoid such delays, to avoid also such cancellations at the last moment or to see to it that such irregularities do not occur as have been mentioned in the reports of the U.P.S.C. from time to time. All the same the House will be happy to find that such cases have been coming down or dwindling gradually. For example, if one goes through the early reports, there the number was perhaps larger but gradually they are coming down, and as the U.P.S.C. themselves have pointed out, there is a full sense of co-operation between the Government on the one hand and the U.P.S.C. on the other. The work that they carry on is of great interest to the Government and the Government, therefore, are anxious that their work is carried on as efficiently as possible, and whenever any complaints are made, it is our duty, it is our obligation, to see to it that these complaints are remedied to the extent possible.

Lastly, Sir, before I finish I would make a reference to one case in which the Government had to depart from the advice given by the U.P.S.C. That was in connection with some disciplinary proceedings. In all other cases we accepted them. As I pointed out at the outset, there were fifteen thousand odd cases during 1960. Now out of fifteen thousand odd cases it was only in one case that the U.P.S.C.'s advice had to be departed from, and there also, Sir, the Government felt that what had been recommended by the U.P.S.C. was extremely lenient. The Memorandum makes it clear. I would not go through the whole ground again. I am confident, Sir, that hon. Members have read the Memorandum as a whole. In that case it will be found that the particular officer's action was of such a nature that it could not be called that the mistake was only *bona fide*. The Government were put to an actual loss of about Rs. 40,000

and the indirect loss was almost to the same extent. Therefore, in that case the manner in which he acted, the manner in which he cancelled the earlier things and the manner in which he gave the tender to others, that perhaps showed that the action was not so fair, that the action was not so conscientious as it should have been. In a particular case he gave even higher rates. That was entirely wrong.

In this connection one point may be noted. That is very important for appreciating what the Government did. So far as the various points that were decided against him were concerned, the U.P.S.C. agreed not only with the assessment of the evidence but also with the conclusions to which the Government had come.

Now, after agreeing with these conclusions, naturally the next question that arose was as to the punishment that had to be inflicted against him. Now, the U.P.S.C. recommended that it should be a mild punishment. They have used certain expressions which, with the deference, may not be fully correct. They say that his character roll was excellent. May I point out, Sir, that the word "excellent" errs on the side of exaggeration? All that had been stated was that the work on certain occasion was satisfactory, not "excellent". Afterwards also there was another case against him where also some complaints had been made and the man had to be censured. Now, if all these circumstances are taken into account, then the question arises as to whether there were or there were no *bona fides*. So far as the actions of this particular officer were concerned, Government felt that under the circumstances, with a view to vindicating justice, what was essential was, in view of the highly unsatisfactory conduct of the officer, in view also of the great losses to which the Government were subjected on account of the uncalled for manner in which he acted, the least that could be done was to remove him from service and not merely give him minor punishment.

Now, Sir, a minor punishment can be given as against minor offences of misconduct and otherwise, but when the whole thing was very clear and when, as the Memorandum points out, his action was far from satisfactory, then certain strong action had to be taken, and in respect of punishment you cannot afford to take only lenient action. In such cases, may I point out, after the views of the Government and the U.P.S.C. were known, there was further correspondence and the U.P.S.C. were informed of the tentative conclusions in respect of the sentence that the Government had come to and the U.P.S.C. were requested to reconsider the matter? Now, their reaction was that they would abide by the advice formerly given by them. Now, after their reiteration of the former opinion had been received, the matter had to be considered very carefully and anxiously. In such cases, whenever a departure is to be made from the advice of the U.P.S.C., the matter goes to the topmost level. Then ultimately the Government had with great reluctance to come to the conclusion that in the interest of the efficiency of administration, in the interest of the need for maintaining complete impartiality so far as the official work was concerned, the ends of justice would not be satisfied if a minor punishment was given, but the punishment of removal from service was the least that could be done in that particular case. That is the reason, Sir, why the Government had to come to that conclusion, and I am confident that the House will appreciate that in the particular instance where the advice of the U.P.S.C. or the sentence that they had proposed erred on the side of leniency, Government had to act strongly and Government had to remove this officer from service. That is the only case out of fifteen thousand odd cases where the Government had with great reluctance but in the interest of administration to depart from their advice. Thus you will find that apart from these small instances, on the whole, the Government have been following the policy of accepting the advice of the U.P.S.C.

[Shri B. N. Datar.]

and trying to remove whatever defects or irregularities are pointed out by them because after all, even the object of the U.P.S.C.'s functioning is to strengthen the administration, to have the fullest and the most efficient administration, especially when we have now a welfare Government. A number of welfare activities have to be undertaken by the Government and therefore, the class of officers that have to carry on this work or run the administration have to be as above all such undesirable qualities as possible and the advice of the U.P.S.C. is always accepted except where, as I have pointed out in this case, the Government had to depart from their views. On the whole, the year under report has passed by without very serious or grave complaints against the Government and I would again assure the House that whatever has been pointed out would be duly examined and whatever is necessary will be done by the Government.

*The question was proposed.*

SHRI ROHIT M. DAVE (Gujarat): Mr. Deputy Chairman, some time back we discussed the Ninth Report of the U.P.S.C. and now the Government has brought in a motion to discuss this Tenth Report and that is quite a welcome thing because here is a statutory report which comes to Parliament and these are big problems which are very important from the point of view of the efficient and impartial administration of the country and, therefore, Parliament should take all possible interest in the working of the U.P.S.C. and ponder over the points that might be raised in the report. At the same time I must bring to the notice of the House the fact that the U.P.S.C. only deals with a part of the personnel that are being engaged by the Central Government or by the bodies created with the help of the money that goes out of the public exchequer and even in important services like the Railways and other bodies, autonomous and otherwise, there are large numbers of recruitments and other matters of im-

portance to the staff that are taking place which do not come to the notice of the U.P.S.C. and, therefore, these matters are not incorporated in the report that is presented to the President and to Parliament. It is necessary that as many posts as possible that have something to do with the management and administration of the firms financed or assisted with money coming out of the Consolidated Fund should be included within the purview of the U.P.S.C. because it is only when we have a large coverage that it may be possible for us to know fully how the administration of the various bodies that are directly under the control of the Union Government or have got the assistance of the Union Government and, therefore, are answerable in one form or another to the Ministries, are managed and how the administration is carried on in those bodies. In this connection I would bring to the notice of this House a provision in the Constitution—Article 321—where there is a definite mention of the fact that it may become necessary to extend the scope of the U.P.S.C. and it has been stated as follows:

“An Act made by Parliament or, as the case may be, the Legislature of a State may provide for the exercise of additional functions by the U.P.S.C. or the State P.S.C. as respects the services of the Union or the State and also as respects the services of any local authority or other body corporate . . .

These words are very important—

“body corporate constituted by law or of any public institution.”

We have, in the last decade, created a large number of bodies corporate to undertake the various functions assigned to them and it is very necessary that the administration of these also is brought into the jurisdiction of the U.P.S.C. so that the administration there is efficient and important. In this connection it is also worth mentioning that the Government has taken



care to extend the functions of the Comptroller and Auditor-General to the accounts that are not directly within the control of the Central Government but which are within the control of public administration or the body corporate or other bodies which have been created with the help of the Consolidated Fund and that generally whenever there is any money involved from the Consolidated Fund, a provision is made to see that the Comptroller and Auditor-General audits the accounts of these various bodies and makes recommendations thereon. These reports come before Parliament and when the accounts are audited by the Auditor-General, it becomes possible for Parliament to take note of that and to make various recommendations with reference to the recommendations made by the Auditor-General.

Now, if you look at the Chapter on Auditor-General, you will find that there is no special provision for extending the functions of the Auditor-General to the accounts of these bodies corporate and it is because of the fact that public money is involved that the Auditor-General has been given this power to audit the accounts of these bodies. When there is no specific mention for extending the authority and power of the Auditor-General, even then, the Government has made provision—very wisely in my opinion—and given the powers to the Auditor-General to audit the accounts of these bodies corporate. So it is all the more necessary that when the Constitution has made a specific provision for the extension of the functions and powers of the U.P.S.C. and the State P.S.C., the Government should take advantage of the specific provision in the Constitution and should extend the functions and powers of the U.P.S.C. to the personnel of these bodies corporate also.

Even as regards matters within the purview of the U.P.S.C., we, on this side of the House, suffer from certain disadvantages in view of the fact that we have to go through only the re-

ports which the U.P.S.C., places before the President and Parliament. Just now the hon. Minister discussed an individual case at great length and gave us certain information which is not in this particular report and it becomes very difficult for Members on this side to make up their minds in the absence of this information—these items of additional information—and judge whether at particular complaint made in the report is correct or otherwise.

Sir, I was listening very carefully to the case that was made out by the hon. Minister in favour of the action which the Government took against the advice of the Union Public Service Commission in that particular case. Now, if the various particulars which the hon. Minister gave us were also given to the U.P.S.C. in the form in which it was possible for the Commission to appreciate fully the point of view of the Union Government, I am quite sure that the Commission also would have come to a conclusion different from the one to which it actually came as a result of the evidence and material which had been placed before it. The point that I want to make out is that so many times the Government, not only with reference to its dealings with the U.P.S.C. but also with its dealings with courts and other outside agencies, do not place their case fully and adequately before the various authorities, with the result that so many times the case of the Government goes by default. It will, therefore, be interesting to find out who are responsible for giving inadequate data to the Union Public Service Commission in this case, as a result of which the Commission came to a decision which has been incorporated in this Report. It is, therefore, necessary that the Commission is taken seriously and that whenever its advice is sought, full information is given to the Commission so that it may come to a conclusion which may not only be impartial but may also be fully informed and enlightened.

Then, Sir, there are certain questions regarding the other points which

[Shri Rohit M. Dave.]

have been raised in the report of the Union Public Service Commission. I have no desire to go into all of them. I would like to draw the attention of the House to paragraph 14 of the Report in which reference has been made to the Industrial Management Pool. Sir, it is a welcome sign that the Government has ultimately decided to have this pool and to recruit persons for this Industrial Management Pool. In this Report the Commission says:

"The Commission recommended during 1958-59, 212 candidates for appointment to the Pool, indicating the grade and the type of duties for which each of them was considered suitable. Up to 31st August, 1960 offers of appointment had been made to 196 candidates of whom 113 had already joined and 69 had declined the offers made to them."

Looking at these various figures, it is quite clear that this Pool is still a very small pool, especially in view of the fact that the requirements of industrial management under the Union Government are increasing day by day. We have launched on the various Five Year Plans and we have been told that it is a major policy decision of the Government that during the Third Plan, the public sector will be enlarged considerably and that it will be given greater importance than had already been given even during the Second Plan period. If that is the case, is it not necessary that this Pool should be sufficiently enlarged so that we may have a sufficient number of persons ready to undertake the responsibility of managing the various concerns that might be put in their charge by the Union Government and that the sorry spectacle of inefficient management and what is generally known as the "teething period" of these public utility bodies as well as of other bodies corporate, may be brought to the minimum and these bodies may begin to function efficiently in as short a time as possible? I would, therefore, suggest that the

Government should actively consider whether it is not possible to enlarge this Pool still further and to recruit an enough number of persons to this Pool.

Next, there is the question of the non-availability of the right type of people required by the Government. In this connection we have been told that among these the more important cases were in the fields of science and engineering where candidates with the necessary qualifications and experience could not be found. Sir, it is unfortunate that after ten years of planning, we are still not able to plan the requirements of our man-power adequately and that every time we should find that the right type of persons, persons with training, persons with experience, persons with competence, are not available to the Government to discharge the various functions which the Government has to discharge. In this connection it has been definitely stated in the Report that the need for forward planning in the matter of entrusting recruitment to them of obtaining the training for the existing personnel is very urgent. I do not know, why, though this fact has been mentioned in the Ninth Report and again repeated in the Tenth Report, the Government should still find it difficult to entrust this task to the Union Public Service Commission in order to recruit and train persons well in advance so that whenever the need arises, this sort of a shortfall in the required personnel may not take place.

The Union Public Service Commission has underlined the advisability of initiating programmes for the organised training of university graduates in specialised subjects for which personnel may be required and I hope the Government will pay urgent attention to this recommendation of the Commission and would do something in the matter as early as possible.

Lastly, there is another important point and that relates to the number of posts that are held today by persons

who are reaching the age of superannuation. The Union Public Service Commission has very rightly drawn the attention of the Government to the fact that if suitable people have not been recruited in time to those branches, then when the people who are already nearing the superannuation age ultimately do go out of office, there will be a gap and that gap will create problems which it will be difficult to solve at the time the gap actually arises. In this connection this is what the Commission says:

"The Commission feel that changes in the incumbency of such posts may have an unsettling effect on the continuity of policies and plans of the departments concerned, unless selections of successors for such posts are made well in advance and the persons selected are associated for a reasonable period with the policies and plans of the departments before they actually assume full charge of such posts."

This is also, to my mind, a very reasonable and farsighted suggestion and Government should take full notice of it and do the needful in the matter.

Sir, thank you.

SHRI M. P. BHARGAVA (Uttar Pradesh): Mr. Deputy Chairman, Sir, I am grateful to the hon. Minister for bringing forward this motion and expediting this discussion. As the House is aware, we discussed the Ninth Report of the Commission on the 31st August, 1960 and we are discussing the Tenth Report today, about five months earlier than the last Report. I welcome the Report and congratulate the Commission on their efficiently handling the workload. When I first went through the Report, I thought that the workload had increased during the last three years but when I saw Appendix II, I found that it was the other way round and that the workload had slightly decreased.

Before I pass on to other points, I want to congratulate the Government for their judicious selection of the

personnel which at present consists of two I.C.S. officers, two ex-Chairmen of State Service Commissions one ex-Engineer, an ex-judge of a High Court, an ex-Vice-Chancellor and an ex-Speaker of a State Assembly. This is really a very well-balanced Commission and we should take it that things would be safe in their hands.

