

[Shri Rohit M. Dave.] the workers enjoy under the Payment of Wages Act, 1936, therefore, are not extended to all the motor transport workers and I see no reason why that should not be done. It is not something which is out of the ordinary or out of the way. It is not something which is likely to put any extra burden on the employers or would create conditions with which the employers are not familiar. I presume that the employers are paying their wages regularly to their workers. But the Payment of Wages Act gives a special protection to the worker. He has not to go through a very lengthy process for getting his dues in case a particular employer denies him the wages that are due to him. This is the protection and, to my mind, that protection should be given to all workers of the motor transport industry. I do not know if this category of workers is in some way covered by the Payment of Wages Act. As far as I could see from the Act as it exists now—and I tried to go through the various sections of the Act—only those who are engaged in any omnibus service are covered and the rest are not covered.

Now there is the Employees' State Insurance Act, 1948. It has been definitely stated there that the Act applies only to factories and later on to the various establishments and there fortunately the coverage is wider, because we are told that the establishments include industrial, commercial, agricultural, etc. Perhaps the transport worker might come into one of these categories. Again it is a point which the Minister can elucidate or the Joint Committee can go into but I feel that this particular scheme would be very beneficial to the motor transport workers because the motor transport workers have to undergo a lot of strain and their fit condition is very necessary not only from the point of view of the worker and his safety, not only from the point of view of the machinery which is put under his charge but also from the point of view of the common public man because if that particular

driver is not sufficiently in a healthy condition and has not sufficient control over his mind or body, he is not only likely to put his own life into jeopardy, damage the machinery, but may also put the life of a pedestrian or another motor driver into jeopardy because of the driving which may not be up to the mark. We have a number of cases in which these motor drivers, especially those engaged in long-distance passenger services and long-distance trade services, have been involved in these kinds of accidents and perhaps it is common knowledge that these accidents are taking place because of the excessive strain on them, because of the long hours of work that they are putting in and because of the fact that their health is not up to the standard as it should be.

MR. DEPUTY CHAIRMAN: You can continue tomorrow. We have to take up some other business. Shri Datar.

3 P.M.

THE NINTH ANNUAL REPORT OF THE UNION PUBLIC SERVICE COMMISSION, 1958-59

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

"That the Ninth Annual Report of the Union Public Service Commission for the period 1st April, 1958 to 31st March, 1959, laid on the Table of the Rajya Sabha on the 17th December, 1959, be taken into consideration."

Sir, you are aware that on every occasion and whenever the Report of the Union Public Service Commission was debated in this House, we had the advice of this House and I am very happy to point out that gradually whatever difficulties there were in the way of the working between the Union Public Service Commission on the one hand and of the Government of India on the other hand, have all been removed and we have before us a report where they have clearly stated there was no case in which the

Commission's advice was not accepted by the Government during the year under report. May I point out here that the general policy that the Government have been following in this respect was to accept the Commission's advice whenever a reference had been made to them? In 1950-51, we had the largest number of differences with the U.P.S.C. Out of 3,251 cases referred to the U.P.S.C. Government differed only in six cases. Thereafter, from 1951-52, the number of differences has been falling down. For the year 1951-52 it was one, for 1952-53 it was two, for 1953-54 it was four and for the next three years it was only one every year. For the years 1957-58 and 1958-59, the Government have accepted all the recommendations or advice tendered by the U.P.S.C. to them. So that would show that one of the grounds on which the conduct of the Government was often criticised on the floor either of this House or the other has been completely removed. Government are anxious to do that. Here we have a statutory body which has been called upon to carry out certain functions and therefore, the Government are anxious to accept their views to the fullest extent, though what they 'do is naturally under the terms of the Constitution, to give advice, advice that they tender to Government. That is a factor which has to be noted in this connection.

I would not like to deal at great length with the very illuminating Report of the U.P.S.C. Their task has naturally been growing year after year and I would point out for the information of the House that during the year under report, they had examined candidates to the tune of 62,704. So many candidates had appeared at various examinations. As you are aware, one of their functions is to hold certain examinations. There are a number of services, twelve in all, so far as the Central Services are concerned and two all-India services are also concerned. In respect of them, we have a competitive examination held every year and we accept their

recommendations and make appointments thereupon. They have pointed out that in this year the number has increased by 5,748 over the number for the last year. They have also further dealt with the lists of qualified candidates that they had supplied. Incidentally we might also note that the number of Scheduled Caste and Scheduled Tribe candidates has been increasing, though I must confess that it is increasing at a slow pace. This question was discussed by this honourable House only the other day when there was a debate on the Report of the Commissioner for Scheduled Castes and Scheduled Tribes. There are certain inherent difficulties in the way of the candidates of these castes and tribes coming up on account of the difficulties in which they live. That is the reason why it is so. I might also point out incidentally in this connection that the Government of India had requested and the Allahabad University has agreed to have tuition classes for intending candidates for these examinations. To a certain extent their number has been rising. It is hoped that some of the other universities also, in the South in particular, will come to the aid of the Government of India and start such tuition classes, because we are anxious that their number, consistent with the maintenance of proper standards of efficiency, ought to increase to the extent that it is possible. That also may be noted in this connection.

The Report has also pointed out how the number of candidates has been increasing in great proportions. They have also stated that the highest number in this respect, of candidates appearing for the examination, is at Delhi proper where about 40,000 candidates, they say, have to appear for the examinations at different centres. That is the reason why they have made a proposal that the Government should provide for proper or suitable or adequate halls for this purpose. All the examinations are not held at the same time and Government will consider this question in-as-much as

[Shri B. N. Datar.] the U.P.S.C, has recommended this problem. I am merely pointing out how the problem is a great problem and it has to be dealt with as satisfactorily as possible.

In the course of their Report they have made other complaints, not the complaint about the non-acceptance of their advice, but they have incidentally made some complaints on certain other grounds. These will naturally be considered very carefully. I may point out to this House that we are always anxious to make all possible attempts for the purpose of removing all complaints because on that depends the efficiency of our services. The manner in which and the extent to which there is absolutely smooth working and relations between the U.P.S.C, on the one hand and the Government of India on the other, to that extent efficiency is bound to increase in the services. Therefore, these complaints that have been made by the U.P.S.C, in their latest Report will always be examined and I am quite confident that the House will agree that these complaints will receive due consideration. The complaints are, as I have stated, under various heads. For example, they state that in some cases the appointments are delayed. It is true that in some cases the appointment could not be made immediately. The reason is that after reference to the U.P.S.C, after the requisition is sent to the U.P.S.C, circumstances change, and in some cases Government have to take some time for making these appointments. The number of such cases is not very big. As hon. Members would find out, it is in the neighbourhood of 40. Then they say—they have given some instances also—that requisitions are not sent to them in time; in other words, as they say, there ought to be forward planning in this respect. That is true to a certain extent, but sometimes difficulties arise. One of the reasons is the expansion of the Governmental machinery. On a number of occasions Government have to take immediate decisions for carrying on certain im-

portant experiments or for meeting some immediate needs certain departments and certain posts have to be created. Whenever such posts or departments are created, posts which are not likely to last beyond one year, they will be outside the purview of the U.P.S.C, and the U.P.S.C, have agreed with this view. When, however, it is felt that posts are likely to last beyond one year, then an intimation has to be given to the U.P.S.C as early as possible. That is the reason why often difficulties arise and, as I shall be pointing out subsequently if hon. Members choose to deal with this, in all these cases, there have been very reasonable grounds, very bona fide grounds, for making the references not in time but with a slight delay. As I would be dealing with this point in my reply, I would not, at this stage, take your time.

Then comes the question of what is called regular promotion. To the small extent that it was there it has received the attention of the U.P.S.C, but here also the number is extremely small; if I mistake not, the number is about 21. In connection with promotion to higher posts, what we have done is to set up Departmental Promotion committees in every Ministry with which is associated the U.P.S.C. These Committees presided over either by the Chairman or a member of the U.P.S.C. Therefore, even at that stage, the U.P.S.C is associated with the question of decision as to whether a particular person, on the basis of the assessment of his work, should or should not be promoted. In certain cases difficulties arise; in some cases, the recruitment rules are not there and they have to be framed in respect of certain new types of posts that have to be created. This is one. Secondly, difficulties arise as to whether particular posts are civil posts under the Government of India or whether they are posts under the State Governments. In such cases, a reference has to be made to the State Governments. We also take the advice of the U.P.S.C, and decide the matter as early as possible. Subject to this, I may point

out that the Government are of the view that to the extent possible, all such irregularities should be avoided. We are anxious to see to it that not only is the highest efficiency kept up but that each Government machinery works in as satisfactory and progressive a manner as possible. That is the reason why Government are always prepared to carry out all the reasonable suggestions of the U.P.S.C. in this respect.

Only one point remains to be dealt with by me, and that deals with certain complaints made by the U.P.S.C. in some of the previous reports. They had stated, quite justifiably, that the standards of the candidates had fallen considerably low. They had also advised the Government of India to take up the question of the falling standards and to remedy the evil to the fullest extent possible. May I point, out in this connection that we come into the picture only so far as the Services are concerned. The most appropriate Ministry that can deal with this larger question of falling standards either at the secondary stage or at the higher stage is naturally the Education Ministry at the Centre and the Education Departments in the various States. When, for example, this question was raised for the first time about two years ago by the U.P.S.C. and then subsequently by the hon. Members in this House and in the other House, we took up this question with the Education Ministry. Inasmuch as University education is dealt with to the largest possible extent by the State Governments, the Central Education Ministry has requested the various State Governments to assess the present position, and to see to what extent this particular evil can be arrested first by improving the standards of education at the secondary stage and then by improving further the higher courses of education. The Education Ministry has addressed all the State Governments who are examining this problem. From the information at my disposal, I can say that as soon as replies are received from the State Governments, this question would be considered in a

conference of the Education Ministry and the Home Ministry; the U.P.S.C. also will be requested to send in a representative because this is a very important question. The question of the improvement of educational standards is generally of the highest importance so far as the nation is concerned, but here I am dealing with its bearing on the question of the fall in educational standards of the candidates who appear at the various all-India competitive examinations. Twice during the last few years, the U.P.S.C. have commented very strongly about this fall in standards.

DR. H. N. KUNZRU (Uttar Pradesh): Only twice?