Now I come to paragraph 4 of the Report where they have mentioned about the acute shortage of accommodation. Nobody can function efficiently unless you provide them with space to sit and work. So I would urge upon the Government to carefully consider the recommendation made in this paragraph and see what improvements can be made regarding their accommodation. They have also mentioned about a hall. My esteemed friend, Mr. Sapru, mentioned about the need for a hall even last year. I join with him and would urge upon the Government to find out some way of providing them with a suitable hall for conducting the examinations efficiently.

The hon. Minister was pleased to refer to certain things. I would draw his attention to paragraph 12 where the Commission have spoken about the lack of forward planning. They say here in this Report:

"The Commission referred, in their Ninth Report, to the need for forward planning in the matter of entrusting recruitment to them and of training the existing personnel. The Commission are not aware of the precise steps taken by Government in that direction. They feel, however, that the matter deserves urgent consideration. In order to meet the further requirements of the next Plan, it may be necessary to consider the advisability of initiating programmes for organised training of University graduates in specialised subjects for which such personnel may be required, as also to enlarge the existing research facilities in various branches of engineering in our technical institutions. Any improvement in these

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directions would help considerably in reducing the shortage of technical personnel in these fields."

This is a very very important recommendation and I hope that the Government will take it seriously. What to talk of future planning, I was amazed to find that even the present planning was not being properly done. The other day I found they issued a supplementary list of I.A.S. candidates. It is something amazing that the Government does not know its present needs. A competitive examination was held; a list was published and after some time we find a supplementary list of 15 candidates being issued. Now, this, in my opinion, is not a very happy state of affairs. We should be able to assess how many candidates we would select as the result of an examination and there should be no subsequent or supplementary list. I have never heard of a supplementary list of a competitive examination coming out. This is the first time that such a supplementary list has come out in respect of a competitive examination.

I wanted to mention something about the next paragraph but my hon. friend, Mr. Rohit Dave, has touched upon it and so I will pass over.

Paragraph 13 is about candidates being interviewed abroad. I have no grouse if any purpose is being served by these interviews abroad; I would welcome the Chairman going abroad every year for this purpose but I find that the purpose is not being served as would be clear from the replies given by the hon. Minister to some questions in this House. I had tabled a question on the 9th March, and I shall read it out:

"Will the Minister of Home Affairs be pleased to state:

(a) the number of foreign qualified Indian technical personnel interviewed by the Chairman, Union Public Service Commission during

his foreign visits in the years 1958, 1959 and 1960;

(b) the number of such persons who were offered jobs in India; and

(c) the number of such persons who have actually joined duty?"

The reply was:

"(a) The number of candidates interviewed in the years 1958, 1959 and 1960 was 104, 94 and 105 respectively.

(b) and (c). The information will be collected and laid on the Table of the House as early as possible."

Now, coming to the supplementaries, you will find that they form interesting reading:

"May I know, Sir, whether there were any cases where offers were sent by the U.P.S.C. to the foreign trained technical staff but they declined to come to India?"

**Shri B. N. Datar:** There are likely to be some, but I cannot say off-hand just now."

Then my friend, Mr. Avinashilingam Chettiar, asked:

"May I know, Sir, the answer to part (b) of the question because, when they interview, they offer jobs and this information must be available? I can understand that the hon. Minister wants time to collect information about the number of persons who have actually joined, but with regard to part (b) of the question, they must offer jobs when they interview.

**Shri B. N. Datar:** No, Sir. After the interview takes place, it is the Chairman of the U.P.S.C. who considers whether a candidate is suitable for a particular job. Thereafter they make recommendations to the various Ministries concerned, and then they offer appointments.

Either they are accepted or not accepted."

The next question was by my friend, Mr. B. K. P. Sinha:

"May I know, Sir, if the Chairman of the U.P.S.C. is a technical man; if not, was any technical expert associated with him in the job?

**Shri B. N. Datar:** In all such cases technical personnel is associated"

Then Mr. Bhupesh Gupta asks:

"We understand that the Chairman or some other Member of the U.P.S.C. visited European countries to interview such people. May I know, Sir, whether on the basis of their experience in the interviews they have submitted any report to the Government as to whether a large number of Indians trained abroad in technology and so on do not like to come to India to take up jobs, and whether the matter has been studied fully?

**Shri B. N. Datar:** That is a very large question.

**Shri Bhupesh Gupta:** May I make it a little small then? May I know, Sir, whether the Government have any list provided by the U.P.S.C. or otherwise of the number of people, qualified technicians, who are abroad?

**Shri B. N. Datar:** I have already informed this House a number of times that a register is maintained by the Council of Scientific and Industrial Research of all the highly qualified Indians who are now in foreign countries. Accordingly, as posts are available, they are offered to them."

Sir, I will not read out the whole thing because it will take the time of the House. In short, the gist of the replies was that no information was available as to what happened after the interviews abroad during the years 1958, 1959 and 1960. Now, when

we do not know exactly what we are doing, what is the purpose of going year after year to foreign countries and wasting the foreign exchange of the country without getting any results? I would urge upon the Government to look into this question a little more carefully and find out whether it is necessary for the Chairman of the U.P.S.C., or for that reason for any Member of the Commission, to visit foreign countries every year. I feel that the same purpose could be served if the Chairman or any Member went once in three years or once in five years. So much about the candidates abroad.

The hon. Minister took pains to explain the delay in appointments and about the delayed references. One can understand if there is any reasonable delay. I will give you some figures from the Report itself which will show that in some cases the delay is inexcusable. I will refer to Appendix VI where a list is given of cases where the offer of appointment was delayed by the Government. One can understand if the delay is short, say, one month, two months, three months, four months; even a delay of six months is pardonable but what do we see here? In the first case mentioned here the delay was 2 years and 8 months; in the second case it was one year; in the third case it was one year and ten months; almost in every case the delay has been for more than six months. This is as far as offer of appointment is concerned.

**MR. DEPUTY CHAIRMAN:** You can continue after lunch.

The House stands adjourned till 2.30 P.M.

The House then adjourned for lunch at one of the clock.

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The House reassembled after lunch at half-past two of the clock, **MR. DEPUTY CHAIRMAN** in the Chair.

SHRI M. P. BHARGAVA: Sir, when we adjourned for lunch I was speaking about the delayed references. I would invite the attention of the House to Appendix XIV, where some cases have been mentioned. In this case, say, a period of one year or at the most two years is all right. They can take that much of time. But what do we find? In the case of a Junior Field Officer, he was appointed in 1949 and the reference was made in 1959. That means ten years after. The man continued for ten years without the concurrence of the U.P.S.C. In another case, a Research Investigator continued for three years without the concurrence of the U.P.S.C. In another case, that of an Assistant Director, Monitoring Service and Asstt. News Editor, A.I.R., Simla, the delay was for six years. In the case of the Keeper, National Museum, it was delayed for five years. In the case of the Executive Engineer (P.W.D.), Himachal Pradesh, it was delayed for three years. These are some of the cases which either the U.P.S.C. should take up or the Home Ministry should take up with the various Ministries and see that such inordinate delays do not take place in future.

Now, about the one case where the Government differed from the recommendation of the Union Public Service Commission, I have only one or two remarks to make, and that is in para 33 of the Commission's Report it is stated:—

"Since, however, there was no suggestion anywhere in the records that the officer's actions were attributable to any dishonest motives and his record of service but for this incident was excellent, the Commission advised that the ends of justice would be met if the officer were reduced to the next lower grade for a period of one year and, on re-promotion, the period of reduction was to operate to postpone his future increments."

I have gone through the Government Memorandum and nowhere I

find any mention about refuting this remark of the Union Public Service Commission. They have brought in extraneous things such as this. In a case relating to the award of a cycle stand contract in a certain Railway premises, in which, after a contract had been awarded to a tenderer, the officer had cancelled the arrangement and brought back a former contractor. Now, this was not a subject matter of the enquiry. They cannot bring in extraneous thing to punish an officer.

The last remark in the Government Memorandum reads:

"Government expect very high standard of conduct on the part of their senior officials,...."

I do not understand why the word 'senior' has been used. What is the intention of using the words 'senior officials' here only? It further says:—

".....and they consider that on the established facts of this case a punishment short of removal from service would be definitely inadequate."

From the Government's remarks that have been offered in this Memorandum, I fail to see why they should have differed from the recommendations of the Union Public Service Commission.

Now, last year when I was speaking, I had occasion to refer to the appointment of a Senior Counsel for the Delhi Municipal Corporation and I predicted that the appointment would never be agreed to by the Corporation. It has happened exactly that way. The Delhi Municipal Corporation have turned down the recommendation of the U.P.S.C. I fail to understand why the recommendation of the U.P.S.C. should be taken so lightly. They have referred back the case to the Commission and I hope that the Commission will be firm enough to re-advise the Corporation that they stand by their previous decision.

I had also referred to the case of Assistant Superintendents about which a lot has happened since. There was a debate here on the 31st August. Then, in the Lok Sabha there was a debate on the 5th September and there was a further question by Mr. P. K. Deo. There was a Half-an-Hour Discussion on the 19th December on the same subject. And finally we had a question here which I will now refer to. In this Mr. Datar made a long statement and then there were supplementaries. From all these I was not at all convinced as to why some people who had duly qualified were not being given their due share in the promotion. I still fail to see why a departure has been made from the practice which was followed in the case of examinations held in 1955, 1957 and 1958. Now, if we look at the appendix, we will find an interesting thing. As regards the Assistant Superintendents' Examination, they say there were fifty vacancies and 2107 candidates had appeared, and all that. The remark is: "Result not yet declared". This was as on 24th September, 1960, when the Report was signed. Now, all the debates in this House and that House were before this date and we were given to understand that all the candidates recommended by the Union Public Service Commission were absorbed. On what basis the list of 78, as referred to in the statement, was made by the Union Public Service Commission is not clear. They have said that this number 78 is in the order of merit. It is not an exhaustive list and if the Home Ministry makes further reference to them, they will be prepared to give a further list of candidates who have qualified. Now, in previous years all the qualified candidates were absorbed. This year all those candidates who have got up to 57.8 per cent. are being denied their right and they are being asked to appear again in the examination. It was not a competitive examination. It was a qualifying examination and I do not know why persons should be asked to appear in the same examination again and again when they have duly qualified. Another interesting

thing has happened. An examination was held in 1960 and there are no vacancies. If there are no vacancies, why was the examination held at all? This is giving frustration to our people who are serving in these departments.

Now, before I sit down, I would like to bring another matter to the notice of the Minister and that is about one of the officers working in the U.P.S.C. I will quote from the *Blitz*, dated 25th March, 1961. It reads:—

"His 'business deals' are not confined to stocks only. Grave allegations have been heard in regard to his misuse of his post. As section officer of the Confidential Section (1) of the U.P.S.C., he deals directly with the appointment of examiners and printing of question papers for the different competitive examinations from I.A.S. to junior subordinate posts.

'Obliging' friends are given preference by him. He even goes to the extent of appointing...."

SHRI B. N. DATAR: What is the hon. Member reading?

SHRI M. P. BHARGAVA: I am reading from the *Blitz*, dated 25th March, 1961.

SHRI B. N. DATAR: *Blitz*?

SHRI M. P. BHARGAVA: Yes. The heading is "Confidential Stock Exchange in GOI's Confidential Section." I was reading:—

"'Obliging' friends are given preference by him. He even goes to the extent of appointing the same man as an examiner, paper-setter and supervisor by clever permutation and combination of the name.

All these are open secrets in the U.P.S.C., but none dare open his mouth for fear of retribution.

It is indeed shocking that such a state of affairs has been allowed to

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continue. Is Authority oblivious to the dealings of this man or has he found out a way of 'fixing' it too?"

Now, by reading this I only want to draw the attention of the Chairman of the U.P.S.C. to find out if there is any truth in this allegation. What I want is that the U.P.S.C. or any of its Members or even any of its officers do not become Grand Moguls

DR. H. N. KUNZRU: Mr. Deputy Chairman, so many points arising out of the Report of the Union Public Service Commission have been dealt with that my remarks will necessarily be brief. I do not want to go over the ground covered by the previous speakers, but I have to say that it appears to me that while differences of opinion between the Government and the U.P.S.C. have become much less than they were before, Government still does not recognise the importance of the U.P.S.C.'s work. It does not appreciate the fact that the work that the Union Public Service Commission is doing is necessary for the efficiency of administration. Perhaps I had better explain my meaning by saying that although there is the Five Year Plan, there is no planning in regard to the work to be done by the U.P.S.C. Perhaps there is little planning in the administrative sphere as a whole.

Generally the Commission used to tell us what it thought of the quality of the candidates who took part in an examination or appeared for an interview. Its remarks both in regard to the candidates for the superior civil posts and for admission to the Academy at Khadakvasla were very informative, but this time I find no reference to the quality of the candidates in the Report. All that has been said relates to an analysis of the qualifications of those already employed in the various Ministries. The people who have been actually selected may be up to the mark, but one should like to know the opinion of the U.P.S.C. with regard generally to the quality of the educated young men who appeared before it. Again, one should like to know its opinion with

regard to the quality of the material from which it has to select cadets for admission to the Academy at Khadakvasla, Poona. I am sorry that there is nothing said on these points in the Report. Although it has been referred to already, I think, by Shri Dave, I should like, in view of the importance of the point, to refer to it also.

In their Ninth Report the Commission refer to the need for forward planning in the matter of entrusting recruitment to them and of training the existing personnel. Obviously this is a matter of great importance, because if we want properly qualified men particularly in the economic field, it is necessary that there should be some forward planning. But the Commission say that they are not aware of the steps taken by Government in regard to this matter. I should like to know whether Government have done anything in this matter and, if so, whether they have simply failed to let the Commission know what they have done, or whether it is one of those matters which is likely to remain under consideration for years and years.