Shri B. N. DATAR: If I mistake not, only twice recently. I am making reference to the U.P.S.C. not to the University Grants Commission who have been dealing with this problem for a long time. So far as the U.P.S.C. is concerned, they are seized of this problem for the reason that thousands of students appear at the examinations held by them. Therefore, Sir, they are in a position to assess the present situation in a very proper manner. That is the reason why they naturally complained and we have referred the complaint to the Education Ministry and as soon as we have a full picture of the views of the various State Governments and the Central Education Ministry, then this question will be considered and proper steps taken to the extent that we who have to deal with the services can do. As I have pointed out, this is a larger question which deals both with secondary education and with higher education and the sooner we improve the standards—whatever might be the ways in which we can do it—the better for us. We can improve standards either by regulating admissions or by giving better terms of service to teachers. These are some of the things that have to be taken into account in this connection. But I may also point out that this question cannot be solved in a day. Assuming that immediate steps are taken, still some time is necessary for us to assess the new position or

[Shri B. N. Datar.] to appreciate the improvements attained in this respect. All the same, I have made a reference to this question for the reason that it is one of the most important and vital questions with which the whole nation is concerned and we are concerned in so far as the candidates' performances in the different examinations are concerned. I therefore commend this 'Report to the hon. Members.

The question was proposed.

MR. DEPUTY CHAIRMAN: I have before me seven names and the Minister has to be given some time for reply. So each Member will have 15 minutes.

SHRI D. P. SINGH (Bihar): Mr. Deputy Chairman, the Report of the Union Public Service Commission is a very brief one and it invites our attention to a number of points to which reference has been made by the hon. the Home Minister also. Reference has been made in this Report to falling standards of education. The hon. Minister has referred to that also at great length in the concluding part, of his speech. I believe, Sir, that unless the educational standard is improved considerably, as has been pointed out by the hon. Minister himself, there can be no hope for us. Whether it is in the Indian Administrative Services or in the Central Services or in the Universities, in all walks of life, it is absolutely necessary that people should have a higher standard of education. As has been pointed out by the Commission in this Report, 70 per cent, of the candidates for the Indian Administrative Service examinations during the years 1951 to 1957 had no reasonable chance of success. Sir, I do not know—because there is no mention of that in this Report—whether there has been any improvement in this regard during the succeeding years. I would very much like the hon. the Home Minister to tell us whether he has any information in this regard. As it is, it is known to everyone that the

standards are falling very rapidly and unless something is done not only to arrest this decline in standards but also to improve the standards considerably, possibly we shall meet with some kind of a disaster. As the hon. the Home Minister has pointed out, it is true that the Union Ministry of Education has contacted the States and the University Grants Commission and an attempt is being made on the basis of the information that is collected to

devise ways and means of improving educational standards. It is true, but here I would like to suggest that so far as the University Grants Commission is concerned, more and more powers of superintendence and control over education, particularly higher education and university education, should be given to it. It should be the job of the University Grants Commission, in addition to the task which it has been performing, to see to it that proper standards are maintained in the Universities. Education being a concurrent subject, how it should be done it is for the Union Education Ministry to think about it and find out what should be done in regard to this question.

Sir, I have also, while going through this Report, noticed that in regard to some of the posts—they constitute about 3 per cent, of the posts in the year under discussion—suitable candidates have not been forthcoming. There was dearth of suitable candidates for posts requiring teaching experience. I would like to know whether there has been any improvement in this regard. I also find that there is a dearth of candidates for the posts of drilling engineers, oil refinery engineers etc. and I would like to know from the hon. Minister as to what steps are being taken to fill this gap because if this gap continues and no efforts are made, certainly it will not be good for us.

I would like to refer to only two or three points before I conclude.

Mention has been made even by the hon. Minister about delayed offers of appointment, that the Union Public

Service Commission, 1958-59

Service Commission had recommended certain appointments but the Government did not find it possible to make those appointments. Either there

has been un-conscionable delay in making these appointments or in some cases as has been pointed out in the Report, the appointments have not been made at all. Even after what the hon. Home Minister told us in the course of his speech, I think that there can be no justification for any unreasonable delay in making these appointments. It means waste of time and money and it also means a lot of worry to the candidates who have been selected by the Union Public Service Commission. While appreciating what the hon. Minister has said on this point, I would suggest that the Government should see to it that there is not any delay as far as possible and in no case must the recruitments be infructuous. I cannot under-stand this at all. You think that certain posts have to be filled up. The Union Public Service Commission makes recommendations and then you delay the whole thing and ultimately the appointment is not made at all. I am not able to appreciate this. I would therefore suggest that this should not be repeated in future.

There is one more point to which I would like to draw the attention of the House and that is that a large number of temporary appointments—appointments meant only for one year or less—are made by the Ministries, by the Government, and the Union Public Service Commission is not consulted about them in time. The hon. Minister has "pointed out that the number of such cases is small. From one of the Appendices to this Report I find that in a large number of cases—35 I suppose—appointments were made by the Ministries concerned, and reference was not made to the Commission within one year. In some cases, reference was made after three or four years. Now, this is a state of affairs which is very deplorable and in spite of all that the hon. Minister has said on this point, I feel that it

should be impossible for the Government not to refer these appointments* to the U.P.S.C. in time. What happens generally

is this, as has been, also hinted at in this Report. Certain individuals are wanted to be put in certain posts. You fill those posts on a temporary basis. Now, in order to fill those posts it is not necessary to consult the Commission for some time. The Commission is not consulted. After V y8SF you refer it to the Commission. As I have pointed out, it has taken a very long time in many cases. Sometimes three years or four years have elapsed. It has also happened that while referring these cases to the Commission, the Ministries concerned have asked the Commission merely to approve of those appointments. It means that competition is ousted, is ruled out. This is not a proper thing to do, because in that case a lot of scope remains for the Ministries—without meaning any reflection on any particular Ministry—to fill in posts by putting in people whom they want in certain posts. This should not happen at all. Here, *vide* Report, with a great deal of emphasis I should say has pointed out that so much is lacking, so far as the Government are concerned. I hope that this will be corrected and nothing will be done which gives others a feeling that discrimination is being practised in appointments, that justice is not being done. This is all that I have to say.

SHRI M. P. BHARGAVA (Uttar Pradesh): Mr. Deputy Chairman, Shri Datar, in his opening remarks, painted a very rosy picture about the Ninth Report of the Union Public Service Commission. I wish it had been as simple and straightforward as Shri Datar had put it. I am one of those who want the Union Public Service Commission to be an independent body, whose "recommendations should be given the highest consideration.

Coming to the Report, at the outset I want to record my grievance about

[Shri M. P. Bhargava.] the late placing of the Report. It is not a very good thing to discuss in this House, towards the end of August, 1960, a Report for the period ending 31st March, 1959. It is the time when the Tenth Report of the U.P.S.C. ought to have been before the House and not the Ninth. I hope, in future, efforts will be made to see that the Reports are placed in the same year as the period under review ending on 31st March.

SHRI B. N. DATAR: There is no delay in placing the Report on the Table of the House. We received it on 18th November, 1959 and we placed it on the Table of the House on 17th December, 1959.

SHRI M. P. BHARGAVA: Anyway, I am satisfied if that is the position.

SHRI BHUPESH GUPTA (West Bengal): You might say that we should have discussed it earlier.

SHRI M. P. BHARGAVA: It could have been discussed earlier, but with that the Home Ministry has nothing to do. That is between ourselves as to when it is to be discussed.

Now, coming to the Report, in para 4 it has been stated that there used to be annual conferences of Public Service Commissions and that they have been reduced to once in two or three years. That, I believe, is a step in the right direction and we must welcome it.

In para. 5, they have discussed about the limitations of the functions of the Commission. Here I have certain cases to mention. First is the case of the appointment of the Inspector-General of Forests. The Inspector-General of Forests retired and in the normal course the second man, who is the President of the Forest Research Institute, Dehra Dun, should have been appointed to officiate in that post. Now, this was not done and the recommendations of the U.P.S.C. were

not taken very seriously. What happened was this. The Ministry concerned appointed a Selection Committee. They selected a certain person and his name was forwarded to the U.P.S.C. for concurrence. The U.P.S.C., for various reasons, turned down the recommendation of the Selection Committee and said that on the basis of seniority and past record another person should be appointed. Now, in the normal course, the right course would have been to take the recommendation of the U.P.S.C. seriously and appoint somebody else, as suggested by the U.P.S.C. This was not done and the man was persisted with for about 18 months. And it became a very serious matter with all the forest officers when they found that there was no permanent Inspector-General of Forests from whom to get guidance.

SHRI N. M. LINGAM (Madras): May I point out that on page 17 of the Report it says:—

"There was no case in which the Commission's advice was not accepted by Government during the year under report."

May I know to which instance the hon. Member is referring?

SHRI M. P. BHARGAVA: Shri Datar in his opening remarks also laid stress on para. 34 of the Report, which he is mentioning. All the things are not mentioned in the Report. That is my grouse.

SHRI N. M. LINGAM: if on a question of fact, the statement is challenged on the floor of the House, it is a very serious matter.

MR. DEPUTY CHAIRMAN: You can point out the mistake when you speak.

SHRI M. P. BHARGAVA: I am only pointing out cases where the recommendations of the Commission are not taken seriously. That is what I

want to bring before the House and nothing else.

Now, in another case a person who ■was not approved for appointment even as a Class II officer under the Government of India was appointed head of the Department and he carried on in that post for about a year.

The third case which I have in mind is about extension given to Secretaries, Additional Secretaries, Deputy Secretaries, etc. The normal procedure is that if a Ministry wants to give extension to a person, they send their recommendations to the Commission for concurrence.

SHRI B. N. DATAR: That is about re-employment, not about extension

SHRI M. P. BHARGAVA: As far as I can understand it, 're-employment' and 'extension' come to the same thing, but as far as Government rules are concerned, there may be a difference. I am citing a case" where reemployment or extension was not concurred in by the U.P.S.C, and yet the person concerned happens to be the Additional Secretary in one of the Ministries of the Government of India. Now, I will cite another case where the recommendations of the Union Public Service Commission have not been taken very seriously. That is regarding the appointment of a senior lawyer for the Delhi Municipal Corporation. Under the Delhi Municipal Corporation Act all senior appointments have to be made with the concurrence of the Union Public Service Commission. Accordingly, the Union Public Service Commission were asked to select a senior lawyer for the Corporation. The Public Service Commission gave an advertisement and in response they got several applications. They interviewed persons and finally selected a duly qualified person for the post. This recommendation was sent to the Delhi Municipal Corpora-

tion. In the normal course he ought to have been selected. First the Standing Committee of the Corporation were seized of the matter and—I do not know what happened there—they recommended by 7 to 6 that the recommendation of the Union Public Service Commission should be accepted and that the gentleman who had been recommended should be appointed to the post. Then the matter went to the whole body of the Delhi Municipal Corporation and not the Pailia-considerations, affiliations of the man in question, all those extraneous things came into consideration ...

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SHRI B. N. DATAR: I do not like to interfere with my hon. friend. But we are not concerned here with the Delhi Municipal Corporation's appointments at all. We are concerned here only with the appointments of the Government.

SHRI M. P. BHARGAVA: We are concerned with all the appointments recommended by the Union Public Service Commission.

SHRI B. N. DATAR: No, Sir. Not with the appointments of the Delhi Municipal Corporation. They are governed by the Delhi Municipal Corporation Act, though under the Delhi Municipal Corporation Act they have to consult the Union Public Service Commission. Those appointments do not come within the purview of the Government of India's appointments,

SHRI M. P. BHARGAVA: I put it this way that the Delhi Municipal Corporation comes under the purview of the Home Ministry of the Government of India, and the Home Ministry ...

MR. DEPUTY CHAIRMAN: The proper place would be the Delhi Municipal Corporation and not the Parliament.

SHRI M. P. BHARGAVA: But we are discussing the Report of the Union Public Service Commission, and if the recommendations of the Union Public

[Shri M. P. Bhargava.] Service Commission are not taken seriously by anybody, I think we have certainly a right to mention that here. Anyway till today that appointment has not been confirmed and dilly dallying tactics are going on and I am sure the recommendation of the Public Service Commission will not be accepted.

Now I come to another case where a large number of people are affected, and that is about the Assistant Superintendents' Examination which is held by the Home Ministry for the promotion of Assistants to the posts of Assistant Superintendents. I may state that the posts of Assistant Superintendents and they are called Section Officers—are the only posts in the line of promotion of Assistants. Now till 1955 all appointments were made on merit-eum-seniority. In 1955 it was decided that 50 per cent, of the posts would be filled by promotion and for the rest of the 50 per cent, a qualifying examination would be held. It was stated that all those who got 45 per cent, marks and more would be considered as qualified. In 1955, 290 persons qualified, and till 1958 all but 96 were absorbed. Another examination was held in 1957 in which 203 persons qualified. All were absorbed except 72. In 1958, 179 persons qualified and all were absorbed in that year also except 29. I would have no grouse if that was the state of affairs. Then the natural course was that all those would be absorbed as and when vacancies arose. But what I find is that on 24th July 1958 an office memorandum was issued—I can give the number—in which it was stated that all those candidates who had qualified and were left over from the examinations of 1956, 1957 and 1958 would be absorbed, and no consideration was paid there as to whether those persons had subsequently failed in examinations which took place thereafter or they had really qualified. A blanket order was issued that all would be taken.

Now I come to the examination of 1959 where a departure was made from the normal procedure. All those who appeared were under the impression that 45 per cent, was the qualifying mark for being absorbed. Now 323 candidates qualified in the written examination. Then there were 100 marks for the character rolls, etc. Till, today, although individually they have got the intimation that "you have qualified" or "you have not qualified" —and there was a large number of candidates—only a list of 78 was declared and out of that 78, in the first instance 41 were absorbed and later the rest of them have been absorbed. I do not know on what basis this list of 78 has been declared. Informal enquiries show that it is not the list of candidates who had all qualified but it is a list of 78 persons who had come in order of merit. Now on what basis was this done? The Public Service Commission have replied to certain people that the list is ready with them but they have been asked by somebody not to declare the list.

SHRI BHUPESH GUPTA: Why somebody? By the Home Ministry.

SHRI M. P. BHARGAVA: I will not say anything unless I know the facts. I will wait for Mr. Datar to reply. Only 78 candidates are there, while at least 200 odd people are there who have got certificates with them, saying that they have qualified. Now I would like to know the full facts of the case, why a departure from the past practice was made in this case and why 100 odd people are not being promoted on the basis of the qualifying test which was held. If there are no vacancies, I do not see why an examination is being held in 1960 and why people who have qualified once, twice or thrice are being summarily rejected and are being asked to appear for the fourth time to qualify and all that. Now this is a serious thing in the working of the Union Public Service Commission. The Union Public Service Commission should have come out with the whole list and then

it was for the appointing authority to see how many they would appoint and how many they would not. Why the Union Public Service Commission held back the results of these people is a point which will have to be explained by the hon. Minister of State, Mr. Datar.

So much about the Assistant Superintendents. Now there is a similar case of the Assistants. Their examination was held in 1958 and a list was prepared of all the eligible candidates. Most of them have been offered appointments. Yet there is the case of ' forty persons who are not being offered appointments to their senior grade for one reason or the other.

There are certain other things which are mentioned in the Report and I will invite the attention of the hon. Minister to paragraph 26 of the Report where also something is mentioned about irregular appointments and delayed references. Here so many cases have been cited and I think it is high time that the Home Ministry took up this question and found out from other Ministries why there have been delays in such cases.

In paragraph 11, I find mention being made about the candidates abroad. It is really a good thing if we can bring here all those qualified people from abroad, who can come here and serve the country, and any efforts in that direction are welcome. But what surprised me is that year after year the same gentleman goes to foreign countries for interviewing the candidates. I could have understood it if by rotation the members went abroad, interviewed them and found out who could be persuaded to come. But I do not understand why the same gentleman should go. And I personally feel that in these days of dearth of foreign exchange, it is not necessary for anybody to go to these foreign countries year after year to find out the suitable candidates. This could be done once in two years or once in three years and that, I believe, will be quite

enough to find out the talent available abroad.

These are some of the points which I would like the hon. Home Minister to consider, and I would request him to maintain the independence of the Union Public Service Commission. It is a body in which everybody must have full faith and it should be above approach by individuals and by the Ministries of the Government of India also.

DR. H. N. KUNZRU: Mr. Deputy Chairman, I am glad that the hon. Minister for Home Affairs referred prominently to the question of educational standards to which the Commission has drawn our attention more than once. In the Report for the year 1958-59, so far as I can see, there is no reference to it but the previous Report deals with this matter at some length, and the reason for not referring to this matter in the Report for 1958-59 is not that the Commission is satisfied that all that could be done was being done but that it became very patient and said that it realised that the improvement in the standards of education would take some time. But let us see exactly what the Commission has written on this subject on the basis of its experience. Speaking generally of the candidates, it says—

"The remarks of the examiners on the performance of candidates in the written examinations show that the general standard of attainment is going down."

It does not say that the best candidates are in any way inferior to the best candidates whom we got ten or fifteen or twenty years ago. I believe personally that the standard of the best candidates was perhaps a little higher than that of corresponding candidates in the past. But what the Commission is speaking of is the general standard of attainment. It goes on to say:

"The Commission have already drawn attention in their previous Reports..." Not in one Report.

[Dr. H. N. Kunzru.]

"to this deterioration of standards. The urgent need for taking effective steps to improve matters seems to have been widely recognised both by the educational institutions as well as by the Union and the State Governments. The adoption of re-medial measures, however, will take time and the result of the measures taken will not be felt till even later. In the meanwhile, the Commission is concerned about maintaining the quality of the candidates concerned."

These are general remarks which apply to the candidates who took part in the written examinations conducted by the Commission. But it has something more to say about the candidates who appeared in the Joint Services Wing examinations, that is, examinations through which all candidates go before they enter into the Academy at Khadakvasla. It says:

"In spite of the rush of applicants, so far as the Joint Services Wing examinations are concerned, it has been found increasingly difficult to secure this number of suitable candidates. A very large number of those who qualified in the written tests did not pass the tests conducted by the Service Selection Board of the Defence Services. Of those who succeeded in these tests, many failed in the physical endurance and other obligatory tests to which they are subject.

In the case of the Navy"

I draw the attention of Shri Datar to this

"although the number of vacancies each year is very small, the number who qualify finally is generally even smaller."

Now, surely, this is a highly unsatisfactory state of things. Government till recently paid very little attention to the complaints of the Commission. But I am glad to know that they have

at last realised their responsibility in this matter and that the Education Ministry is in touch with the State Governments and the Universities with regard to the vital question of raising educational standards.

Let us consider very briefly how these standards can be raised. The Central Government has the responsibility in this matter. The Seventh Schedule makes the co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions a Central Subject. 4 P.M. Because of this the University Grants Commission has been brought into existence. That Commission is

doing what it can by helping the universities financially and by advising them with regard to the appointment of teachers and in other ways to raise the standards of higher education. But the universities complain that the success of their efforts is limited by the quality of the material that they get from the secondary schools. That is the crux of the matter. I have drawn attention to this repeatedly in this House, but so far I do not see that anything tangible has been done to improve the standards of secondary education. Consultation with the States Ministries and with universities may go on for years without yielding any results unless the secondary schools are improved. I should like Shri Datar, therefore, to tell us what effort is being made in connection with this. Have the State Governments been asked by the Education Ministry, now that it is alive to the importance of this question, to see what can be done to improve the standards of the secondary schools in the States?

Now, Sir, I shall deal with one or two other questions. I am glad to confirm what was pointed out by Shri Datar with regard to the agreement between the Commission and the Government, about the disciplinary cases

referred to the Commission. The Commission dealt with 126 such cases in 1958-59. Government passed orders in 95 cases, and in every case these orders were in conformity with the recommendations made by the Union Public Service Commission. I may say that the Commission has said that in other matters also the Commission's advice was accepted by the Government in all cases.

Again, Sir, it is a pleasure for me to say that regulations framed under the proviso to article 323 of the Constitution of India for specifying matters in respect of which it will not be necessary for the Government of India to consult the Commission were at last promulgated on the 1st September, 1958. I take it that these orders were promulgated by agreement with the Commission. I should like Shri Datar to confirm this.

SHRI B. N. DATAR: Yes.

DE. H. N. KUNZRU: I am, however, sorry to say that irregular appointments continue to be made and references to the Commission are unnecessarily delayed. The matter is as small and unimportant as Shri Datar thought it to be. The list of cases in which irregularities have occurred has been given in Appendix XIV of the Commission's Report, but I shall cite one or two instances to show how determined the Ministries concerned were to disregard the rules and the recommendation of the Commission. The Commission has observed in its Report that although it had been agreed that in regard to appointments whose duration was not expected to last for more than a year the Commission would not be consulted, "in actual practice, however, this provision was often applied indiscriminately". I would draw the attention of Shri Datar to the word "often". It was not in one or two cases that references were delayed.

Then, Sir, the Commission goes on to say:

"... even in cases where it was reasonably clear at the time of making the appointment that it would last for a period well beyond one year...." references were delayed.