I should like to say a word about the visits of the Chairman of the U.P.S.C. to those countries where our young men have gone for technical or scientific training. I personally do not object to this at all. I think on the other hand that if qualified Indian candidates from these countries are available, the visit of the Chairman to these countries should be welcomed. But I have had frequent complaints that when men with high qualifications come back to India from foreign countries, they find that their prospects are much less bright than they would have been had they remained in the country where they received their technical education. I know that our country is poor and that having lowered the salaries of administrative officers and perhaps of officers of some other classes, we cannot afford to pay our technical officers at the rate at which, say, America or England would be prepared to employ them. Nevertheless we ought to see whether there



is any relation between the salaries offered by us and the salaries offered to them by business organisations. To criticise business organisations as being guilty of a conduct which is not in the interests of the country, I think, shows a complete failure to recognise the importance of the problem. The number of highly qualified people being small, it is obvious that they will have to be offered high salaries if they are wanted by a large number of companies and a large number of Government departments. This fact has to be taken into account, but I am afraid it has not been done. I have also known of qualified young men who after returning to India find that there is no vacancy for them. If they are offered any post, it is of a totally different kind from the occupation for which they have been trained. Surely these are matters that the Government ought to look into. They have been looked into in a certain measure, but I do not think that the difficulties that I have referred to have been completely removed.

In the matter of salaries I think that Government will have to revise its policy to a certain extent. Again, I have known of scientific officers—I mean scientific men, men with high scientific qualifications, say, in mathematics or in physics—hesitating to return to India partly because of the comfortable position in which they are in other countries and partly because they fear that if they take up employment under any university, they will not get those opportunities for research that they have, say, in America or in England. This again is a matter which the Government ought to look into though it may not strictly be connected with the work of the U.P.S.C.

Now I come to the question of the late references to the Commission to which brief reference was made by Shri Datar also. Shri Datar could not, because of the position that he occupies, admit frankly that the criti-

cism of the U.P.S.C. was fully justified but the examples given by the Commission in its Report show beyond all doubt that there is unnecessary delay in making references to the Commission and that in some cases appointments, which according to the Commission were irregular, have been made. As this is a matter of great importance and as Shri Datar tried to make it appear that it was a small matter and that the complaints of the Commission related only to a few posts, I consider myself bound to draw the attention of the House to the examples given by the Commission. The first example relates to the Ministry of Commerce and Industry. An officer was appointed as Deputy Director (Costing) in the office of the Textile Commissioner, Bombay, with effect from the 13th March, 1958, without consultation with the Commission of course. This appointment was reported to the Commission in April, 1958, that is, about a month later. In May, 1958, the Ministry was requested to forward a requisition for the post to the Commission to enable them to proceed with the recruitment. But what did the Ministry do? Did they promptly send a requisition to the Commission? No. The Ministry took more than fifteen months to forward its requisition. Now what is the excuse that Shri Datar has to offer for this delay on the part of the Commerce and Industries Ministry? I suppose the person whom the Ministry had appointed continued in office for about fifteen months. Possibly, he ceased to be in office then and the Ministry of Commerce and Industry then forwarded the required requisition to the Union Public Service Commission. Take another case which relates to the Railway Ministry. I could mention other cases, cases relating to the Planning Commission, but I have no time to refer to all the cases. I shall, therefore, refer only to those cases which refer to the Ministry of Railways (Railway Board). The Railway Board appointed a Class II officer of the Civil Engineering Department to officiate as District Engineer, a Class I

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post, on the South Eastern Railway. There is a Departmental Promotion Committee on that line and this Committee which met in April, 1957—that is, about five months after the appointment had been made—did not consider this officer as suitable for promotion to Class I. The recommendation of the Departmental Promotion Committee was approved by the Commission. In spite of this, the officer was allowed to continue to officiate in a Class I post. Again, Sir, there was another Class II officer of the Civil Engineering Department who also was not considered suitable for promotion by the Departmental Promotion Committee. But he was promoted to officiate in the post of District Engineer which is a Class I post. And these two happened on the South Eastern Railway. This appointment was made with effect from the 17th July, 1957 and the Departmental Promotion Committee had met three months earlier. The appointment was, therefore, made in complete disregard of the opinion of the Departmental Promotion Committee. Now the Ministry, according to the Union Public Service Commission, instead of convening a meeting of the Departmental Promotion Committee for preparing a fresh panel when the previous panel was exhausted, allowed these two officers to continue in Class I (senior scale), and after having retained these officers in the higher posts for about two years, approached the Commission in October, 1959, seeking their approval to the officiating appointments of these officers. Could boldness go further? Could any Ministry be guilty of more improper action? The Commission naturally took objection to these appointments and said that it could not agree to its regularising these appointments.

I shall refer to only one more matter before I sit down. This relates to the non-acceptance of the Commission's advice. Now, Sir, I have read both the Commission's opinion and the Government's statement with

regard to its inability to accept its recommendation. There may be room for differences of opinion between the Government of India and the Commission in regard to this matter. But the case itself is nine or ten years old. Perhaps the conduct of the officiating Chief Commercial Superintendent of the Railway concerned relates to the year 1947 or 1948. Now the irregularity of which the officer was guilty might have come to the notice of the Government of India a year or two later. But why was this matter allowed to hang fire for ten years? I appreciate the desire of the Government of India to get rid of officers of whose efficiency or honesty they are not sure. But how do they allow such officers to remain in service for ten years? What is their procedure for the examination of such cases? If you want really the Union Public Service Commission to help you in obtaining qualified men, you ought also to see that your administrative procedure is such as to weed out speedily those people who are found to be unfit to be retained in service. I hope this too is a matter which my hon. friend, Shri Datar, would be able to deal with.

SHRI SATYACHARAN (Uttar Pradesh): Mr. Deputy Chairman, Sir, with the emergence of India as the greatest democratic republic and the inauguration of the various development schemes, the question of the recruitment of suitable personnel has assumed a serious dimension indeed. Viewed in that context, the position of the Union Public Service Commission can be easily appreciated when it has to hunt for suitable talents to push up these schemes. My 3 P.M. observation is that the Union Public Service Commission has done creditably with the increasing demands made on it and the responsibilities that devolved on its shoulders. After going through the Tenth Report of the Commission we find that there had been a steady increase in the number of candidates over what we had last year, that is, in the year 1958-59; the increase

registered is about 13,000 candidates over the figure for the previous year. The total number of candidates who appeared in the year to which the Report under reference relates were 75,726. Now, Sir, there is one important thing which redounds to the credit of the Commission. It is the percentage of the candidates who have been found efficient and have discharged their duties to the satisfaction of the various departments of the Government. The figures show that in the calendar year 1958 the performance of about 94.5 per cent. of the candidates selected was reported to be thoroughly satisfactory and only that of 1.1 per cent. was unsatisfactory. This itself indicates the efficiency with which the task of selection was undertaken. Again in the year 1959-60 92.9 per cent. were found to be satisfactory by the various departments, 2.5 per cent. of course unsatisfactory, and about 4.6 per cent. the reports were rather mixed ones. This is a figure which so obviously lends support to the view that the Commission has been functioning efficiently because all those candidates who were selected by the U.P.S.C. were found quite suitable for the tasks entrusted to them. Sir, there is another point which goes in favour of the Commission. It is that about 15,000 cases were examined; they were reported for the opinion of the Union Public Service Commission and the Union Public Service Commission gave its opinion. Only one out of the 15,000 was found unsuitable, where the Government differed from the opinion of the Commission. It was regarding that Chief Commercial Superintendent about whom we have heard a lot on the floor of this House. Now 15,000 cases is a stupendous number and out of them there was only one case about which the difference of opinion occurred. This is a very high figure and it goes a long way in paying a tribute to the ability and efficiency of the Commission, of which we are fully conscious.

Now, Sir, I come to the procedure of selection and the material for selec-

tion. As I said, India has assumed serious responsibilities as an independent country. With the emergence of new things and new responsibilities the persons have to rise to the exigencies of the new situation. But unfortunately, we find that for the welfare State that we envisage the services have not risen to our expectation. It is not my opinion. I would be just quoting the opinions of some of the veteran administrators of our country who held the office of the Home Ministership, and also of the present Home Minister, but before I do so, I ask: "After all, what is exactly the position of the officers? What are they"? I believe and so did Henry Clay, a great American statesman that: "Government is a trust and the officers of the Government are trustees and both the trust and the trustees are created for the benefit of the people". And what he said is perfectly in consonance with the great aphorism which has been so often quoted, that is, Government of the people, by the people, for the people. And if the officers do not come up to that expectation, namely those whom the Union Public Service Commission or other selection bodies select, of course, they would be falling short in their duties. Here, Sir, I put before you the opinions of the Home Ministers about them. It is relevant in the sense that about these officials the Union Public Service Commission has to give opinion, or select them. That is why it is quite consistent to deal with them in this connection. The late lamented Pandit Govind Ballabh Pant, who was our Union Home Minister and who was with us till the other day, while addressing the I.A.S. probationers in Delhi, observed: "No administration could succeed which did not enjoy the hearty co-operation of the people. That the emotional integration between the public servants and the public has not been achieved in twelve years of independence is a highly unpalatable fact". Then again he observed: "There are among our public servants persons who have a negative mind and they work in the routine-bound

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fashion of the old bureaucratic days forgetting the fact that the positive state of today demands a positive approach". Sir, the days of old are gone when the Government of India had I.C.S. officials who were neither Indian nor civil, and the then Government drew sanction from the British Parliament, an alien institution. Then they had a different objective before them. Now, with the change in the situation, if the same wooden machinery works, it is high time for the Government and all those agencies which choose them to pause for a minute and ponder over the consequences of such a machinery. Whether so far their actions have been quite compatible with our own expectations is a matter for serious consideration.

Again, our present Home Minister, Shri Lal Bahadur Shastri, the other day—it was on March 28—said that "administrative reforms to reorient the outlook of our officials and the procedure of Government offices in the light of the needs of a welfare State are essential". He further said that he would not remain content with only ability on the part of Government officials. He acknowledged their high ability but added that they must enjoy the confidence of the people. His own experience had convinced him that the officials generally were not sympathetic towards political workers of any affiliation. This, according to him, was perhaps due to the officials' old tradition of having to deal with men of the upper rung.

Sir, as I said earlier, these are not merely my observations; the observations are of those who are sitting at the helm of the administration and who have first-hand knowledge of the working of the administrative officials. My plea is that as far as those officials who are selected by the U.P.S.C. are concerned, they must come up to the mark. It is for the Government to evolve the best procedure whereby we can find the necessary talent suited to the occasion. This is a matter over which we need a separate dis-

cussion. Here I can only give an indication of our mind that the moment we talk about a welfare State, we talk about our laudable objectives, we should also see that the machinery which has been entrusted with the task of implementing all these objectives should also rise up to our expectation.

Then, Sir, there is another point which the Union Public Service Commission's Report reveals. It is the dearth of necessary talent, i.e. people for top level posts requiring technical experience. It is quite true that for new schemes and new projects that we have under our Planning scheme we need experts, we need experienced people. We have to deal with things of quite a different nature like nuclear energy. Now we have nuclear energy stations. We have also certain other projects like steel projects. It is quite true that in past years we had not people of the requisite training and that is why we feel now embarrassed with the new situation that is confronting us. Now, Sir, I am one who is neither pessimistic in his outlook nor unduly optimistic. I follow a middle course. Rather a balanced sort of opinion I try to hold. It is in that context, Sir, I may suggest that if the Government of India for the last eleven or twelve years have been feeling this embarrassment, was it also not incumbent on the Government, was it not its duty, to evolve a measure, that is, to give the necessary training to the students? I may suggest very humbly certain measures to meet the situation.

While I was in British Guiana in South America, the Government officials there told me that in spite of the repeated efforts of the British engineers they could not succeed in constructing a dam for safeguarding the coast of British Guiana near Georgetown from the surging waves of the sea. Then, what happened? They had to requisition the services of the Dutch engineers. My point is that there are certain technical departments for which there are some countries which are so well fitted. As

far as the engineers to construct dams and meet flood problems are concerned, our own candidates could be sent to Holland for necessary training. Likewise, wherever there are steel projects just as in West German, they could be sent to Messrs. Krupps, etc. or they could be sent to Czechoslovakia, Moscow or to the United States of America for technical training, but there must be a proper pool. I do not say that so far they have not been sent. They have been sent and they should be sent with a proper object in view in a large number. That is the demand of the time.

Sir, as far as the interview of candidates abroad is concerned, my opinion is that as far as the Chairman's itinerary to the countries abroad is concerned, it entails a wasteful expenditure. To the hon. Minister I would like to point out that about a lakh of rupees have been spent on it. This new measure is a sort of innovation. Only for the last two years this scheme has been in vogue. Before that probably there was nothing like that. So this point also merits serious consideration. If you could leave the selection of candidates abroad to the officials of the Ministry of External Affairs, it would mean a great saving. You could easily have confidence in our Embassy staff or a pool of that staff. Suppose you have to select certain candidates in Europe. You could requisition the services of our Ambassadors in Czechoslovakia, Italy, Switzerland, France and Germany. Likewise you can form a pool of high officials there and save the money.

Sir, lastly about the recruitment business I would suggest something very seriously. It is the creation of some sort of central agency to sift the requirements of various Ministries and furnish the Union Public Service Commission with a consolidated report of the requirements of the various Ministries well in advance. What we find today is that whenever any post falls vacant or a Ministry is in need of having some post filled it

refers at once to the Union Public Service Commission. The Union Public Service Commission is already too busy with so many affairs. The result is that it becomes very difficult to select the candidate in time. But if you take a far-sighted view, if you could furnish your demand of the necessary personnel well in advance, the thing would be much better.

With these observations, as far as the work of the Union Public Service Commission is concerned I would like to register my appreciation with the reservations that I have already mentioned.