Now, Sir, I will give you one or two instances showing how irregularities occurred and what attention was paid to the recommendations of the Commission. The Ministry of Commerce and Industry was in need of a Deputy Development Commissioner for small-scale industries. It asked the Ministries of the Government of India to recommend the names of suitable officers for this post. The Ministry selected two candidates and appointed them by itself without any reference to the Commission. One of these men was appointed on the 5th March and the other on the 17th August, 1956. In March 1957 the Ministry made a reference to the Commission and asked it to approve these appointments. The Commission naturally pointed out to the Ministry that it was not the function of the Ministry to recruit candidates, and besides that it pointed out that the officers selected by the Ministry were not suitable for the post to which they had been appointed. The Commission, therefore, did not agree to the appointments which had been made contrary to the normal procedure of a competitive selection by the Commission. The Commission, therefore, asked the Ministry to forward a requisition for the posts. The Ministry, however, did not do so, and after as long as four months, I think, it informed the Commission "that it was proposed to reorganise the jurisdiction of the Joint Development Commission and, pending a decision on that question, further action in respect of recruitment to the posts of Deputy Development Commissioner had been kept pending." These are the words of the Commission itself. Then, the Commission pointed out to the Ministry that as "the officers had already continued in the posts for a considerable time without their appointments having been regularised," there was no justification for postponing their

[Dr. H. N. Kunzru] recruitment in accordance with the normal procedure.

Now, what did the Ministry do? The Commission says:—

"In spite of repeated reminders, the requisition was not sent by the Ministry till March 1959, with the result that the officers were retained in the posts irregularly, without consultation with the Commission, for a period of 2½—3 years."

There are other cases which can be cited but I do not think that it is necessary to do so. I shall refer only to one more case relating to the Delhi Administration. In March 1956, the Commission recommended a candidate for appointment to the post of Assistant Engineer, Low-Income Group Housing Scheme under the Delhi Administration. The Administration, however, did not appoint this candidate and informed the Commission in April 1958 "that the recommendation of the Commission was lost sight of in the office of the Housing Organisation." These are their actual words. The post had not been filled till 4th February 1958 when, there was an urgent need for an Assistant Engineer in connection with the shifting of the flood-affected villages, to the new sites and an officer from the C.P.W.D. was appointed to the post and the Commission was asked to agree to this appointment but the Commission, in view of the circumstances pointed out by me, refused to concur in this appointment.

I would like to ask Shri Datar in this connection whether any action was taken against the officer in the Housing Section of the Delhi Administration who ignored the recommendation of the Union Public Service Commission.

SHRI GOPIKRISHNA VIJAIVAR--GIYA (Madhya Pradesh): Was the case lost, sight of or was the paper lost?

DR. H. N. KUNZRU: I hope Shri Datar will explain that. There is one more point which I would like to refer to and that is about the question of giving a pension to such members of the Commission as were not Government servants at the time of their appointment. My hon. friend, Shri P. N. Saprú referred to this matter last year. A question was also put in the other House on this subject and Shri Datar then said that the matter was under consideration. Now I would point out that under the Constitution the Government of India is competent to give pensions to those members of the Union Public Service Commission who were non-officials at the time of their appointment and that there has already been a great deal of unnecessary delay in the settlement of this question. I may further point out that several State Governments have already agreed to give pensions to such members of their Public Service Commissions as were not in the service of the Government at the time of their appointment. I do not remember the names but I am certain that Bombay, Madhya Pradesh and Rajasthan have provided for the payment of pensions to such members. I see no reason why the Central Government should delay its decision on this matter. I think it requires no argument to show that the non-official members of the Union Public Service Commission who serve there for 5 or 6 years should, at the time of their retirement, when they cannot accept any new post either under the Central Government or under the State Government, be given some pension. I say nothing with regard to the quantum of the pension. That may be a matter requiring consideration by the Central Government but I see no reason why the Government should not immediately say that it accepts the principle of giving pensions to those members of the Commission that I have referred to. Even the settlement of the quantum of pension ought not to prove a very difficult matter.

SHRI BHUPESH GUPTA: Mr. Deputy Chairman, we have before us the Report of the Union Public Service Commission. I must say that I am not satisfied with this Report because it gives mainly statistical data, which are no doubt important. But we would like a little more information about how things are happening than given in the Report. For example, we would like to have some idea of the manner in which examinations are being held, the kind of *viva voce* tests that are taking place and some kind of assessment out of these experiences. Only then will it be possible for Members of Parliament to exercise their judgment and reflect on the subject as to how things are being handled by the U.P.S.C. While incidents are important, I think that this information to which I am referring, is even more important than most of the things said here. Much naturally depends, and what kind of administrators we are going to create depends, to a great extent, on how the U.P.S.C. functions in the country. Naturally, we are interested not only in the integrity and quality of its personnel but also in the manner in which it is discharging its responsibilities. We would like to have a little more light on the subject.

In this connection straightway I would mention the fact and it is this that it appears that the officers of the I.A.S. and other services attached to the U.P.S.C. are, for administrative purposes, under the Home Ministry. I would not like it to be so. Just as in Parliament we have our cadre independent, similarly the personnel, at least the high officers attached to the U.P.S.C., should be independent, without being placed under the administrative jurisdiction of the Ministry of Home Affairs, because it is necessary to ensure the independence of the U.P.S.C. and the body of men who run that institution. It must not only be independent, but the people must have the feeling that it is independent. That is why I think an arrangement of this kind is essential.

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Now very many things have been said. I would only like to give the missing links in the speech of Mr. Bhargava. He mentioned about cases of Assistant Superintendents. He said that lists of large numbers of qualified candidates were not published because the qualifying marks were suddenly raised from 45 per cent, to 58 per cent, or so. It seems that he mentioned that 201 candidates fell within the range of 45 per cent, and 578 per cent, marks and their names were not published. He said somebody wrote to the U.P.S.C. not to publish the names. I do not know why he was feeling shy of naming the person. The person concerned or the authority concerned was the Ministry of Home Affairs. This Ministry asked the U.P.S.C. not to publish the names and that is why even though the list was ready, it was not published. We must call a spade a spade and must not be shy to do so, even though it may be the very powerful Ministry of Home Affairs.

Let me come to another point. I find that disproportionate credit is given to *viva voce* test in the I.A.S. and I.P.S. examinations. I understand that the method is under some kind of consideration but it appears that much importance is attached to a 10 to 15 minute interview with the candidates by some Board. I think the importance and significance are exaggerated and the result has not been satisfactory at all in this matter. It seems the qualifying marks in the *viva voce* examination for the I.A.S. are 400 whereas for others they are 300. The result has been from whatever information we have got, that a comparison of the written test marks and the so-called personality test marks of the successful I.A.S. candidates in the last 3 years will support the conclusion that the written test marks are counteracted by the so-called personality test marks. It appears that those who got very high marks in the written examination did not succeed ultimately in getting qualified and

[Shri Bhupesh Gupta.] employed and absorbed in the services because according to them these candidates did not come up well in the *viva voce* test or tests of that kind. Just now the hon. Minister was referring to the quality of education and so on in the country and he referred to the University Grants Commission and to secondary education also, generally. But here you find that those who are found to be well qualified and who secured the highest marks in the written examinations, they got dropped off because of this *viva voce* test and so on.

SHRI J. S. BISHT (Uttar Pradesh): That does not happen, for the *viva voce* examination marks are added on to the general marks.

SHRI BHUPESH GUPTA: Yes, yes, they are added on. I know. I am coming to that. But if you do not do well in that, then you will not fail, but you come lower in the list. That is the point I want to make out. There is no question of failing that way. I say in some cases it has been found that a candidate who comes up very high in the written examination, after the *viva voce* marks are added in the overall result he goes very much down. Therefore, I say the mark for this test should be reduced to 100 or so and so much importance should not be given to this test. That is the point I am making out in this connection. Last year, that is, in 1959, there were, it seems, some 82 vacancies and many candidates could not qualify after the *viva voce* although they had done very well in the other tests. I think it was necessary for them to go to the zonal boards and seek interviews there and try to get into service and they were not allowed and that came in the way and so on. This procedure has to be gone into so that actually those who are qualified in the written tests—we know they are qualified—should not, because they are not proficient in the *viva voce* test, be completely left out or be allowed to go so much down. We should, after all, tap all the talent

available. Mr. Ashok Chandra in his book has said that in the service you can train personality, but intellectual efficiency cannot be so easily developed in the course of service and it is only in the written examination that we get to know of the intellectual efficiency of the pupil. Sir, I have have once before spoken on this subject and I pointed out how this is a somewhat illusive thing. You cannot judge a man's personality. It may sound very well. But can you judge any personality within 10 or 15 minutes' interview? I would like to see that person who can, that genius, who can judge a personality within 10 or 15 minutes. We would like to know some of them. They are members of the Public Service Commission, I know. But this is a kind of thing we have inherited from the British and we go on saying it, although we know very well that within 10 or 15 minutes you cannot even put a good supplementary question in a proper way. Members of Parliament here are supposed to be very efficient. How many of us can make a proper speech within ten minutes' time? Are we to say that we are all nincompoops, that we do not know how to speak, and are bad as parliamentarians? No, you converse with people but you cannot find out much within 10 or 15 minutes and more especially a premium should not be put on this *viva voce*, when you see that the same persons have done well in the written examination and have shown intellectual accomplishment and learning etc.

SHRI N. M. LINGAM: Then what is the idea? Does the hon. Member want that the personality test should be done away with?

SHRI BHUPESH GUPTA: No, my idea is not to do away with this personality test. My idea is not to run after illusions, after illusory things. Illusory things I do not want. You know very well it is not a test that way. So reduce the marks assigned

for it and do not attach such importance to it as you are attaching today. That is what I am saying. Now, as a result, what happens? A large number of otherwise qualified people get weeded out and they get demoralised. They do not get jobs in proper places where they should be employed. Any-way, this is a matter which needs thought on the part of the U.P.S.C. and the authorities that are concerned with it. Well, we have never aspired to be I.A.S., or I.P.S. or whatever it is. We discourage people. We discouraged people in England from sitting for the I.P.S. examination and we succeeded in it and got them to give up the thing and ultimately to join our Party. There was Mr. Indrajit Gupta, a very brilliant student. He went there for the I.C.S., and we asked him not to sit for the I.C.S. examination. His brother was an I.C.S. man. But he could not persuade Mr. Indrajit Gupta, and he did not sit for the I.C.S. examination. Now, he sits in the Lok Sabha today. He is the general secretary of the Bengal Provincial Trade Union Organisation. Therefore, I say, do not attach so much importance to it.

Then again, many places are kept vacant. Many people pass the examination but they are not absorbed quickly. That is not good. *Reference* has been made to the temporary hands. That is also not good. That U.P.S.C. should go into the matter.

So far as disciplinary action is concerned, it seems, very few cases are referred to them. That is given on page 6 and I do not mention the figure. Anyway, the number is very small. It seems that most of the cases in which disciplinary action has to be taken are not referred to the U.P.S.C. I know that it is according to the rules, perhaps. But the rules are very elastic also. Here I would like to say that knowing the government and the departmental heads, as many cases as possible involving disciplinary action should be referred to the U.P.S.C., because I would have faith in the I

U.P.S.C., and not in the departmental head and; especially cases under article 311 where under the President's order people are sacked, dismissed summarily. Such cases, no matter who the employee is, should inevitably be sent to the U.P.S.C., with all papers. I say this because I expect that this body of men of integrity and independence would go into the question and would not be carried away by any kind of political and extraneous prejudices or any witch-hunt—the hon. Minister introduced the subject—I mean the Home Minister. Therefore, why can't we have this thing? I do not think any mass retrenchment is taking place every day in the departments. The number involving disciplinary action is not very many and they should go to the U.P.S.C., and not only when a certain Secretary is hauled up. Whenever you propose to take any disciplinary action against a government employee, the arrangement should be that it should go to the U.P.S.C., and, if necessary, the rules and regulations should be changed. We do not like the U.P.S.C. to be a mere onlooker in this matter. We want them to function effectively and to cover a wide field of activity in these matters and I hope the Home Ministry will make way for them. That will be good for the country, undoubtedly.

Then there is reference here to visits to foreign countries, to London, Paris, New York, Washington, Chicago—I do not know who went to Chicago—and then to San Francisco and so on. They go there to recruit people. It is a fine tour indeed, and I would like to be a member of the U.P.S.C., and go on tour, go round the world and recruit nine people after interviewing some 104 or so. It is a fine thing.

SHRI N. M. LINGAM: They do not go to Bucharest.

SHRI BHUPESH GUPTA: Why should they go? Are we to say that there is deficit here in this country, that there is shortfall here? I know

[Shri Bhupesh Gupta.] that there is shortfall in our resources for the Plan; but there is no shortfall in candidates in this country. So many of them, thousands and thousands come. Out of them take more if you like.

AN HON. MEMBER: They are technical men.

SHRI B. N. DATAR: The hon. Member may know that the Chairman had gone to foreign countries to examine Indian candidates.

SHRI BHUPESH GUPTA: I know, I know that. Thank God, you are not going there to get foreigners. That much I know. But why should you go there? These young men went there to study so many things there. Well, if they feel like it, they can come here and sit for the examinations. I take it that mostly they are the sons of the rich and they are in a position to come and go back. They do come on holidays. I can understand recruitment for certain expert jobs like engineers, technicians and so on, but I do not like this thing for getting men for the I.A.S. or some such things. He says "No"; he is better informed, because he was in Paris and the U.P.S.C. Member has also been in Paris some time. This is something which does not seem very inviting and encouraging. The result has been that 104 people were interviewed and 9 people were selected but we do not know how many turned up.

Here, Sir, is an advertisement published by the Ministry of Commerce and Industry inviting applications for some posts, and towards the end of the advertisement is a sentence which says that no Government servants can apply. This restriction, after the Joseph affair, should have gone, and all people should have been put in a position of applying for posts in other sections of the Government. After the applications are received, and if they are selected, we can consider

the question of relieving the candidates. That can be discussed later on. The hon. Minister said that the U.P.S.C. is associated with the Departmental Promotion Committees. I have in mind the Central Information Service. There is a lot of gossip, lot of complaints and lot of rumours, going on about this, and they take cover under the U.P.S.C. when actually the promotions take place, as everybody knows, under the aegis of the departmental authorities. There have been serious lapses. There was the case of the Editor of Publications who was recruited in 1956 by the U.P.S.C. He was suddenly demoted and somebody else was suddenly pushed up from Grade III. Such things are happening under the veneer of the departmental body, and taking advantage of the presence of the Member of the U.P.S.C. all kinds of favourites are being pushed up. Now, I do not blame the U.P.S.C. It would be difficult for anybody to function correctly in a situation like this surrounded on all sides by the departmental bosses. This is happening, and the Central Information Service has become the talk of the town. All kinds of mismanagement, favouritism, promotions, demotions, etc., are going on there. This is a matter which I wish to place before the House, and particularly I wish to invite the attention of the U.P.S.C. to this matter, because they must not lend their name to such things. Their prestige is very important; their stature is very important and, therefore, even unwittingly they should not be placed in a situation where some people take advantage of the presence of their representative and get wrong things done. It is scandalous, the things that are going on in Dr. Keskar's Ministry in the Central Information Service. I could give you very many examples. This much paper I have got about this thing but on some other occasion I shall return to this.

I wish good luck to the U.P.S.C. but today they have to think as to what kind of people we require for our administration. We want broadly

progressive-minded people, people who are imaginative and who respond to things, but who are, at the same time, people of integrity. That background has to be gone into because we have seen in one State, Assam, for example, how members belonging to the All-India Services fell victim to Chauvinism and committed dereliction of duty on a scale never known before. Therefore, it is very important for them to choose the right type of people, and they must orientate themselves in this matter with a view to discharging the great responsibility the country has reposed in them.

SHRI P. N. SAPRU (Uttar Pradesh): Mr. Deputy Chairman, I should like to point out that one of the salient features of our Constitution is the independent character of the Union and State Public Service Commissions.

MR. DEPUTY CHAIRMAN: I think we will have to sit beyond 5 P.M. Almost everybody has exceeded the time.

SHRI P. N. SAPRU: It is an advantage to have regularly formed services, and I think one of the reasons why we are in some ways ahead of other Asian countries is that we have these regularly formed services in our country.

The Commission is presided over by a distinguished Civil Servant, and we are obliged to the Commission for an illuminating survey of the entire position between The 1st April, 1958 and the 31st March, 1959. Sir, the first point on which I would like to say something is about pensions for Members of the U.P.S.C. I raised that point in my speech last year, and Dr. Kunzru has pointedly raised it in his own inimitable manner this afternoon. I know that there are six States which have introduced this system of pensions, Orissa, Bihar, Madhya Pradesh, Rajasthan, Gujarat and Maharashtra.

[THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) in the Chair.]

There should be uniformity in regard to this matter. I see no reason why the lead which has been given by these States should not be followed by the Union Government and by the other State Governments. Pensions are indeed contemplated by the Constitution. I will invite your attention to article 322. This is how that article is worded:

"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 of the staff of the Commission, shall be charged on the Consolidated Fund of India or, as the case may be, the Consolidated Fund of the State."

The Members of the U.P.S.C. are not eligible for further appointment under Government. A Member can be appointed as the Chairman but is not eligible for any other appointment. Methods are being devised to get over that bar, because we find that Members, after retirement from the U.P.S.C. can become Vice-Chancellors of Universities, but I think, Sir, that the straight and honourable course is to give to the Members of the U.P.S.C. a decent pension. You want to have the Members drawn from the widest possible sphere of public life; you want to have the Members drawn from the ranks of educationists as well. Now, the educationists whom you are appointing as Members of the Service Commissions, the public men whom you appoint as Members of the Service Commissions, have to go without any pension. Compare them with the High Court Judges and the Supreme Court Judges. I think we have got about 158 High Court Judges. Allahabad 24, Andhra Pradesh 14, Calcutta 20 and so on. Every permanent Judge is entitled to a minimum pension of Rs. 500 per month.

SHRI AKBAR ALI KHAN (Andhra Pradesh): You want pension only for those Members of the U.P.S.C. who do not have any other pension. Am I right?

SHRI P. N. SAPRU: That is so. So far as those who have any other pension are concerned, well, they are protected, but those who are drawn from public life or from the rank of educationists should have some pension provided for them. What the amount of pension should be is a matter for serious consideration by the Government. I hope, Sir, that the hon. Minister who has always been sympathetic to the Public Service Commission, who I know, has been very fair to the Union Public Service Commission, will view this question with sympathy. I know that he wants to have the best talent in the Public Service Commission and it is from the point of view of the future of this Commission that I think it is necessary for us to view this question of pensions with sympathy. Sir, if the standards of our services go down, then our administration will go down and if the character of the body, in which the recruitment and discipline of the services is vested, suffers, the morale of our services will suffer. Therefore I think it is an important matter. In England the Civil Service Commissioners are appointed for life; I am not suggesting that you should go as far as that but I do suggest seriously that in the interests of the future efficiency of the Union Public Service Commission this question of pensions should be tackled in a generous manner. A uniform policy should be laid down and the views of the State Governments should be ascertained and if necessary, Parliament should promote legislation on this matter.

I will now pass on to some wider questions. One of the difficulties with the recruitment to our public services is the very large number of candidates who sit for these Public Service examinations. They know that they have no chance; yet having nothing else to do they just think that they might as well sit and take their chance. Well, the problem of numbers creates very great difficulties in the way of the Commission. Why is

there this desire on the part of every young man to sit for a Government competitive examination? The fact of the matter is that very few avenues of employment are open to our young men. therefore if you create further avenues of employment to our young men, the numbers will automatically decrease. I know some brilliant young men who refused to sit for the Public Service Commission examinations because they got good jobs in British and American concerns. Now, I do not like their getting fat jobs in American and British concerns. I would like them to be able to start businesses on their own; I would like them to be able to stand on their own legs in the professions; I would like them to do so many other things because there are so many things to be done in this country and it is a tragedy to find thousands of these young men—I think the figure is 63,000 or so—sitting for the Union Public Service Commission's examinations.

One other point I would like to emphasise is that the Union Public Service Commission needs a big hall. It should be helped to have a good hall built in Delhi for conducting its examinations.

Sir, reference was made by Mr. Datar to the fact that there has been no interference this year in any case recommended by the Union Public Service Commission. That is a matter for extreme satisfaction and it shows the importance that the Government attaches to the advice of the Union Public Service Commission but certain irregularities have been pointed out by the Commission and they should be taken seriously. Because I think it is a serious matter for a Ministry to continue to keep in employment a person for three years without getting the approval or sanction of the Union Public Service Commission. There is a particular procedure prescribed for getting entry into our services and the State expects that fair opportunities shall

not be denied to any person howsoever insignificant in status he might be.

This brings me to the question of the personality test which was raised in a pointed manner by my friend, Mr. Bhupesh Gupta. There are two extreme views in regard to this personality test. One view is that it should be discarded and there should be no personality test at all. The other view is that the personality test is highly important and that there should be a separate pass in the personality test. I have always taken a middle attitude in regard to this question of personality test. I think within limits a personality test is good but I do not think that you can really judge a person's mental calibre by a casual talk of 15 to 20 minutes or 30 minutes. You may be able to find out whether he has the capacity for repartee; you may be able to find out whether he is quick of comprehension, whether he has some debating skill, if you know how to put your questions and I doubt whether all the members of our Public Service Commissions, particularly of our State Public Service Commissions, know how to put questions intelligently to the candidates who appear before them. But to say from a casual interview of 15 or 20 minutes that a man is likely to make a good officer or not is to indulge in prophecies of which I find myself incapable. Therefore I think, Sir, that we should for certain purposes retain this personality test but the marks allotted for this personality test should not exceed one-seventh or one-eighth of the total number of marks and they should be added to the total number of marks. No separate pass should be required for the personality test.

SHRI AKBAR ALI KHAN: One-tenth will still be better.