SHRI BHUPESH GUPTA (West Bengal): Mr. Deputy Chairman, Sir, on the last occasion when we debated a similar Report certain points were highlighted. One of the points was the personality test. Now, we should have thought that the discussion in the House would be taken into account by the Union Public Service Commission and they would tell us exactly how they viewed the criticisms that were made of the personality test in this House. Now, of course, except for a brief reference, and that too in passing, we do not get any indication as to whether in the opinion of the Union Public Service Commission the criticisms that we made had some grain of justification. I do not like that suggestions which the Members of Parliament make on such questions which are not political and partisan questions should be so brushed aside by people in high authority. Even if it be the Union Public Service Commission, I say this thing because we know for a fact that the personality test has come in the way of proper selection of the administrative personnel. I am not suggesting that this particular test should be altogether given up, but what we feel is that it is being given somewhat undue and exaggerated importance in the scheme of the examinations also by the Union Public Service Commission. Many people doing very well in the written examinations go down lower in the list on account of the

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fact that they do not come up to certain alleged standards when they go in for personality test. I am inclined to think that there must be something wrong with the test itself. I do not know what kind of questions are asked, how they look at the people subjected to strenuous test and what kind of personality is judged in a matter of few minutes by those very high officials or high functionaries who sit on the board. We would like to know a little more about it.

The other day I received a letter from one—I do not know him personally—who sat for the I.A.S. examination, I think. He did very well in the written examination but he had to curse his lot as far as the personality test was concerned. Maybe, this gentleman is somewhat frustrated but we receive similar letters and suggestions from various other quarters also interested in the public service, in the better administration of the country. I would, therefore, demand that we would like to have a clearer picture of the personality test in this House. That is to say, we should like to have a special report made for us about the manner in which the test is held, its relative position in the whole scheme of examination, the questions that are asked generally and the answers that are given. A kind of resume should be given of all this so that we know how the administrative personnel is selected on the basis, or at least largely on the basis, of this particular kind of test. We would like to know such things. I do not see why Parliament should not be taken into confidence. I am not saying that they are opposed to giving these things to us as such but the fact remains that year after year we discuss this subject but we never get a clearer view of the matter. Therefore, I would ask the U.P.S.C. to inform us more on this particular subject so that we can make up our minds whether they are right or we are right in this matter.

Coming to the creation of the administrative personnel, I think the

hon. speaker who preceded me did justice to the subject by bringing in the question of the creation of such an administrative personnel that would be close to the people. That is the main factor. It is not how you wear your tie or what kind of protocol you observe or how fine you speak or how sweetly you smile. These are not important matters. It depends on how you are educated and trained in coming closer to the people, how you are trained to respond to the wishes of the people and above all, respect the people. No amount of sermonising or sentimental expressions would take us anywhere unless we make drastic changes by bringing our administration in line with the requirements of democracy. Divorcement between the people on the one hand and the administrative officials on the other is an outstanding factor of life which nothing can hide. Not only the late Home Minister, Shri G. B. Pant, but even the living one, Shri Lal Bahadur, had to admit that such a thing remains in our country to be dealt with. We do not get any indication as to the manner in which the U.P.S.C. is tackling this aspect of the problem or what kind of people they are choosing or what kind of initial training they would like to give to the administrative personnel, the I.A.S. or other Police officials that go, if you like, to foreign countries. This is very important, especially for those who work in the country. One of my last correspondence with the late Shri G. B. Pant was precisely on this subject. I sent him the photo that appeared in a Calcutta local daily paper, of a District Magistrate, a very young man, probably about 25 or less than 30 years of age—sitting in a lordly way and distributing clothing to the people, and the picture revealed how he was distributing—sitting in a high and mighty manner—some clothes to a lady aged about 85 years or so. It was a pathetic sight. At once I got a cutting and wrote a letter to him, together with that cutting, and I also sent similar letter—he belongs to the I.A.S.—together with a similar

cutting, to the Chief Minister of West Bengal. Shri G B Pant was good enough to take note of it and replied to me by saying that he would have himself sent this particular cutting to the Chief Minister of Bengal had I not sent it myself. I advised him that this picture should be shown or sent to the authorities who trained our administrative personnel after their examination, so that they know what kind of training should be given. Such things should not happen. I do not know whether Mr Datar has got hold of that picture and whether that has been sent to Simla or other places where the people are trained. I would not like this atrocious behaviour. He may be a perfect gentleman, a very courteous person in private life but the picture that appeared in "The Jugantar" of Calcutta showed it like that. I took the pains of writing a letter on this little subject to Shri G B Pant and he, a few days before his fatal illness, wrote to me replying to this thing. This was my last correspondence with Shri G B Pant on any subject. Now I do not know how things are being handled. The entire behaviour and the manner in which some of the officials function take them not closer to the people, but away from the people. They widen the gulf between the people and the officers. What steps the Government are taking in this matter to at least narrow the gulf, we would like to know. In what manner is the UPSC viewing and handling this matter so that this particular gulf is narrowed? We would not like to live as in the old days. Nobody would like it, no one in the country would like it. People belonging to all parties, of every party, desire that our administrators are brought closer to the people. A beginning should be made when they are trained and recruited. We do not get any indication from what has been stated in this report.

In certain other matters, the UPSC seems to permit itself to be a cover for departmental arrangements. Certain departments choose their person-

nel or others and deal with the question of promotion etc., with the assistance of the UPSC. Sometimes a Board is formed on which there is a Member of the UPSC and 2 or 3 other Members of the Department concerned. Naturally there, more or less, we find that things go on as the departmental officials would like. It is not possible for the UPSC representative, with the best intention, to overrule easily the likes and dislikes of the departmental officials, because they can produce all kinds of papers and try to influence the course of test or verification or whatever it is. This has happened in particular in the case the Central Information Service under Dr B V Keskar. When we raised this point in this House, he stoutly denied that any such thing had happened. Yet, it is a public scandal of a limited nature that such things have happened. Wrong types of promotions have been given, people have been wrongly demoted and departmental likes and dislikes have got the better of judgment in the matter, although in some cases the officials of the UPSC were appointed on the Board. I do not think the UPSC should allow itself to be a party to this kind of administrative manipulation and malpractice. Therefore I would ask the Chairman of the UPSC to be a little vigilant about the people with whom their men sit on such joint enterprise, namely, a mixed board. A mixed economy is an economic concept and you may have that, but you do not have such mixed boards because they seem to be dangerous in many cases. Anyway, I would like in all such cases, to have it ensured that the UPSC has the majority and has the decisive voice. Technically perhaps they have the decisive voice but in practice this is not felt. The Central Information Service, which has been newly created suffers from this kind of vulgarisation of tests and verifications—examinations and so on.

Then about the nature of training we do not know anything. Can you tell us exactly what kind of training

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our administrative personnel is being given—to the future members of the I.A.S. and I.P.S.? I do not know it. Why cannot we have some question papers and other relevant materials placed in the Library to which we can refer and see how and what kind of questions are set? The trend of the questions will show the nature of the people they have selected for setting papers. The trend of the question papers would also show the kind of training that is being given or the kind of education and accomplishment that is required of those who sit for such examinations. We should be acquainted with such things rather than be given this kind of meaningless, lifeless, futile reports. It is a good ritual, I do not deny. It is like a devotee going to the temple every morning, taking his dip in the river Ganges and then going to the temple and after *pranam* returning home.

We do it every year, but that does not satisfy us at all. We would like to know what kind of training is given to these people and we would like to know whether anything is wrong there, whether something is defective there. And it is for the Union Public Service Commission to tell us by way of reporting self-critically where things are going wrong and where they would like things to improve, by their study of the question papers and answer papers and so on. And they should tell us where the education is defective and in what manner the candidates suffer in the matter of general education, so that the universities can take note of it. This is an important problem. The Union Public Service Commission is entrusted with a great responsibility and it has got to give some kind of guidance, by way of such a report, to the universities and others responsible for the training up of our young men and young women in this matter. That is not done and, therefore, I am dissatisfied with this Report on this score also. We would like to know the syllabus. We would like to know the question papers and we would like to

have some kind of appraisal of the answer that are given with the comments made by the UPSC. so that we may know exactly how matters stand in this particular sphere.

As regards the visits abroad for recruitment, it is good that they are going, perhaps, for them, but the results are not satisfactory. I do not know why so much money should be spent. I can understand some of them going abroad for recruiting expert technical personnel from among the Indians abroad. I can understand that. But then they should not go before they have found out exactly who are really available, what are the problems and what are the difficulties in the way and so on. These initial things should be done by our Embassies in the countries concerned and on the basis of their report the Commission should send their representative abroad. It is no good sending people over there and then drawing blank. Of course, if you want to trot round the world, you can do so in search of administrative personnel, but that does not help us very much and it only leads to squandering of money from the public exchequer. Numbers are given. About 94 actually appeared for interview. But you should see how many of these people desire to sit for examination and also how many of them would like to come to India, what their expectations are. Some such report should be made available before a decision is taken. That is to say, a preliminary review of these people should be made by the UPSC. before sending their representative abroad, if send they must. Otherwise, I think it is a profitless job that they are doing. The results are not satisfactory. We would like to know whether the list of the scientific personnel among Indian nationals has been drawn. The Prime Minister told us that the list was being prepared. How long would you take to prepare even the list of the technically educated Indians who are now abroad?



When shall we have this complete list ? It should not at all be difficult for the Embassies of the various countries concerned to get ready such a list so that we know where we stand with regard to these people.

Then there is the question of the creation of this industrial cadre. I do not want to say very much about it, but would only say that this is a problem that requires greater attention and I would not like it to be handled bureaucratically since we are venturing in a new field.

I also don't know how qualified IAS and others are not absorbed. There is always a bigger list and a smaller number absorbed. What happens to those who are qualified but are not absorbed? It seems there is dissatisfaction among them.

Another thing that I would like to refer to is this. Some cases were mentioned, disciplinary cases and so on. From time to time we come across many such cases of complaints against the all India administrative personnel. Some times we write to the Minister and some times we do not, because we feel nothing would be done. In this connection, I would request that complaints against administrative officials, against public servants belonging to the all India cadre, from Members of Parliament, should be straightway referred to the Union Public Service Commission. I do take it that when a complaint is formally made by a Member of Parliament, he takes full responsibility for it and once he takes this responsibility, it should not be stuck up in the files of the Home Ministry. It should go straight to the Union Public Service Commission and they should initiate a process of investigation, call for papers through the Ministries or through the other channels open to them. That is what should be done, because we would not like Members of Parliament bringing to the notice

of the authorities certain wrong things done by the administrative personnel and then being so ignored. That is a very very important thing. That is how we come closer in administrative matters. Of course, I write letters to Mr. Datar and he sometimes replies, but those replies are a sort of telegraphic replies, as if things are right, as if things would automatically be set right. We write about some officers and the administration, in places like Tripura, Manipur and so on about things that take place, and the reply is always in their favour. It seems they are always in the right and we are always in the wrong. Apart from taking it as an insult to our intelligence and the position that we occupy here, we think it is not the right way of handling matters. I would like this thing to be taken completely out of the hands of the Home Ministry, I mean, all these cases that involve questions of discipline, all those cases that are likely to involve disciplinary measures and all those cases that emanate from Members of Parliament. I take it Members of Parliament will make a statement or representation only after due consideration and these should clearly be exclusively dealt with by the Union Public Service Commission. They should not be processed, much less vetted in the Home Ministry.

DR. SHRIMATI SEETA PARMANAND (Madhya Pradesh) : How many such cases?

SHRI BHUPESH GUPTA : We are discussing this subject here, but what is the use of discussing a report of this kind which does not touch the vital problem? That problem is there, this sort of separation of the administration and the people. There is the problem of too much centralisation and certain developments and certain incorrect and unhealthy trends in the administration. These are the major problems with which we are concerned. Mr. Datar may be concerned with some other problem. But we

[Shri Bhupesh Gupta] want our administration to be brought in line with the fundamental needs of democracy and in line with parliamentary institutions. We would like the Union Public Service Commission to forget what happened in the British days and to remember that we have now a Constitution and we have a perspective and we should function in such a way that things may begin to look up and improve. It should not take twelve or thirteen years to understand the problem as it was. We would like the Home Ministers in the country to make a better and optimistic statement at least after thirteen years of independence. Let the Union Public Service Commission apply its mind more creatively to the problem and find a way out of the situation in which we seem to remain stuck up even today.

DR SHRIMATI SEETA PARNAND Sir, let me take this opportunity to make a few observations on this the Tenth Report of the Union Public Service Commission. The speakers who have preceded me have dealt with a good many points already and I will try not to repeat all that they have already stated.

First of all, I would like to deal with the question of the number of persons who have come into the Administrative Service from among the Scheduled Tribes. Their number has come to five now. I am also glad to learn that the Home Ministry has made some arrangements at Allahabad for giving training to these candidates so that their number may increase more rapidly and more confidence may be created among these people who, as can easily be understood, cannot, in the atmosphere from which these people come, have much chance of getting good marks in the viva voce tests, personality tests and so on. I would, therefore, suggest that in view of the decision to give them encouragement, some sort of concessions should be given to these candidates as far as the personality test is concerned. If there is no such

provision already, I would like to make this suggestion. I am also disappointed, Sir, to find that in spite of the last ten years when women have been eligible, the number still remains four or five during the year under report. I find from the Report that during the year one woman, who has passed, is recommended only for foreign service while four others have been recommended for both the Indian Foreign Service and the Indian Administrative Service. I would like the Home Minister to kindly throw some light as to the qualifications which make a candidate eligible for both the Services and why a candidate is declared eligible only for foreign service. Is it because the candidate himself or herself opts only for one or other of the two Services or are there any rules which govern this?

I would then come to this question of examinations abroad. Much has been said by Mr Bhargava, Pandit Kunzru and the speaker who preceded me from the Congress side, perhaps Mr Sharma. I agree that it is necessary for some time yet to get persons from abroad from among the Indians who are abroad but I think that should be restricted—and I hope it is restricted—only to technical subjects so that opportunity is not given to persons for appearing for Administrative and other Service examinations because I do not agree with the mentality of our people who should know what the country is trying to do to stay abroad only because they get better salaries. Pandit Kunzru was pleased to say that many people liked to stay abroad because they got better opportunities there for doing scientific and research work. I appreciate that but at the same time it is necessary, particularly where medical personnel is concerned, that our people should first think of the interests of their country and the country's demand on them as would be done by many others in other countries like Japan, for example. I am told that in Canada people like to stay away in the USA. Whatever

may be the reasons, as between these two countries there is not much difference as far as common blood relationship, etc., is concerned and they just go across the border because there are certain advantages in the U.S.A. But I would not like the same to be applied here. I agree with the remark that a person from the Embassy will do; not necessarily somebody from the Commission need go for interviewing these persons because the technical personnel that is to interview these candidates is taken from other countries and the Chairman of the Commission alone going there does not help. So this wasteful expenditure could be stopped and the matter could be easily left in the hands, as was said earlier, of some capable person or the Ambassador himself.

I would now like to refer to the dissatisfaction felt by our nationals abroad at the salary scale and that is the reason why they do not want to come. There is some reason for it. When we get technical personnel through T.C.M. and others—may be their salary is borne by those bodies—very often it is found that not only these people do not have to go through any Public Service Commission or any such appointing agency but sometimes their qualifications also are not as high as those of our employees who may have to serve under them and in addition when their salary is also very much higher, naturally it leads to a great amount of dissatisfaction. It was also pointed out by our friends that the foreign firms etc., in our country give very high salaries. I would like to say that I do not agree that the foreign firms give high salaries only to people with high qualifications but they give also to persons who come from very good families because they would have certain standards of honesty and integrity. For instance in the Burmah Shell, Imperial Tobacco—there are many other concerns also—where you may find second class candidates being taken only because they come from good families.

THE DEPUTY MINISTER OF EXTERNAL AFFAIRS (SHRIMATI LAKSHMI MENON): Say connections; not character and integrity.

DR. SHRIMATI SEETA PARNANAND: Not character and integrity. Good family implies connections. Well, let me not be drawn into an argument over this. What I would like to point out, therefore, is that our Government also should lay down conditions about the salary scales obtaining in these foreign firms, otherwise a time would come when not only there would be discontent with the salary scales obtaining in our Services but there would also arise a need for raising the salaries of these people or else they would go abroad. So I think this matter requires very close examination and this has been mentioned several times before on the floor of this House.

Sir, I have not been able to understand one sentence here in the paragraph relating to recognition of degrees and diplomas. References relating to recognition of degrees and diplomas awarded by Universities are made to the Commission and advice is given by the Commission on them. As there is not much clarification on the point, I presume that this advice is only with regard to the degrees or diplomas which the U.P.S.C. expects for the various Services and not with regard to changing contents of particular degrees or diplomas because that would be encroaching on the sphere of the Inter-University Board and the Universities.

I would like now to mention about the need for the U.P.S.C. to advise the Government with regard to the Government taking some steps in time for arranging about future recruitment and for filling in gaps that might occur in the normal course and also in the light of the requirements of the Third Five Year Plan. I would like to say a word about the gaps that would be created within the next four or five years by senior officers with different types of training, retiring and going away. There

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was some arrangement under the British regime for training young officers in the different departments but that was there at the district level. Now our administration has widened so much that in the other sectors there is no such possibility of the senior officers giving their personal attention for the training of young officers in the field as it were. Therefore it is necessary to make some such arrangement for the training of these officers. After every eight or ten years there might be some sort of refresher courses with suitable gaps and field training under some officers. Today the officers are so much occupied that their entire time is taken by seminars, meetings, conferences and symposia that you would hardly find a secretariat officer at his desk except occasionally between one conference and another or when he is there for seeing his senior officers or the Ministers.

At the time of the last debate a reference was made about the need to place the personnel of the U.P.S.C. after retirement in a comfortable state of living that would put them beyond worry about their future. I would refer to article 322 of the Constitution which relates to the expenses of the Public Service Commissions. Last time the hon. Minister was pleased to say that the High Court judges etc., were given this pension because they were employed for so many years. I think there is a provision that even if a High Court Judge is employed only for a day, he is entitled for a pension. Then the salary of the High Court Judge is Rs. 3,500 while that of the U.P.S.C. Member is Rs 3,000 and his term of appointment is strictly limited to six years but the High Court Judge, if he is taken in early enough, can serve for 15 years or even longer also. There is a convention which is strictly enforced that a Member of the U.P.S.C. is not eligible for any appointment under Government after his retirement. It should be also. . .

SHRI B. N. DATAR: It is in the Constitution.

DR. SHRIMATI SEETA PARMANAND: I am glad. It is in the Constitution, not only a convention. So, it is doubly secure. My point is that it should not be necessary for them to take up any other employment, or start practice before a Court as the High Court Judges are doing, if they have to keep up their dignity. Therefore, I think that under this article, which deals with the expenses of the Union or a State Public Service Commission, including any salaries, allowances and pensions payable to or in respect of the members or staff of the Commission, some provision should be made so that these people—people of calibre but people not necessarily always well-to-do—accept these jobs and that they do not feel that they have to worry about their future.

Then, I would refer to the Government's Memorandum on the action against the railway official. I would congratulate the Government on having taken this firm action, irrespective of the advice given by the U.P.S.C. I do not agree with those Members who said that in spite of the advice of the U.P.S.C., the Government should not have done this, because the cycle case, to which the Government has referred, is a relevant one. I do not know whether this evidence was before the U.P.S.C. As far as I know from certain other official reports, there was a third case against this very officer. So, from that point of view I think this particular officer did not get punishment quickly enough, so that he was able to enjoy his promotion, etc. In such cases the Government should not stand on ceremony that it has to abide by the advice of the U.P.S.C.

There is one more thing, to which the U.P.S.C. might apply itself and which the Government might refer to it, and that is this. Government very often recruits persons who are em-

ployed under certain public bodies, municipalities and others. When they are selected, and when they have already ten or fifteen years' service there, if the period falls short for their pension only by a year or two, there should be some provision to give them some proportionate pension. Here again when you are short of properly trained personnel and when you recruit people from public bodies, if they are left in the lurch after their retirement, that does not show a proper appreciation of these persons' services. Even if the present rules do not permit it, the Government should review this matter, if necessary, and make up its mind.

Lastly, I would say that such matters of disciplinary action, to be effective at all, have to be dealt with urgently. It should be a convention—which at present it is not—to take departmental action immediately—and I am speaking against what Mr. Bhupesh Gupta said—if such action is to be of any use. If necessary, it may be referred to the U.P.S.C. But very often departmental action is not taken, for fear that the officer concerned might take the matter to court. Even if he takes the matter to the court and if on the strength of the departmental enquiry the officer has been dismissed, and the Court's decision later goes against the Government, the Government should be prepared to face the consequences of such rare cases. If, on the other hand, the Government is always reluctant to take any action until the Court's decision is available—and you know, Sir, how long it takes in the Courts to get any decision with the proofs, etc., having to be gone through and police investigations to be completed—the officers concerned usually go and snap their fingers at the superior officers who have to initiate the departmental enquiries. This leads to indiscipline.

Thank you.

MR. DEPUTY CHAIRMAN: Mr. Sapru. Ten minutes.

SHRI P. N. SAPRU (Uttar Pradesh): Sir, I have been hoping that I will get

a little time, but one takes things as they are. I would like to pay a tribute to the Chairman of the Union Public Service Commission, who will be retiring shortly. He is a person of high integrity and considerable ability. Criticism has been made of his visits abroad. I am afraid that those criticisms do not take into account the need of enlisting for our services the best talent that is available in our country. I think, therefore, the visits of the Chairman to countries abroad for getting the services of talented youngmen, who are studying abroad, is justified.

Then, Sir, I would like to emphasise that for the successful functioning of democracy, the purity of recruitment is absolutely essential. The maintenance of the morale of the services is essential. I am rather, therefore, disappointed at the fact that irregular appointments were continued for long periods. There was no justification for the continuance of those irregular appointments. They rather suggest that the desire on the part of the Ministry concerned was to use those appointments as gifts in their hands. That, I think, is something which should be avoided in the interests of the successful functioning of democracy in this country.

The third thing I would like to say is that the case for pension for the U.P.S.C. members deserves to be considered with a fresh mind. I raised this point last year. I was sorry to get a categorical 'no'. I hope that the new Home Minister and Mr. Datar will view this question from a fresh angle. I have never been an advocate of high salaries for our civil servants and I have never been an advocate of privileges for the well-to-do people in this country. But I think we do need to maintain the efficiency of some of our big constitutional institutions. The Public Service Commission is a big constitutional institution in this country and in order that service in the Commission might be attractive to men in public life—and you want to have some men from public life in

[Shri P. N. Sapru.]  
the Commission—it is essential that they should be made to feel the attractions which a pension offers.

I would also like to mention that it is strange that there is no woman member in the Public Service Commission. We have women Deputy Ministers. I think we have a woman High Court Judge in Kerala. But we have no woman member of the Public Service Commission. I think that women candidates too are coming forward in larger numbers and it is desirable that there should be a woman member of the Public Service Commission to assist the work of that Commission.

Then, Sir, the composition of the Commission should be such as to inspire confidence and for that reason the question of pension needs to be considered with a fresh mind. I should like to emphasise one matter, to which reference was made, I think, by Mr. Dave in his speech. We have now a growing public sector. This

public sector is becoming more and more important every day, and recruitment to this public sector is in many cases unsatisfactory. The recruitment is made by departmental Committees or Boards as far as the public corporations are concerned, and that is not very satisfactory. I think under article 321 it is possible to entrust additional functions to the Union Public Service Commission, and, I think, that we should entrust the work of recruitment for the public sector to the Union Public Service Commission. I know that the Union Public Service Commission is a hard-worked body. You will have to add to its strength, you will have to add two or three members to it so that it may be able to cope with the work which this new job will throw upon it. I think it is in the public interest desirable that even in our public-sector corporations recruitment should be above board.

Then I would like to say a word about the matter concerning which there was a difference of opinion bet-

ween the Government and the Union Public Service Commission. I am not going into the merits of the case. I think much can be said on both sides and I have not studied the case with sufficient care to be able to say whether the view of the Government was right or whether the view of the Public Service Commission was wrong, but it does strike me that there was a long delay in the disposal of the case. The mistake was committed by the Railway Superintendent in question some time in 1945 or 1946 or 1947, and it took eight or nine years for the Government to make up its mind as to what the punishment to be meted out to him should be. In these cases more urgent than drastic action is called for, immediate action is called for according to law. When I say immediate action, I do not want the legal processes to be by-passed. But I do not want a writ application to be accepted for failure to observe certain legal processes. I want expeditious disposal of cases like this.

Then, Sir, I would like also to say that the number of candidates who appear before the Public Service Commission is very very large. Delhi is about the biggest centre for that purpose, and it is strange that the Public Service Commission has not been given a big hall for the purpose of conducting its examinations. In that respect we are better off in Allahabad. We have got a magnificent hall for the U.P. Public Service Commission.

SHRI P. N. RAJABHOJ (Maharashtra): Do you mean the Railway Service Commission?

SHRI P. N. SAPRU: No, I mean the U.P. Public Service Commission. I am glad that reference has been made by Mr. Rajabhoj to the Railways. I was suggesting that the Public Service Commission should be entrusted with the work of advising on recruitment to public undertakings. Now the biggest public undertaking is the Railways. I do not understand why Railways should be treated differently from other Government departments. I would like the recruitment not only

for the superior Railway Services—I think recruitment for the superior Railway Services is in the hands of the Union Public Service Commission—but also for Class II and Class III services to be entrusted to the Union Public Service Commission. It will be a good thing from the point of view of increasing the efficiency of public administration and increasing the confidence which the public should feel in the public sector if recruitment to the Railways is made through the Union Public Service Commission.

I would also like to say a word about the personality test. I made my position in regard to the personality test clear last year. It is a moderate position. I would not dispense with it altogether but I would not attach exclusive importance to it. I think the position now is that a pass in the personality test is not essential. Marks for the personality test should be in the neighbourhood of one-sixth of the total number of marks. If the total number of marks is 1,800, for personality test the marks should not be higher than 300. But a matter to which my attention has been drawn by some members of the Scheduled Castes is that while a number of candidates belonging to the Scheduled Castes are able to get through in the written test, they fail to get good marks or decent marks in the personality test.

**SHRI P. N. RAJABHOJ:** Out of 741 candidates belonging to the Scheduled Castes only 14 were taken.

**SHRI P. N. SAPRU:** The number of Scheduled Castes appointed to superior appointments is very low. That is a matter to which attention must be devoted by Government, and I hope that the Public Service Commission will view this question with that large-hearted sympathy which it has never refused to display towards the members of the Scheduled Castes and Tribes.

Thank you very much, Sir. This is all that I wanted to say on this occasion.

**SHRI A. D. MANI (Madhya Pradesh):** Mr. Deputy Chairman, in joining those who have paid tribute to the work of the Commission, I should like briefly to refer to the case in which the Government disagreed with the recommendations of the Public Service Commission concerning an officer of a Railway. I must say that the Commission's defence of its recommendation is a little disappointing reading, because if the Government's reply which is contained in the memorandum is taken into consideration, the Government's reply has the better of the pleas. But I would like to say further that wherever the Government disagrees with the recommendations of the Commission in respect of disciplinary punishment, Government should consult the Attorney-General. The Attorney-General is a very able person who is regarded as one of the most judicial-minded persons in the country, and if the Government takes the Attorney-General's advice in cases of this character, it will help the public to realise that the Government's decision has got the support of the eminent law officer under the Constitution.