SHRI P. N. SAPRU: Anything between one-sixth and one-eighth; that is my idea. Because, you see, sometimes excessive importance is

attached by some people to good breeding, to good dress and to other superficial things of life which do not really make a man intellectual, wise or capable.

Then, Sir, I would like to invite your attention to the fact that we have a large number of re-employment cases in our country. Why do we want to re-employ people after retiring them at the age of 55? Why not be straightforward? Why should we not, taking into account our increase in longevity, the economic situation and so many other factors, raise the age of retirement to 58? Let everyone retire at the age of 58 and let there be no re-employment after 58. Re-employment today has become the rule rather than an exception and this is demoralising the members of the services. It affects to some extent the independence of outlook of the civil servant.

Then, Sir, I have already referred to the fact that there had been some irregular appointments which could not be justified, and then also to the fact that in disciplinary matters the Government has supported in the main the Union Public Service Commission.

There is one more point to which I want to draw your attention and that relates to teachers. There are about three per cent of posts for which qualified candidates were not available. Now, if you will examine Appendix VIII, you will find that most of these posts are teaching posts or posts requiring special knowledge and special skill. I think it is desirable that we should provide facilities for training our young *men* in all the main branches of knowledge.

One final word before I sit down. Reference was made by you, Sir, when you were there, and also by Mr. Bhupesh Gupta, to the tour the Chairman undertakes to foreign countries for recruiting men abroad. Now, remember that there is a paucity of talent in our country. It is important that highly educated young

[Shri P. N. Sapru.] men—our young men, I am not talking of their men—our men who are receiving education in Britain, America, West Germany or for that matter in Moscow—I have no prejudice against Moscow—should be able to find a way into our Services.

DR. A. SUBBA RAO (Kerala): Why can't they come here? That is the question.

SHRI P. N. SAPRU: You know as well as I know how expensive it is for a young man to travel these days. I would like to visit many countries, but I cannot do so because I have not the money. Therefore, I think that many of these tours are not wasted. These tours add to the richness of experience of the Chairman. These tours enable us to get the best material available for our administrative and educational posts. Thank you.

SHRI K. M. PANIKKAR (Nominated): Mr. Vice-Chairman, I shall confine myself to one or two points about which I have some personal experience. The first question I shall deal with is about the educational standards in this country. The general feeling is that educational standards are going down and a great deal has been made of it in the Report under consideration as well as by speakers here. But this is not an issue confined to India. This problem arises from the extension of education. When it was a question of education for a small group of people, it was possible to have higher standards. When education gets expanded to a national scale, when hundreds of thousands of people have to go to universities and colleges, then there is an inevitable fall in standards, compared to what had been the case in regard to smaller numbers. As Pandit Kunzru pointed out, the best type of students today are not any less qualified or less able or less intelligent than those of earlier generations. That is to say, if you take the standards of the best

in the past as well as today, I do not think the students who pass the LAS examination will suffer by comparison. I have had some personal experience in this matter, as I have worked with the Public Service Commission, in the personality tests in 1949 and in 1959. The experience I had is that the boys who come out of the examination, who have passed the examination and who sit for the personality test, are as good as any who passed through the I.C.S. or any other examination in the past. So, I do not accept the idea that our quality is going down. The quality of our people selected is as good as any that we expect. That is the thing we are more interested in.

DR. H. N. KUNZRU: Is my hon. friend bearing in mind the point that what the Commission has referred to* is the report of the examiners and not its own *a priori* opinion?

SHRI K. M. PANIKKAR: What is the report of the examiners? It is with regard to the nine thousand students who have appeared. I agree that such a large number of students would consist of a very large majority of students who were not qualified to appear for the test. For that you have to find a method by which the chaff can be removed from the wheat. The suggestion that has been made that only better class students who have passed at least in the second class should be allowed to appear for the I.A.S. examination does not seem to me to be suitable. Perhaps it is better to have a preliminary selection. I would not say that a person who got a third class in the B.A. examination should not appear, because he might have improved his standard or he might have, for some reason, fallen down during his B.A. examination.

The second question that I should like to deal with is the question of personality test, which has come in for a great deal of criticism from Mr. Bhupesh Gupta and others. The personality test does not lead to a person's failure in the examination. The

marks awarded to the candidate at the test are added to the marks gained at the written examination. If a person answers very foolishly and does very badly in the personality test, it may be that his rank comes down a little but he will not fail. The point really is this.

SHRI AKBAR ALI KHAN: It all depends on the number of marks kept for the personality test.

SHRI K. M. PANIKKAR: What is the percentage now?

SHRI AKBAR ALI KHAN: Sometimes they have got 25 per cent.

SHRI K. M. PANIKKAR: What do you mean by sometimes?

SHRI AKBAR ALI KHAN: Nothing is fixed.

SHRI K. M. PANIKKAR: I remember that in 1949 the personality test was a very important thing and you could have failed a candidate in it. Since then conditions have changed. After all we evolve our procedures by experiment. We have been experimenting with the personality tests; we have been improving our methods, we have been finding out what is the most efficient method of doing these things. And we have now come to the conclusion by which these things are supplementary to the written test. The idea that you cannot find out the quality of a man's mind in twenty minutes is something which is not wholly true. From my experience of sitting with the Commission I can say that the main purpose of the personality test is not to examine a student in his knowledge, but to discern his reaction, how his mind acts. It is not the particular answer that is given, but the reaction of the student to the questions put to him, not his appearance as somebody said or the Public School pronunciation or the way he wears his tie, but his actual reaction to intelligent questions put to him and the manner in which he tackles problems which

are put to him. These are important matters. Anybody can mug up and answer question papers but some kind of a supplementary test is also important—whether a person has the right approach to problems, whether he is prepared to face the issues. Beyond that it is also important to know whether the boy has any kind of knowledge with regard to India in general. I remember putting a question on to a boy, who came from Bombay as to who Ferozeshah Mehta was. He said he was a gentleman after whom a road was named. That is all that the youngman from Bombay knew with regard to Ferozeshah Mehta. In 1949 I asked a student to give me the names of three people who represented Bombay. I asked the names of three people who represented Bombay in 5 P.M. the Central Government. The Maharashtra gentleman said "Gadgil", the gentleman who came from the Scheduled Castes said "Mr. Ambedkar", and the Gujarati could only remember the name of Patel. All went by their particular sense of caste or locality. Whether the candidate has the right approach to Indian problems as an Indian, whether he is dominated by caste or local considerations, these can all be discovered by carefully selected questions by a number of people. It is not quite right to say that these personality tests mean nothing. Personality tests mean a great deal, but I agree with those Members who have said here that an independent passing in *viva voce* should not be made compulsory. If a person has done extremely well in the written papers, it is necessary that this should be kept in mind because it shows his intellectual training.

Then there is one other matter about which there seems to be a great deal of misunderstanding, and that is the foreign tours of the Chairman for purposes of local selection. I have also had some experience in this matter and, therefore, I am in a posi-

[Shri K. M. Panikkar.] tion to say something. Mr. Bhupesh Gupta seems to have been under the impression that people for the I.A.S., may be recruited in this manner. After all, the I.A.S., I.F.S., etc. are based on a written examination first and an interview afterwards.

TMR. DEPUTY CHAIRMAN in the Chair] So the question of such candidates being interviewed abroad for these services does not arise. What does arise is the question ^n regard to people who are undergoing training in foreign countries, who are holding very high posts perhaps in some places or who are in any case employed in industrial concerns or in scientific institutes who find it difficult to come here for a casual interview in which they may not get the post at all. I remember the case of a boy who was interviewed in Paris. He was actually employed in the Atomic Energy Commission there or in some high Physics Institute, and it was necessary that he should have been seen and interviewed before the post could be offered to him. To ask him to come all the way to India at his own cost on the off chance of his being offered the job seemed to be a very difficult thing. In such a case you do not get the people to come. They have their jobs there and they find much better prospects of employment, and we want to give those people at least the facility of being interviewed in suitable places without being put to great inconvenience. The main places where these candidates are interviewed are London, Bonn, Paris and other places where a large number of our young people are undergoing technical training. They may also be undergoing training in foreign universities. The idea that for general recruitment to clerical posts or I.A.S., or foreign service posts people are being interviewed abroad seems to be absurd. It is not correct. That criticism is based on a misunderstanding of the existing facts.

Only one other thing I want to say, and that is the prestige of the Union

Public Service Commission, one of the things to which we should attach the greatest importance. Nothing should be said or done which really takes away in the least from that prestige which we are gradually building up. But that does not depend upon merely people not criticising it. It also depends upon the Ministries. The Ministries ask them for candidates to be chosen and then forget about it and say "We have misplaced those papers". That kind of thing where the Ministries not only take action in their own departments without reference to the Public Service Commission where such reference is required but do not give sufficient importance to the recommendations of the Commission when such recommendations are made should be severely dealt with. That I think is very necessary if we have to build up this prestige to which I think the greatest importance should be attached. Thank you, Sir.

SHRI NAFISUL HASAN (Uttar Pradesh): Mr. Deputy Chairman, the hon. Minister when moving this motion took credit, and I think rightly, for accepting all the recommendations of the Union Public Service Commission. I think the Government deserves our congratulations for this happy state of affairs. They have fully realised the importance of the recommendations of the Commission, and the important role which the Commissions in this country are to play in the development of our democratic institutions.

In a democracy, governments come and go, but the services remain. It is the function of the Commission not only to recruit the service personnel but also to safeguard their interests. They must have a major voice in matters affecting the services. In cases of promotion, although the views of those who are heads of the departments and know about the work of the candidates are given due consideration, the presence of a representative of the Commission on the selection committee as its chairmen «D-

tures that no prejudices for or against are unnecessarily brought into play in favour of or against any particular candidate. I hope that the whole House will be fully satisfied with the Report of the Union Public Service Commission and the way in which their recommendations are being considered by the Union Government.

There are certain points to which attention has been drawn by the Union Public Service Commission, and I shall refer to some of them. Stress has already been laid by some honourable members on the requirement of an examination hall. Forty thousand appear annually in Delhi alone and there is a clear necessity for an examination hall. Even in Uttar Pradesh we have an examination hall where twelve thousand candidates can sit at one time. There are occasions when there are more candidates, but then we can make arrangements at some other places in addition to that hall. In Delhi also the number of candidates in one examination will ordinarily be about 1000 or 1500. Therefore, a hall which can accommodate that number will be quite sufficient for the purposes of the Commission here.

On page 5, in paragraph 10, of the Report there is mention of a particular practice adopted by the Union Public Service Commission. They say:

"While advertisement continues to be the usual method of inviting applications for posts entrusted to the Commission, there are certain categories of posts for which the persons who can be considered do not care to apply in response to advertisements. In such cases (including those where an advertisement has proved infructuous) it has been the practice of the Commission to make enquiries also from institutions, learned societies or experts of standing in the specialised fields to which the posts belong."