Sir, I would like to say that arising from the Commission's defence of its recommendations, it appears that in respect of disciplinary cases it will be advisable for the Commission to associate in an *ad hoc* capacity a functioning District Judge to assess evidence, because there is one point in which the Commission says that the evidence is conflicting and the Government in its reply says that there is no conflict of evidence at all.

**SHRI ARJUN ARORA (Uttar Pradesh):** The Commission has amongst its members a retired High Court Judge?

**SHRI A. D. MANI:** Retired High Court Judges are not as much in touch with law as functioning District Judges. Law is such a fast-moving profession that it will not be difficult to associate a District Judge in an associate membership capacity with such enquiries.

[Shri A. D. Mani.]

Sir, I would like to speak about the personality test to which reference was made by my hon. friends, Mr. Bhupesh Gupta and Mr. Sapru. I have served on some of the Interview Boards of the Union Public Service Commission and I must say that the personality test has not received the consideration that it deserves. In respect of the choice of personnel for industrial management, personality test is the only effective way to ascertain capacity. It all depends on how the test is conducted because the members of the Board may put questions to test a person's knowledge. For example, if a candidate is asked what are the relations between the two Houses of the Federal Legislature in Australia, he may not be able—or for that matter many of us may not be able—to give answers to such questions. But wherever the Board has attempted to set up a standard to ascertain the alertness of the person, it has done a very useful work, and I do hope that this personality test will continue. Only the stage has been reached when the Government should have a Committee of Enquiry to go into this personality test because a large number of people are dissatisfied with the personality test and they think that the deserving candidate is very often ploughed down by capricious examiners. There are psychologists available for this purpose and there is a fund of experience of the British Civil Service Commission which may be made available to Government and I think that both the Commission and the Government should consider conducting an enquiry into the personality test methods.

I would like to say one more point with regard to the personality test and that is, most of the boys are not able to answer questions well because they have got to speak in English. If they are asked questions in their own mother tongue, the response perhaps would be more enthusiastic and particularly in a State like Madhya Pradesh where Hindi medium has been enforced, our students are at a great disadvantage when they appear before the

Union Public Service Commission, and I would like to suggest to the Commission and to the Government that within two years' time option should be given to the candidate to answer questions in Hindi because he will be able to reply to questions put to him and such a move will be in consonance with our policy of enforcing Hindi medium in 1965.

I would like to suggest one further point regarding the personality test and that is the appearance of the departmental heads at these Interview Boards. Now I do not want to relate my experience at these Boards because that would not be proper. But the general impression is that the departmental head supports a departmental candidate and it is a little unfair to the other candidates who appear that the head of the department or a representative of the department should sit on the Board and tender advice to the Commission on the choice of the candidate. I think that the time has come for the departmental head not to attend these Interview Boards because the Commission is quite competent with its associate members to make the right kind of choice and make a suggestion for the consideration of the Commission and the Government. In view of the widespread dissatisfaction with the presence of departmental heads at these interviews and the suspicion that departmental heads support departmental candidates, it will be better for the Commission to do away with departmental representation altogether.

Sir, I would like to make another suggestion in respect of the age of retirement. The Commission has reported that a number of ex-army officers have been re-employed. And generally we find that for the top positions in the country we want men with maturity and experience. The time has come for the Government to raise the age of retirement for Government servants because if you are going to have a good administrative cadre which is going to handle all the



problems of the Third Five Year Plan, the Government will have to consider the question of raising the age of retirement. Mr. Justice Gajendra-gadkar, Judge of the Supreme Court, in a judgment said that sixty should be the age of retirement in this country. I know that it is not within the purview of this Commission to raise the age of retirement but as the Commission has mentioned that retired officers have been employed by it, I think that it is only fair that the Government realises the fact that age is rising in this country on account of better health standards and that in the interests of getting capable men into the administration they should raise the age of retirement.

I would like to make one further suggestion about the selection of candidates from abroad. I do not agree with Mr. Bhargava that the Chairman of the Commission should visit the centres once in three years. Now if he goes there once in three years, I know that, there is less irritation because he does not go every year but our purpose is not to stop the Chairman from going abroad but to see that money is economically spent. The Chairman of the Commission interviews people in Bonn, London, Moscow, New York, Washington, Ann Arbor, Chicago, San Francisco and Tokyo. I think that for the purpose of economy, the interview should be held at London. Moscow is about 900 miles away from London. Bonn is 12-pound ride from London. And it is possible for all the candidates to come to London for interview. Now from the way in which the tour programme has been drawn up, it is quite clear that the Commission goes out in search of candidates and I think, Sir, that if the interview is held at two centres, New York and London, all our students who are studying abroad may be enabled to attend these interviews at much less cost to Government.

Sir, I would like to mention one more final point about this question

of the irregular appointments made by Government. My hon. friend, Mr. Datar, said this morning that one of the candidates was a Parliamentary Secretary under Mr. C. Rajagopalachari. That is where all the trouble begins. The impression has gone abroad that when the Government wants to appoint somebody who is politically influential or politically sponsored, there is no question of the Union Public Service Commission coming in. Here was a case, and we knew how the Prohibition Enquiry Committee was functioning. The Prohibition Enquiry Committee was taking a very long time over its work. It was collecting a variety of material to write almost an epitome on the growth of the prohibition movement in this country. Now where was the need for the Committee to go into all this lengthy enquiry? And every Commission, Sir, knows its dead-line. The Government prescribes its dead-line and if the Commission says that its work will take a long time, that it would like to have a permanent secretary—a secretary who is chosen by the Union Public Service Commission,—the Union Public Service Commission might have had an opportunity of going through a formal interview. And this feeling is quite widespread in the country that because he was a Parliamentary Secretary, he got the job and we realise that Parliamentary Secretaries are very influential people, they do not appear before the Public Service Commission, they appear before Ministers for better appointments as Deputy Ministers and so on. And I think that the Government has come out very badly in regard to these irregular appointments to which the Commission has drawn attention in its Report. I would like Mr. Datar to look at the matter from the point of view of the integrity of the work of the Commission. The Commission is one of the few institutions in our country which has won better acclaim for the independence it has shown on important occasions. The Commission's hands have got to be strengthened and I would suggest to the Government that they should make it a

[Shri A. D. Mani.]

disciplinary offence if any departmental head tries to prolong a temporary appointment without reasonable cause. I mean, once they know that they may be charge-sheeted for that, the Ministries concerned will try to consult the Commission in respect of all the appointments which are not likely to be of a brief duration.

Sir, I would like to make one further point and that is on the question of accommodation. We would like the Government to consider making use of Nagpur which has now been relegated to the position of a district for the location of the office of the Commission and the farther the office of the Commission is from Government headquarters, the better it will be for the selection of candidates. It will be cheaper for the candidates to come to Nagpur.

These are the few observations which I wanted to make.

**श्री नरबार्सिंह चौहान (उत्तर प्रदेश) :**

श्रीमान, हमारे सामने यूनियन पब्लिक सर्विस कमीशन का दसवां प्रतिवेदन प्रस्तुत है। इस प्रतिवेदन में कमीशन की ओर से केवल वही बातें कही गई हैं जिन को कि वह हमारे सामने लाना चाहता है। इसमें बहुत सी बुनियादी बातों पर कतई प्रकाश नहीं पड़ा है और वैसे उनको जानने का कोई अधिकार नहीं रखता है। नियमों के अनुसार या वैसे ही कन्वेन्शन्स के अनुसार एक ऐसा बीच में आइरन कर्टेन डाल दिया गया है कि कोई भी नजर उठा कर ऊपर नहीं देख सकता और यह नहीं पूछ सकता कि यह क्या चीज है या अमुक टैस्ट में कितने क्वालिफाइंग मार्क्स रहे, कितने नहीं रहे। कमीशन को यह अधिकार है कि वह यह बताये या न बताये और कमीशन इस बात को बनाता भी नहीं है। इसलिये जो बुनियादी चीजें हैं, जिनके ऊपर प्रकाश नहीं

डाला गया है, उनके सम्बन्ध में मैं कुछ कहना चाहूंगा।

हमें नहीं मालूम कि कमीशन जो छांट करता है वह किन रूल्स के आधार पर करता है। हम देखते हैं कि एक पैन्ल में कमीशन का एक सदस्य होता है। यदि दो मिनिस्ट्रीज से एक-सी पोस्ट्स के लिए मांगें आती हैं तो दो पैन्लों में एक का निर्णय कुछ होता है और एक का डिमिजन कुछ होता है। इससे यह मालूम पड़ता है कि वहां कोई नियम नहीं है और न कोई उनके डिटेल्स हैं, और इनके बगैर काम ठीक तरह से नहीं चल सकता है। इसलिये यह आवश्यक है कि इस बात के लिए डिटेल्ड नियम होने चाहियें। साथ ही साथ यह भी हो कि पब्लिक के आदमी या पार्लियामेंट के मेम्बर कार्य के सम्बन्ध में यदि कुछ पूछना चाहे तो पूछ सकें। मै गोपनीयता का मानने वाला हूं। मिलिट्री सीक्रेट्स को गोपनीय रखना चाहिये। किन्तु जहां इन्साफ की बात हो, वहां खुल्लमखुल्ला कहा जाना चाहिये कि हमने यह इन्साफ किया है। जो बुनियादी चीजें हैं वे यही से आरम्भ होती हैं।

एक अन्य चीज यह है कि ऐसा मालूम पड़ता है कि कैंडिडेट्स को कॉल करने के सम्बन्ध में कोई नियम नहीं है। हमारे सामने मिसाल मौजूद है। अगर माननीय मंत्री जी चाहें तो मैं बता सकता हू कि ज्यादा तजर्बे वाले, ज्यादा अनुभव वाले और अधिक क्वालिफिकेशन्स वाले जो लोग हैं उनको नहीं बुलाया जाता है और कम अनुभव वालों को और कम क्वालिफिकेशन्स वालों को बुला लिया जाता है।

SHRI B. N. DATAR: May I suggest to the hon. Member that he may be a bit careful here? What he says is regarding their internal administration. I do not know whether he can say all these things.

**SHRI NAWAB SINGH CHAUHAN:** Why not?

**SHRI B. N. DATAR:** They are within the ambit of the U.P.S.C. which we are not entitled to dispute.

**श्री नवाबसिंह चौहान :** मैं प्रतिवेदन के सम्बन्ध में कह रहा हूँ। डिसप्यूट का कोई सवाल नहीं है। मेरा मतलब यह है कि ये बुनियादी चीजें हैं जिनके बारे में नियम होने चाहियें। मैं यू० पी० एस० सी० से प्रार्थना कर रहा हूँ। इसके माने यह नहीं है कि वह बेईमानी करता है। जाहिर है कि अगर आप ईमानदार हैं तो इसके लिए यह आवश्यक है कि आपको दूसरा आदमी भी यह समझे कि आप ईमानदार हैं। बीच में जो आइरन कर्टेन पड़ा हुआ है, उससे बदनामी होती है। हम देखते हैं कि एक ही इम्तिहान के दो हिस्से होते हैं। एक हिस्से में क्वालिफाइंग मार्क्स कुछ लिये जाते हैं और एक हिस्से में कुछ लिये जाते हैं। जब हम माननीय मंत्री जी से पूछते हैं कि इसका कारण क्या है या किसी और चीज के बारे में पूछते हैं कि इस टेस्ट में क्वालिफाइंग मार्क्स क्या हैं, तो माननीय मंत्री जी कहते हैं कि यह एक्सक्लूसिव अधिकार है कमीशन का, हम नहीं बता सकते। उधर जब कैंडिडेट्स कमीशन से पूछते हैं तो कुछ दिनों तक जवाब नहीं मिलता है। फिर कह दिया जाता है कि हम नहीं जानते—मिनिस्ट्री जानें; और मिनिस्ट्री की तरफ से यह कह दिया जाता है कि हम नहीं जानते, कमीशन जाने। इसलिए इस बात का निर्णय हो जाना चाहिये कि मिनिस्ट्रीज और कमीशन के क्या सम्बन्ध हैं और पार्लियामेंट को और जनता को इस बात का पता होना चाहिये।

**श्री महाबীর प्रसाद भार्गव :** अगर दोनों के बीच की जो चिट्ठी है, उसको ला दें,

तो कहते हैं कि यह कान्फिडेंशियल डाक्यूमेंट है।

**श्री नवाबसिंह चौहान :** हाँ, वह मैंने कहा नहीं।

एक दूसरी बुनियादी चीज यह है कि जब कमीशन का पैनल बनता है तो उसमें कुछ एक्सपर्ट बुलाये जाते हैं, जैसे इंजीनियर एक्सपर्ट इत्यादि। ऐसे कुछ सदस्य बाहर के होते हैं, एक आध यहां के होते हैं।

**MR. DEPUTY CHAIRMAN:** The Commission is an independent body. They can have their own choice.

**श्री नवाबसिंह चौहान :** यही तो मैं कहता हूँ कि वह इंडिपेंडेंट बाडी है। उसको इन बातों को क्लियरली बताना चाहिये कि एक्सपर्ट्स के क्या अधिकार हैं, चेयरमैन के क्या अधिकार हैं, और दूसरे लोगों के क्या अधिकार हैं और एक्सपर्ट्स की राय कहां तक मानी जायगी और कहा तक नहीं मानी जायगी।