In this connection, I would like to point out that according to the provi-

sions of the Constitution, every citizen is to be given equal opportunity for employment to a civil post whether that post is in the Union or in a State. Now the only method which gives this opportunity is that an advertisement is issued and is published in papers having wide circulation. There is no objection to this method of recruitment by private negotiation in addition to the issue of advertisement being adopted. Naturally, if after the advertisement candidates are not forthcoming, then an attempt should be made to secure them by private negotiations, by asking the principals of training institutions and those who are expected to know about suitable candidates. But then this should not replace the advertisements. The constitutional requirement is mandatory. There must be an advertisement for every post. If after the advertisement is issued, there is no response to it or if there is response but no suitable candidate is available, then this method is permissible. The Commission may also resort to this method simultaneously with the issue of an advertisement if on account of their past experience they do not expect a good response to their advertisement. That will be all right. But to give up the issuing of an advertisement will be against the Constitution. And it is quite possible that there may be persons who are fully qualified, but because of lack of knowledge about those posts they do not apply. Therefore, the constitutional requirement should be complied with. This procedure may be in addition to the advertisement but not in lieu of advertisement.

SHAH MOHAMAD UMAIR (Bihar) •
Why not re-advertise?

SHRI NAFISUL HASAN: Re-advertisements will be justified only when it is thought that there is material available, and the last advertisement could not for some reason reach the proper quarters. It will be simply a waste of time and money in re-advertising the post when it is thought that there is no or very little material available.

[Shri Nafisul Hasan.]

Then, Sir, there is the complaint by the Commission that recruitments were cancelled and that there were delays in offering posts. Both these complaints are of a sufficiently serious nature. I realize that Government are working under exceptional circumstances and for the implementation of the plan, at one time it may be thought necessary to send to the Commission a requisition for a particular post but there may be thereafter a change in the planning and the post may have to be cancelled. But normally, and as far as possible, this should not happen because this results in wastage of public time and money. Candidates also are put to expenditure and inconvenience.

In paragraph 26 on page 11, of the Report there is a complaint about irregular appointments and delayed references. There is a rule here, and in my State of Uttar Pradesh also, the temporary appointments which are likely to last for not more than one year may be made without reference to the Commission. *(Interruption.)* A wrong interpretation has been put on this rule. It is thought that the Government or the appointing authority has the right to make any appointment for one year irrespective of whether the post is to continue for only one year or longer. That is how it is being interpreted generally in the various departments and probably here in the various Ministries also. A case is mentioned in this Report that a post was sanctioned for three years, that the appointment was made on a particular date but that reference was made to the Commission when one year had already expired or was about to expire. So, there is a wrong impression that it is the right of the Government or of the appointing authority to make appointments in all cases for one year or to make appointments for posts which are to go beyond one year. I think this point needs to be made clear to those concerned. I suggest one other way by which such things may happen less frequently and that is this. In all

eases of temporary appointments, all the Ministries and all the departmental heads should be directed that a copy of each appointment order should be sent to the Commission so that they may be able to check at their own end as to what is happening in regard to a particular appointment. If they find that no requisition is sent to them for recruitment and the post is continuing, they can ask the Government to send them the requisition. In Uttar Pradesh, such a direction has been issued by the Government and the results have been very satisfactory-

I am very grateful to you, Sir, for the opportunity given to me to express myself on this question. In the end, I will request the Government to see that the prestige and independent status of the Commission is jealously guarded.

SHRI N. M. LINGAM: Mr. Deputy Chairman I thank you for having called me by extending the time of the debate. Administration, as we all know, has grown not only in volume but also in complexity. So, it is but proper that the House attaches the greatest importance to the machinery which is charged with the responsibility of seeing that the recruitment and the discipline of the services are maintained at the highest possible standard.

Sir, the Report before the House gives a clean bill to the Government. But from what some of the hon. Members pointed out during the debate, it seems to me that the Report is significant for what it omits to say. For instance, my hon. friend, Mr. Bhargava, drew attention to a number of alleged irregularities on the part of the Commission and the Ministries. We do not know how far they are true because they do not find a place in the Report. Probably they fall outside the years to which the Report relates. But if the observations made by my hon. friend are borne out by facts, it is a matter for serious consideration, if the Commission's role

should be what it is generally accepted to be by the Government and the House; it has probably to assume a superior role, if it is to control effectively the policy of recruitment and the standard of efficiency in the Services generally. Sir, I shall not go into the question referred to by the hon. Member and we expect the hon. Minister to throw more light on the aspects which were brought to the notice of the House.

Sir, reference has been made to a fall in standards. This is a hardy annual which the House has to face. It is said that education in the universities and the educational system generally should improve, and unless that is so, we cannot have the desired personnel to man the Services. In that connection hon. Members have referred to the need for improving not only the university stage of education but also the secondary stage. I would like to go a step further and say that the whole system of education has to be looked upon as one integrated whole, and unless we strengthen our educational system from the very bottom, it is no use our concentrating only on the university stage or the secondary stage. Even from the primary level education as a whole is in a melting pot, not with regard to the curriculum alone but also with regard to the medium of education and even its objectives. Unless we have clear ideas, about education, about our objectives, about the medium of instruction, and unless we strengthen it by viewing it as a whole, unless we strengthen it from the bottom, we cannot have proper personnel to man our Services. But then, it is beyond the scope of this discussion to dilate upon it. It is probably beyond the purview of the U.P.S.C. itself to concentrate on improving the standard of education.

Sir, I would now refer to the question of examinations. Much has been said on whether there should be an oral test and what its place should be in deciding the merits of applicants. Sir, I feel compelled to say that the *viva voce* test is very necessary to

select proper persons for the Services. There is nothing sacrosanct about the written test. It depends, it is true, on the intellectual discipline that a person has gone through, but that is not all for judging the merit of a person. The personality of an individual is many-sided. Just as people have said that it is difficult to judge the worth of a person in a fifteen-minute interview, I submit that it is equally difficult to judge the capacity or the efficiency of a person by the amount of crammed knowledge that he is able to put out. We know that the Government itself is not satisfied with the system of education and it is thinking of reforming it. So, Sir, there can be no final word about it, but the system of selection has to be determined as much as possible after taking into account all the factors that go to make a personality today.

Then, Sir, I would like to say a word about the constitution of the Commission itself. Much has been said about the need to maintain the dignity of the Commission and the pre-eminent place given to it in the Constitution. We are all agreed on that. It is necessary, I feel, that non-official members of the Commission should be given security in their later years by providing for pension. But I would like to know how many non-official members are in the U.P.S.C. I think the strength of the non-official element is very little, and I would in this connection point out to the Government the need for taking in more men from public life. Sir, at the present moment it is dominated by the official element. It is true that there are distinguished men from the educational and other fields. But then we have to have regard to the needs of the present-day administration when we have passed from the regulatory stage of the Government to the welfare stage and to have persons in our Services who have a broader outlook on our problems.

I would in this connection recall the observations of Paul Appleby when he said with regard to the Indian

[Shri N. M. Lingam.] Civil Service that a member of that Service was more conscious of his membership of the Service to which he belonged than of his membership of service to the public. That is the mentality; they have been in a strait-jacket all their life. They insist on efficiency, they insist on discipline, but they are rigid; they are wooden. We want people who would feel for the masses also. We do not want that they should be frigid in their attitude to the public. It is not enough if they deal with papers efficiently, if they do not delay matters or if they write illuminating minutes. They should have a broader outlook. They should have human sympathy which should temper their efficiency. We should remember also that we are not only administering the country in an ordinary stage, but a country which is passing through a socio-economic revolution, aiming at a welfare State. So, Sir, the type of people that we want is different from the type of people which we were recruiting traditionally in the past.

It is said that the country-side is being revolutionised because of the attitude of the workers to the Community Development programmes. We do not know how far this is true, but we aim at a set of people in the administration who will have a broader outlook, who will have a missionary zeal, who will have a greater sense of responsibility in building up a progressive State. It has been the experience of the Government also that our administrative machinery has been unequal to the task of implementing our planned schemes. So, having regard to all these, unless we have a Commission which can, with these objectives in view, recruit the proper personnel, the recruitment is bound to be defective. So, I would plead that there should be a larger element of men from public life in the Commission.

Sir, remarks were made about five tour of the Commission in foreign countries. It may be necessary now

and then for a member of the commission to go abroad but I would agree with my hon. friend that it is not necessary for the Chairman or for the same member to go year after year to recruit these people when we are not vouchsafed the details of the work done by the member or the Chairman in his foreign tour. For instance, we do not know for what Services he interviewed the people, how many were forthcoming and how many were recruited and how many are in service.

Sir, the honourable Mr. Panikkar said that the Public Service Commission did not recruit for I.A.S., there. He is mistaken. Even for the I.A.S., the U.P.S.C. recruits people from London. I think, Sir, there is force in the argument that this should be restricted to the minimum. We find that even after visiting so many important capitals in the world, there are so many posts which are not filled—posts for which we seek talent elsewhere. May I point out that we have enough talent in the country already and those who go abroad can very well be expected to take their chance in the country? Anyway, they have to return and when they return, they can take their chance in the country. It is not necessary for us to go abegging for the talent that we need, which is already found in abundance in the country itself.

The number of Scheduled Caste and Schedule[^] Tribe candidates, though it shows a slight increase, is not adequate in the general recruitment to the services. It is true that some attempt has been made to have the proper type by making arrangements for tuition so that the calibre of the candidates may improve but greater attention should be paid to this aspect so that we may have these classes more abundantly. You cannot have it both ways. On the one side we say that university education is only for the people who secure high marks in the examination which means in effect that these classes will be excluded from the university education and at the same time we say

that the Government is in favour of recruiting more and more of these submerged classes. How can they be reconciled? I am glad that some members have been taken in the services but still more thorough-going attempts must be made to take more and more of these people into the administrative structure.

That is all that I have to say for the present and I thank you for the opportunity given to me to speak.

MR. DEPUTY CHAIRMAN: Shri Datar.

SHRI AKBAR ALI KHAN: The hon. Minister can reply tomorrow.

MR. DEPUTY CHAIRMAN: It cannot be postponed, This is for today.

SHRI B. N. DATAR: Sir, I am obliged to the hon. Members who took part in the debate and made a number of constructive suggestions.

MR. DEPUTY CHAIRMAN: You can shorten your reply.

SHRI B. N. DATAR: Now that we are sitting so long, let us sit for a few more minutes because it is my duty to reply to all important points.