**MR. DEPUTY CHAIRMAN:** I do not think all that is necessary, Mr Chauhan.

**श्री नवाबसिंह चौहान :** हम देखते हैं कि आज हालात में जो सर्वसम्मति से निर्णय होता है, वह भी बाद में बदल दिया जाता है। क्या इस चीज को बदलने का चेयरमैन को अधिकार है? ऐसे कैसे ज है जिनमें पैनल के सदस्यों ने—एक्सपर्ट्स ने—इस बात का प्रोटेस्ट किया कि सर्वसम्मति निर्णय किस प्रकार बदल दिया गया। इसलिए इन अधिकारों के सम्बन्ध में निर्णय हो जाना चाहिये। जब आप एक्सपर्ट्स को बुलाते हैं तो उनकी राय मान्य होनी चाहिये। यह एक बुनियादी चीज है और सरकार की मद्दद लेकर कमीशन को चीजे साफ कर देनी चाहिये ताकि आगे

## [ श्री नवाबसिंह चौहान ]

जनता में और पार्लियामेंट में गलतफहमी की गुंजाइश न रहे ।

एक चीज और रिजर्व लिस्ट बनाने के सम्बन्ध में है । जब कोई टैस्ट हो जाय, तो उसके फौरन बाद रिजर्व लिस्ट प्रकाशित हो जानी चाहिये । इसके अतिरिक्त इम्तिहान होने से पहले यह भी बतला दिया जाना चाहिये कि इतने आदमियों की रिजर्व लिस्ट बनेगी और रिजर्व लिस्ट इतने दिनों तक चलेगी । छः महीने तक या एक साल तक, जो भी निश्चित अवधि हो, वह बतला दी जाय, और उस लिस्ट में से निश्चित समय तक कैंडिडेट्स लिये जाते रहें । इस प्रकार के कोई नियम नहीं है । इसलिए होता यह है कि किसी के लिए रिजर्व लिस्ट तीन महीने में ही समाप्त हो जाती है और किसी के लिए दो साल में भी नहीं समाप्त होती है । लोगों के पास रीपेटेड स्लिप्स पहुंच जाती है और उसके बाद अप्वाइंटमेंट्स हो जाते हैं । कमीशन एक बड़ी ऊंची बाड़ी है । इसलिए कमीशन के लिए और सरकार के लिए भी यह आवश्यक है कि इन सब बातों के सम्बन्ध में डिटेल्स में नियम बना दिये जायें, ताकि इस तरीके की कोई गलतफहमी न रहे । जब जनता यह देखती है कि एक जगह एक तरह का बरताव हो रहा है और दूसरी जगह दूसरी तरह का बरताव हो रहा है, तो जनता का उसमें अधिक विश्वास नहीं रहता है । इसलिए कमीशन को चाहिये कि वह मंत्रिमंडल के सहयोग से निश्चित नियम बनाये । इस मिलसिले में मैं एक उदाहरण देना चाहता हूं । कण्डीगन्स आफ एम्प्लायमेंट में यह होता है कि इतनी जगहें भरी जायेंगी जो इस तारीख तक खाली होंगी, मगर यह लाइबिल टू

आल्टरेशन है, यानी यह संख्या बदल सकती है । फिर कमीशन से जब लोग बवालफाई करके आ जाते हैं तो बहुत से मंत्रालय ऐसे हैं—शायद आपके अंतर्गत ऐसा न हो—जो इस आल्टरेशन का मतलब यह लेते हैं कि खाली जगहें यदि कम हो जायें तो यह संख्या कम कर दी जायगी । किन्तु यह नहीं कि अधिक हो जायें तो संख्या अधिक कर दी जायगी, इसलिए कमीशन को यह बात साफ करनी चाहिये कि इसका अर्थ क्या होगा, ताकि फिर गलतफहमी न हो, और जो पार्टिसिपेटिंग मिनिस्ट्रीज हैं, वे तो ऐसा करती भी हैं, जो नान पार्टिसिपेटिंग मिनिस्ट्रीज हैं, वे भी उन नियमों को मानें ।

और अधिक न कहते हुये, मैं अब केवल एक बात कह कर समाप्त करूंगा और वह है कमीशन की भाषा सम्बन्धी नीति । जैसा कि मणि जी ने कहा, हमारी जो भारतीय भाषाएं हैं, उनको कमीशन प्रोत्साहित नहीं करता है । अभी इन्फार्मेशन सर्विस के ग्रेड दो में २६ आदमियों का सेलेक्शन हुआ है । उसमें १०० नम्बर का इंडियन लैंग्वेज का पेपर था । Not for Hindi, Mr. Chettiar तो इंडियन लैंग्वेज के लिए १०० मार्क्स थे । बाद में कमीशन ने कह दिया कि यह मार्क्स उसमें शामिल नहीं होंगे । ऐसा नहीं होना चाहिये । इंडियन लैंग्वेज को प्रोत्साहन दिया जाना चाहिये । कभी कभी एक चीज और होती है । एक मिसाल मुझे मालूम है । एक दफा एक कैंडीडेट का नाम इसलिए खारिज कर दिया गया, क्योंकि उसको रिटन टैस्ट में कम नम्बर मिले और दूसरी दफा उसका नाम इसलिए खारिज कर दिया गया, क्योंकि उसको इंटरव्यू में कम नम्बर मिले । इस सम्बन्ध में

भी रूल्स को स्पष्ट करने की आवश्यकता है। भाषा के सम्बन्ध में भी इस बात का ध्यान रखा जाना चाहिए कि अंग्रेजी के मुकाबले में भारतीय भाषाओं को नीचा न देखना पड़े और उनका जो स्थान है या उनका जो उचित अधिकार है, वह उन्हें अवश्य मिलता रहे।

MR. DEPUTY CHAIRMAN: Mr. Datar.

श्री पा० ना० राजभोज : शैड्यूल्ड कास्ट्स कैडिडेट्स के बारे में मैं कुछ आवश्यक बातें बतलाना चाहता हूँ।

MR. DEPUTY CHAIRMAN: No time.

SHRI P. N. RAJABHOJ: I want to make a very important suggestion. पब्लिक सर्विस कमिशन में बहुत अन्याय होता है। खाली १४ जगहें भरी गई हैं। इसलिए बोलना चाहता हूँ।

MR. DEPUTY CHAIRMAN: Order, order.

SHR. B. N. DATAR: Mr. Deputy Chairman, Sir, I am grateful to the hon. Members for having offered a number of very helpful suggestions and, in particular, for having appreciated the work of the U.P.S.C. and, to a small extent, of the Government as well. So far as the Government are concerned, I wish that some hon. Members at least would have expressed positive appreciation on two points; firstly, with regard to the policy of the Government to accept the advice given by the U.P.S.C. In this case, as I have already pointed out, during the year under report we had about 15,000 cases in which the U.P.S.C. gave us advice and only in one case—let it be noted very clearly—the advice had to be departed from. Therefore, I expected the hon. Members to say that the Government accepted almost, as a matter of course,

the advice given by them and one in 15,000 cases is perhaps the smallest number in which there could be a departure.

Secondly, Sir, I also expected some appreciation about the decision of the Government to take strong action against an officer about whom in our Memorandum we have made it clear that it was not completely a case of *bona fides*.

Now, Sir some hon. Members made a reference to the Memorandum. But may I invite their attention to what has been stated in the Report itself according to which there was a difference between the Government and the U.P.S.C.? The Government were not satisfied that this was a case of a *bona fide* mistake. Government had to suffer a loss to the extent of about Rs. 80,000 when this particular officer went out of the way and did certain things which he ought not to have done. Under these circumstances, Sir, whenever the Home Ministry's demands are under consideration or whenever service matters are raised on the floor of this House or the other we have been rightly told by hon. Members that the Government have to be very strict whenever they find that something positively wrong has been done. In this particular case we have pointed out very clearly in the Memorandum of Objections what we feel. I would read out one or two lines:

"That Government were, in conclusion, unable to agree that a plea of *bona fide* error could be accepted on the findings . . ."

And let it be noted very clearly that the U.P.S.C. accepted these findings, and after accepting the findings the natural and inevitable inference was that there was no question of merely a *bona fide* error on his part. Under the circumstances, this was a case where the Government could not accept the very lenient punishment that had been recommended for this officer. The punishment would have

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 been absolutely of no use at all because from a high post he would have come to a Deputy Administrator's post which also carried high responsibilities and, therefore, I wish that the hon Members understood that the Government took this action only for the purpose of maintaining, what can be called, efficiency of administration. Government are no respecter of persons. However high an officer might be, if he commits a wrong and if, for example, there is no possibility of holding that it was merely a *bona fide* error, then strong action has to be taken, and that was why this particular officer had to be removed from service. Therefore, I expected that so far as these two cases are concerned, Government were entitled to appreciation from the hon Members because what we have done was in spirit to follow the advice that the hon Members of this House and the other House gave to us, namely, that we should accept the advice of the UPSC generally. But ultimately, it might be noted, the responsibility for carrying on the administration is on the Government and, therefore, in exceptional cases Government must have the right to depart, if necessary, in the interest of the efficiency of administration. Therefore the Government, cannot abdicate its authority to carry on the administration and to keep it as pure as possible, and to set an example of such cases to others. That is the reason why in this particular instance, Sir, the Government were not prepared to accept the lenient advice of the UPSC and they had, therefore, to remove him from service after considering all the circumstances of this case.

SHRI M P BHARGAVA Or a point of information, Sir? What is the Government's reply to the lines quoted by me that there was no suggestion anywhere in the records that the officer's action was attributable to any dishonest motives?

SHRI B N DATAR: So far as the question of dishonesty is concerned, or the question of *bona fides* or *mala fides* is concerned, you have to come to an inference after considering all the circumstances. Therefore, here in our Memorandum of Objections we have clearly pointed out that this is not a case of *bona fide* error, and if it is not a case of *bona fide* error, then the officer had to be punished more severely than what was proposed, i.e., leniently by the UPSC. Therefore, Government had to take this decision.

My friend Mr Mani, was wrong in saying that my reply was disappointing. In fact, he ought to have understood that my reply was most forceful. So far as this particular point is concerned, one case in 15,000 is on the smallest side and there also the Government departed with a sense of full responsibility and for the purpose of enforcing discipline and efficiency amongst our officers, however highly placed they might be. Therefore, Sir, the Government had to take this decision.

Now, I would like to refer as briefly as possible to certain points raised by my hon friend, Shri Dave, and others.

SHRI P N SAPRU Why was there delay in detection?

SHRI B N DATAR: So far as the question of delay is concerned, whenever such wrong things happen, they do not come to the notice immediately. That is the first point. Secondly, in order that such things should not happen and that there ought not to be any delay at all in detection, Government had about five years ago established a special department for this purpose, known as the Vigilance Division, so that there would be eternal vigilance about actions that Government servants would be taking and, therefore, I

would assure the House that there would be no such delays . . .

SHRI P. N. RAJABHOJ: One point about the Scheduled Castes. No proper representation . . .

SHRI B. N. DATAR: Let me finish. It was contended that the U.P.S.C.'s jurisdiction might be extended to statutory Corporations.

So far as the article that my hon. friend quoted was concerned, he says that it cannot be done otherwise than by an Act of Parliament, and then it can be extended to other body corporate, any local authority or other body corporate. So far as this is concerned, as you are aware, Sir, these statutory authorities or other bodies do not form part of the Government technically. The posts under them are not civil posts to which the provisions of the Constitution regarding the U.P.S.C. apply. Therefore, what the Government have done is this. Wherever certain Corporations have to be established by an Act of Parliament here or by an Act of the Legislature in the various States, then in those Acts themselves a provision is made that in the case of higher appointments the U.P.S.C. shall be consulted. And may I invite the attention of the hon. Member to at least three cases where it has been done? In the case of the Delhi Municipal Corporation Act as also in the case of the Khadi and Village Industries Commission Act this has been specifically laid down. The House might remember that in the Delhi Municipal Corporation Act a provision was made that in the case of certain high appointments it shall be the duty of the Municipal Corporation to approach the U.P.S.C. for advice and to accept their advice generally so far as their recommendations were concerned. Now these are the lines on which this can be done and whenever such questions arise, Government would be happy if this policy is followed but that can be done only through an Act of Parlia-

ment or in the case of the Public Service Commissions in the State, only by an Act of the local or regional legislature. Therefore, automatically, by an executive order, it would not be possible to bring within the purview of the U.P.S.C. all appointments under the various Corporations. Now barring this, they have their own select bodies and they generally make appointments only on the recommendation of such Select Committees.

The next point that was raised was regarding the personality test. Two hon. Members raised that question and my friend, Shri A. D. Mani, gave the reply to it also. So far as the personality test was concerned, that test, to a certain extent, was essential in order to know what were the potentialities of that particular person, in order to know how he would ultimately fare as a high officer and generally as in charge of the district administration. That was particularly necessary so far as the I.A.S. and I.P.S. were concerned. Some Members wanted to know what were the criteria that had been followed in respect of the personality test. It is not an arbitrary test at all. It goes on for some time in order to know what particular promise he has, whether he has the quality in him, though in promise at that stage, of working properly, of having a sense of leadership, of knowing things correctly and specially of judging it properly. These are the various things that have to be understood so far as that young man is concerned, because after passing the examination, after going through the probationary course, he will have to be appointed to certain high offices and gradually within a certain period, he will come to occupy the most important places, especially in the districts, say, like District Magistrate or Deputy Commissioner or Superintendent of Police. These are very important posts and in his hands lie the destinies of so many lakhs of people and any error of judgment, any wrong action on his part, is likely to affect the people adversely. That

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is the reason why it is necessary, in order to know how that man has a promising personality, how the man can be understood in a general way for manning particular office property. For that some sort of personality test is necessary; otherwise what will happen is this. So far as written tests are concerned, it is perfectly possible to believe that by heavy cramming a man can obtain the largest number of marks. I myself attended once a meeting of the U.P.S.C. in this respect. We had before us a case.

SHRI BHUPESH GUPTA: Did you subject yourself to the personality test?

SHRI B. N. DATAR: I wanted to know how a personality test was conducted. There we had a man who had passed as many as 11 high examinations and when that candidate was asked a small question, he could not answer it properly. His knowledge of public life was absolutely defective to such an extent that he did not know what was going on in the country. Therefore, I would agree that we should not make much of the personality test. That is the reason why when there was strong criticism in this House, the Government made a rule according to which passing the personality test was not essential in all cases and the marks that he obtained were to be added on to the general marks in respect of other papers. The Government have also certain other proposals so far as this question is concerned and the whole matter is under examination in consultation with the U.P.S.C., because it is the U.P.S.C. who have to ultimately hold the personality test and, therefore, their opinion has to be considered. Therefore, may I assure the House that while I agree with Mr. A. D. Mani that personality test of some type is essential, let us see to what extent its importance can be fixed to the minimum extent possible.

SHRI P. N. RAJABHOJ: May I know whether Scheduled Caste candidates mostly failed in personality test? (*Interruptions*).

SHRI B. N. DATAR: The hon. Member was not present when I referred about Scheduled Caste people.

So far as Indians in foreign countries were concerned, a number of criticisms were made. One was that they ought not to be examined, that the Chairman ought not to have gone to foreign countries at all for having interviews with them. So far as that is concerned, the Commission's report has dealt with that matter specifically in para 13. I also answered in Parliament once that the question that arose before us was this that if so many people were to be called to India for interview, then let us take into account the economic or financial aspect also. Whenever interviews are held and candidates are called from different parts of India, then the U.P.S.C. have to bear a certain measure of expenditure. So if these persons have to come from foreign countries, what would be the cost? That should be taken into account. As against this, if certain important centres in foreign countries were visited by the Chairman or by a Member of the Commission, then apart from other things, this would be less costly to the exchequer. That is a point which should also be taken into account. Then it was pointed out that this work ought to be entrusted to the Embassies or others. I wish hon. Members had read what has been stated in paragraph 13 itself. Now he visited certain important places and interview boards were constituted on a pattern similar to that in India. In India experts are associated and a list has been given of some persons where they are associated with the U.P.S.C. Similarly there also it was not merely the selection of the Chairman himself. He had with him associated these boards on the same lines as we are having in India. This has been made clear here:



"Interview Boards were constituted on a pattern similar to that in India, and included one or more specialists or technical experts in the subjects relating to the posts for which recruitment was to be made, senior officers of our Embassies . . ."

This should be noted—

" . . . and foreign experts from Government departments Universities and industries being co-opted for the purpose."

Then the fruitful results that flowed from such co-options have been given in the next paragraph:

"The total number of candidates called for interview at the above-mentioned centres abroad was 175."

To call 175 to India and to bear their expenditure would be far more prohibitive, so far as expenditure is concerned, than one man—the Chairman—going out:

"Of these, 94 actually appeared for interview and 33 were recommended, including 13 for the Pool of Scientists and Technologists. Cases of 36 candidates out of those interviewed were under consideration at the close of the year."

Thus, you will find a systematic practice is followed so far as this question is concerned.

Then it was pointed out that the salaries we offered in India were inadequate. In fact Dr. Kunzru to a certain extent was right in saying that proper salaries should be offered. So far as the question of salaries is concerned, the principle that we broadly follow is this that whatever they get in foreign countries under the living conditions obtaining there is translated into Indian coin and we generally see that if a candidate is accepted for appointment, he does not get less in terms of what he would get there,

subject to this that the living conditions in India are taken into account and the living conditions in those countries are also taken into account and then a proportion is followed. I might point out that we have not been unfair to our own students but if, for example, they ask for very high salaries, as for example, the actual salaries that they were obtaining in the U.S.A. or the U.K. where things generally are more expensive than in India, then it sometimes becomes difficult for us to give them those salaries. Therefore, my point is, so far as this question is concerned, we want to be fair, in the first instance, to our own interests, because the interests of India are to be taken into account and those interests can be advanced by utilising the services of our own nationals, of Indians who have been well qualified in other countries and giving them reasonable conditions of service. We do not make them suffer. But we cannot go on giving them extraordinary conditions of service. That also has to be taken into account.

Incidentally reference was made to the Management Pool. So far as the Industrial Management Pool is concerned, the present number is over 300 and Government have been trying to see that reasonable salaries are given to them, not only to them, but also to all those who serve the Government, so far as technological and scientific posts are concerned. In the U.P.S.C. Report it has been stated that in certain cases the scales of salaries were not attractive. That is why we went into this question and we had, in most of these cases, increased the pay scales to a reasonable extent. That point also may kindly be noted.

Then my hon. friend, Shri Sapru, naturally referred to one or two important points. One was with regard to accommodation. Last time also he raised this question and rightly he stressed the need for good examination halls, especially in a place like Delhi

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where nearly 40 per cent. of the candidates take their examinations. The numbers are increasing and that is why such examination halls are more and more necessary. This matter has been referred to the Ministry of W.H.S. and it is under their consideration now. Some further information has been called for by that Ministry and the moment this information is received, further steps will be taken to the extent that it is immediately possible. Therefore, I would like to assure the House that the Government are anxious to place sufficient accommodation at the disposal of the U.P.S.C. firstly so far as their office requirements are concerned, and secondly; so far as the examination halls are concerned. That also has been taken into account and the Government are seized of this matter.

So far as forward planning is concerned, a number of hon. Members have made reference to this subject. The U.P.S.C. has also referred to it. May I assure the House that this question is not only under the examination of the Government, but Government have taken appropriate steps in this matter during the last three or four years. A Man-power Directorate has been set up and the requirements of the various Ministries and departments are ascertained and they are asked to approach the U.P.S.C. at least one year in advance so that the U.P.S.C. can have recruitment, more or less, on a larger scale, not individual recruitments, but wherever necessary, even mass recruitments also. That question is under consideration and is actually being pursued by the Government. I am very happy to find that there are a number of Ministries that are following this course of ascertaining their requirements before hand. That exactly is the meaning of the expression "forward planning". Planning has to be carried on both in respect of money and in respect of man-power and man-power is very often, more important even than money. Therefore, I may say that that question has been not

only considered but it is being pursued by the Government. So far as this is concerned, it was more a matter of administration and, therefore, the U.P.S.C. has stated they did not know what was being done. I am sure the U.P.S.C. is aware that we have got a Directorate dealing with man-power and that it is the duty of that Directorate to find out what the requirements are, what the requirements were under the Second Plan and what would be the requirements under the Third Plan, year by year. After all, as the Plan proceeds, sometimes we require a larger number of persons. So that also is being pursued as vigorously as possible.

Dr. Kunzru made a reference to the quality of the candidates. In earlier reports it is true the U.P.S.C. had stated that the quality had fallen to a certain extent, so far as the general out-turn of the work of the candidates was concerned. So far as those who were accepted for appointment were concerned, their performance was examined and in the present Report the U.P.S.C. have testified to the fact that their selection of the candidates on earlier occasions was proper. In some cases they have pointed out that their performance was more than 90 per cent. That would clearly show that so far as the low quality is concerned, that affects generally most of the candidates who appear at the examinations. Therefore, to a certain extent this low quality of performance has reference to what is being done at the university level. That is the reason why we took up the question with the Ministry of Education and now they are seized of this matter and if I mistake not, they have addressed a communication to the Inter-University Board. They have, however, told us that they are anxious to see that there is no such low performance by the students in general, in respect of university education. That is one thing. Secondly, wherever necessary, certain reforms are to be made and they should be duly introduced. But the results of these re-

forms can be known only after a certain number of years. Immediately it will not be possible to show any change. They will appear imperceptibly. All the same, in respect of the educational and intellectual aspects of this matter, they have been taken up with the Ministry of Education and they are following the usual channel and are finding out what can be done, because to some extent, these evils are there and, therefore, they have got to be provided against, in the interest of the new generation and in the interest of the whole nation and to a certain extent, in the interest of getting the best service, so far as the government servants are concerned.

Then my hon. friend brought in some service matters and made certain suggestions. So far as service matters are concerned, we are answerable to this hon. House. The suggestion was made that in all such cases the Attorney-General should be consulted. I am afraid my hon. friend made a reference to this out of a misconception of the position of the Attorney-General. It is for the Government to carry on all the details of the administration. When it is found that there is a question of law involved where there are some doubts, there help of the Attorney-General comes in. But when it is a purely administrative matter, it is for the executive government to carry on subject to such advice as the U.P.S.C. might give in respect of the matter. It is not merely a judicial matter. Let us understand it clearly. Judicial functions are entirely different from executive functions. Let us not go with the idea that everything that is necessary can be done only with a certain type of officers. After all, there are functions that are different and the whole totality of the various branches of the Government have to work in accordance with the requirements of each of these three categories. Therefore, I would submit that this is not a matter at all for the Attorney-General. It is a matter for the Government to take decision and after taking a decision, the Government naturally

subjects itself to the scrutiny of this hon. House. Therefore, this is the way in which this question has to be dealt with.

The hon. lady Member, Dr. Seeta Parmanand, stated that the number of women in the services was not very large, so far as the All-India Services were concerned. The hon. lady Member referred only to the recommendations in respect of women candidates in the year under report. I tried to find out how many ladies there were in the Government in the I.A.S. Their number is 19, not 3 or 4. It 5 P.M. was also suggested by Mr. Sapru that there should be a lady Member on the U.P.S.C. I am hoping that a time might come when we shall have a lady member also but in this connection may I point out that the State of Assam has forestalled us? An hon. lady Member who was a member of the other House—Mrs. Kongmen if I mistake not—and who was, I believe, Deputy Speaker of the Assam Legislative Assembly is now, I think, a Member of the Assam Public Service Commission. Therefore, Sir, we have started in that direction and let not our Lady Members have any apprehension about it.

Similar is the case with regard to Scheduled Castes and Scheduled Tribes. So far as they are concerned, I wish my hon. friend were here today when I dealt with this question. I made a reference to what the U.P.S.C. themselves have stated that they do not find qualified candidates so far as the reservation quota is concerned. That is a matter of sorrow for us. When we have reserved a quota, if unfortunately the requisite number is not available then it is not our fault; nor is it the fault of the unfortunate Scheduled Caste people. The conditions have got to be improved.

SHRI P N RAJABHOJ: Out of 741 candidates you have selected only 14.

SHRI B. N DATAR: If they are below the standard, what can we do? It

[Shri B. N. Datar.]

cannot be helped. The hon. Member ought to have at least read the speech I made this morning. There I pointed out that under our rules we have made it clear that it would be open to the U.P.S.C. to apply relaxed standards. They have to lay down a minimum standard.

SHRI V. C. KESAVA RAO (Andhra Pradesh): There has been no case of relaxation at all these years.

SHRI B. N. DATAR: How does the hon. Member know that there has been no relaxation? Let him read the rules that we have made so far as I.A.S. and I.P.S. are concerned. Sir, these are extremely difficult examinations and the action that the Government has taken is a positive action, that of training them and giving them good tuition. Let the hon. Member go to Allahabad and find out what has been done during one year. And may I point out with satisfaction that these candidates have done extremely well and I am hoping that their performance would be far better in the examinations of the Commission than it has so far been. In fact I find there is an absolute change in the personalities of these boys and I am extremely satisfied that our training is of good use in making these candidates what they ought to be so far as India's interests are concerned. And the Government are spending quite a lot. May I point out to my hon. friend that we are spending more than Rs. 75,000 by way of recurring expenditure? And in addition to this we are going to set up there a big hostel at a cost of about Rs. 2½ lakhs. Sir, that is what is being done for the Scheduled Castes. Let the Scheduled Caste candidates understand that these are very high examinations and, therefore, they ought to compete by improving their qualifications and for that purpose we are prepared to help them. But it would be very difficult to take them merely because they are Scheduled Castes. That is the reason why according to our rules we have laid down that there ought to be a quota so far as direct recruitment is concerned, so far as

examinations are concerned but there cannot be a quota so far as promotions are concerned. Government servants can expect preferment and promotions only by their good performance. We shall see that no injustice is done to them but we have also to see that no injustice is done to the great Administration that has to serve the highest interests of India.

SHRI BHUPESH GUPTA: Sir, we would like to ask a question. The hon. Minister has taken longer time than is scheduled.

SHRI B. N. DATAR: But my hon. friend always takes longer time.

SHRI BHUPESH GUPTA: But I cannot go beyond five; that privilege you have. Anyway, it is good that you went beyond five.

Now, could he tell us if any investigations are made with regard to allegations made against members of the All India Services serving in a State when such reports are sent to the Government and whether in this connection he received a report from the West Bengal Government about an enquiry that was made in regard to certain very serious allegations involving an All-India Service officials in what is known as the Shibpur Botanical Garden scandal case and whether that report was sent to the U.P.S.C.?

SHRI B. N. DATAR: So far as these allegations are concerned, they are always looked into very closely by the Vigilance Department, whether they are I.C.S. or I.P.S. officers, whether they are under the administrative control of the Government of India or of the State Governments and whenever anything seriously wrong is found against them then disciplinary proceedings are instituted. An independent enquiry officer is appointed and the officer concerned is given an opportunity to be heard and then afterwards when the report of the enquiry officer comes up if the Central Government or the State Government, under whom the particular

officer is serving, feels that the report ought to be accepted, then the matter is referred to the U.P.S.C. for their opinion as to whether the offence has been proved and secondly, what should be the nature of the punishment that is to be meted out to him in case the offence or misconduct is proved. Therefore, all complaints, not necessarily from Members of Parliament alone but even from the citizens of India, are looked into. We have got a Vigilance Department under the Government of India and we have got Vigilance Officers attached to the various Ministries and Departments and some States also have been following the Government of India in this respect. Therefore, whenever

any complaint is received that is looked into and examined as to whether a departmental proceeding is called for and in some cases even prosecution is launched. So the Government considers the whole matter and the procedure that I have pointed out is followed.

SHRI BHUPESH GUPTA: But, Sir, . . .

MR. DEPUTY CHAIRMAN: The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at nine minutes past five of the clock till eleven of the clock on Thursday, the 20th April, 1961.