So far as the two questions that Shri Lingam raised, I would like to deal with them first. It was his contention that the number of non-officials was not sufficient. May I point out in this connection that there is a special provision in the Constitution, namely article 316(1), according to which as nearly as may be, one-half of the member of the Commission shall be persons who had experience of 10 years' service, or who were officers. So that has to be fully taken into account. Therefore we ought to see to that, because here we have a special problem to be dealt with by persons who have long official experience and in the Constitution itself it has been stated that they must have at least 10 years' experience. Now they have to deal with

various service questions and therefore those who have long administrative experience ought to have a place to a certain extent and as the Constitution says, as nearly as may be half of the members, we are following this very thing so far as the composition of the Commission is concerned. At present the Chairman and three members of the Commission are officials while the other 4 members are non-officials. Therefore, I am confident that my friend will be fully satisfied so far as not only the requirement of the law is concerned but also so far as the requirement of the Commission in respect of the composition is concerned.

The other question that he raised was about the tour of the Chairmart of the Commission. This is a question that we have to leave to the Chairman himself and he wanted to have some information which he would find in the report itself. When the Chairman had gone out, it has been stated that he examined as many as 184 persons. I would invite the hon. Member's attention to page 6 where it says:

"The number of candidates interviewed at the Centres mentioned above was 104 of whom 20 were recommended, 9 were kept in reserve and the cases of 49 candidates, who were found suitable for various posts, are under consideration."

Therefore he will find that instead of making it necessary for 104 people to come to India at great costs—the cumulative costs also should be taken into account—would it not be proper if the Chairman in his discretion, considers it necessary to go abroad and interview these persons? Whom did he interview? That has also been made clear in the report. The persons interviewed were highly qualified Indians who have received special training abroad but are unable to return because they do not have the assurance of a suitable job immediately they come back. One hon. Member made light of the experience-

[Shri B. N. Datar.] of our own Indians abroad. Some of them have been absorbed in the services there or in business and it is in the interest of India itself that such highly qualified Indians are available for our own national services. That is the reason why so far as these two points are concerned, my hon. friend will find that what has been done is perfectly proper.

SHRI N. M. LINGAM: What were the posts for which they were interviewed?

SHRI B. N. DATAR: I have not got the details. They are scientific or technical posts, I think. Only a few might be administrative posts but it would be entirely wrong to expect 104 candidates to come to India. That should be fully appreciated.

So far as the general questions raised are concerned, namely, with regard to the lower standards in education, Dr. Kunzru made it very clear that it is true that so far as the best among the candidates are concerned, they are quite well off and they are perhaps better than what we were formerly getting. On account of the new atmosphere of independence and progress in India, there is no dispute about it but what is wanted is a general toning up and it is absolutely essential. That was the reason why we have been anxious to see to it that educational standards are improved at all stages. Dr. Kunzru wanted to know what was being done so far as secondary education is concerned. That is a question, in the first instance, for the State Government but may I assure my hon. friend that the Central Education Ministry are considering the whole question because unless we improve education both at the secondary and higher stages, it will not be possible to have this rot of lower standard stopped. That is being done and the moment the Education Ministry get full information, it will surely be attended to but as I

have pointed out already, we shall see the results in the course of some years. Immediately we may not see the results but if there is a general toning up of education, that will be reflected also in the quality of the candidates that appear in the various examinations.

My hon. friend Shri Bhargava brought in a number of subjects. They deal rather with the Home Ministry than with the report of the Commission but still I am prepared to point out that so far as the two points which he has raised are concerned, the question can be answered very satisfactorily. He made reference to the departmental examination for the Assistant Superintendents and for the Assistants. So far as these examinations are concerned, let us understand it perfectly clearly that the conducting of the examinations is absolutely left to the U.P.S.C. It is naturally for them to determine the standards and to lay down the qualifying marks. It is not a matter in which the Government of India can have any say whatsoever. The second point to be noted in this connection is that unlike the university examinations where they declare the candidates to have passed, provided they obtain a certain number of marks, what we require here is qualified candidates only for a certain number of posts. If this point is properly appreciated, then all the difficulties will disappear. Then the misapprehension will go, that merely because a particular departmental candidate or any candidate obtains over 45 per cent or 50 per cent marks, as he pointed out, therefore that candidate is entitled to promotion, that he is entitled to a higher post. That is an entirely wrong notion. Ordinarily even when you require only 40 persons, when there are only 40 vacancies, the U.P.S.C. give you about 50 or so. It was only out of equitable considerations that the Government of India took in or absorbed a larger number of persons whose names had been mentioned in the earlier recommendations of the U.P.S.C.

The third point to be noted in this connection is that after the Government have made appointments, all the lists of qualified candidates lapse as a matter of course. Therefore, it would be entirely wrong to say that merely because a candidate was declared qualified, or that he had passed on a certain basis, therefore, he should get any preferment or any promotion the next time a vacancy arose. This wrong impression has to be completely removed. If that is done, then it would be very clear that the question of marks, the question of giving marks or the question of finding out who is suitable is entirely a matter for the U.P.S.C, in which we cannot interfere and we do not want to interfere.

So far as appointments or promotions are concerned, we require a certain number of candidates and it is impossible for Government to guarantee that every person who just passes or who is qualified according to a certain standard laid down by the university, has to be absorbed and has to be promoted, as a matter of course. That is the reason why I mentioned this particular point. So far as other cases are concerned, I would request hon. Members if they have any particular knowledge of cases, they can easily either bring them to my notice or before the debate on the U.P.S.C. Report, they can give me previous information and then I would be in a position to give full information and to reply them so far as the factual matters are concerned.

An. hon. Member made a reference to an I.G. of Police and he complained that that person was not appointed. As you are aware, we have hundreds of appointments, especially at the higher stages and it would not be proper to point out particular instances without giving me previous intimation which would enable me to give full information so far as that case is concerned.

My hon. friend Dr. Kunzru stated something about the Navy and other

services. Government are seized of the whole matter and Government are anxious that they get the best candidates not only for the examinations but for the appointment in the government also. Therefore, all steps will be taken to see that the standards of education are improved, in consultation, naturally, with the State Governments.

So far as regulations regarding consultations or exemptions from consultations are concerned, Dr. Kunzru wanted an assurance. Now, the rules in this respect that were framed were placed before Parliament and if I mistake not, there was a discussion also on those rules. Those rules were framed after consultation with the U.P.S.C, and there was no question of over-riding their wishes, because by agreement the rules were evolved and they were placed before the Houses and they were also, as I said, debated upon by the Houses.

Then a point was raised by two hon. Members Dr. Kunzru, as well as Shri Sapru, with regard to the pension of the U.P.S.C, members. So far as that is concerned, they themselves agreed that the officials would be getting their pensions and so there will be no difficulty so far as that portion is concerned. So far as the non-officials are concerned, Government have considered the question and they have come to the conclusion that it would not be possible to provide them pension. I looked into the Constitution. Reference was made to article 322. But it does not make it incumbent on Government to grant them pension. The words used there are—"any salaries, allowances and pensions". So the word "any" is there. So far as that point is concerned I am afraid the law will not compel Government to grant pension. Secondly, we should also understand the realistic position. The U.P.S.C, members have to serve only for six years and that point also should be taken into account. And when non-officials are appointed, they come from high positions in public life. They may for instance, be vice-chancellors of

[Shri B. N. Datar.] universities or they may be coming from other high positions. Therefore, when the period is only six year . . .

SHRI SONUSING DHANSING PATIL (Maharashtra): Is the Government aware that some of the States have provided pension to the members of their Public Service Commissions? Why not evolve a uniform pattern?

SHRI B. N. DATAR: It is for the States. They have their autonomy. So far as we are concerned, this is the position.

SHRI SONUSING DHANSING PATIL: My point has not been understood, perhaps. Is there any uniform pattern evolved for the Union as well as for the States?

SHRI B. N. DATAR: The States themselves if they want, can evolve a uniform pattern.

May I add, Sir, that we are giving the Members fairly satisfactory remunerations. So far as the Chairman is concerned, normally he gets Rs. 3,500, unless he is an I.C.S. officer or some other similar cadre, in which case he would get his remuneration accordingly. So far as the ordinary Member of the U.P.S.C. is concerned, we give him Rs. 3,000 per month. These figures were settled after full consideration. In these circumstances, I am afraid it will not be possible to take up this question, because the question was fully considered and after full consideration it has been dropped.

So far as the personality test is concerned, as certain hon. Members rightly pointed out, these tests formerly were qualifying tests, in the sense that those who passed the written examination were also required to pass the personality test. For this about 300 or 400 marks were fixed and some 25 per cent or so was the minimum qualifying mark. Formerly, the position was that every candidate whatever his performance in the written test, must also sepa-

rately and independently pass in the personality test. That was considered rather harsh and in some cases, as the House is aware, the results were to a large extent, unsatisfactory and about 20 per cent or some other percentage of the candidates began to fail in the examinations. That was the reason why the Government considered that instead of having it as a qualifying test, we should have the marks obtained in the personality test added on to the marks obtained in the written tests and thus the total would be made up. According to that total the candidate either passes or qualifies or does not qualify. Therefore, the difficulties that have been pointed out have been fully met.

Then the hon. Member Dr. Kunzru, I think, pointed out that we should accept the age of retirement as 58.

DR. H. N. KUNZRU: I did not suggest it.

SHRI B. N. DATAR: I am sorry, it was Shri Sapru who suggested it.

SHAH MOHAMAD UMAIR: Before the hon. Minister passes on to the next point, may I request him to make one point clear? Only those assistants who had obtained 48 per cent marks according to the schedule were considered as having passed . . .

SHRI B. N. DATAR: I have already made that point clear. I cannot give any guarantee at all. In the first place it is wrong to proceed on the impression or notion that merely because they passed the examination the Government was bound to take them into service or to promote them. That was an entirely wrong approach, and, therefore, I am not I am sorry, in a position to give any assurance at all.

SHAH MOHAMAD UMAIR: As a matter of information, I want to know whether they are taken according to the marks which they secure. Is the list prepared according to requirements?

SHRI B. N. DAT AR: Let my hon. friend realise that they are departmental candidates in the sense that they are already in service. In the case of promotion, we have made it clear that a certain percentage of persons will be taken on the departmental basis. The number of vacancies is limited even for promotion; we cannot, therefore, take in all those who have qualified whether in 1955 or in 1958. Government's difficulty in this regard may kindly be appreciated because Government's action is conditioned by the number of vacancies that are available.

SHAH MOHAMAD UM AIR: Is there waiting list?

SHRI B. N. DATAR: There cannot be any waiting list. The list lapses as I have already stated.

I am obliged to ail the hon. Members for the points that they have made, and I would assure them that we are anxious to maintain the dignity and independence of the U.P.S.C, to the fullest extent.

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

The House then adjourned at fifty minutes past five of the clock till eleven of the clock on Thursday, the 1st September 1960,