

रैगुलेशन बना दिए हैं, वे सारे रूल्स एंड रैगुलेशन मैं आपको बताऊंगा (व्यवधान) आपने कौन से किए थे (व्यवधान) मेरा सवाल यह है कि जो रूल्स और रैगुलेशन बने, वे मेहरबानी करके जो हमारी रिपोर्ट आए, उसके आधार पर आपको तुरन्त सदन में मेज पर रख देने चाहिए। सैकशन 14 में प्रोवीजन के मुताबिक आज 30 साल के बाद आपको इस बात का ख्याल आया—आपकी बड़ी कृपा है। इन्होंने देश का बिल्कुल बंट-धार कर दिया है, क्या इस प्रकार की डिफेंस विभाग से आशा की जा सकती थी। इसलिए मैं कहना चाहता हूँ कि उन आफिसर्स को विदा करो। ये आफिसर्स ऐसे हैं जिन्होंने 20 साल तक हमारी कोई बात नहीं सुनी, कोई परवाह नहीं की और रूलज बनाते चले गए। पार्लियामेंट ने कुछ पावर्स सबोर्डिनेट लेजिसलेशन कमेटी को दी है, लेकिन इन्होंने उमको नहीं माना। सारी पावर्स खुद ले ली, रूलज बनाते चले गये और यह स्थिति पैदा कर दी कि हम उन को एकजामिन भी नहीं कर सकते। 20 साल में इन्होंने जो गोल-माल किया है, मौका मिलेगा तो उस को हम एकजामिन करेंगे और आप को बतलायेंगे कि कितने गलत काम हुए हैं।

16.42 hrs.

ANNOUNCEMENT RE. WELCOME TO CZECHOSLOVAK PARLIAMEN-TARY DELEGATION

MR. SPEAKER: Hon'ble Members,—
At the outset I have to make an announcement.

On my own and on behalf of the Hon'ble Members of the House, I have great pleasure in welcoming His Excellency Mr. Alois Indra, Chairman of

the Federal Assembly, Madame Li-buse Indrova and the Hon'ble Members of the Czechoslovak Parliamentary Delegation who are on a visit to India as our honoured guests. The other Hon'ble Members of the Delegation are:—

1. Mr. Frantisek Tesar, M. P.
2. Mr. Joseph Prchal, M. P.
3. Mrs. Antonie Bajeroval, M. P.
4. Mrs. Majia Paulechova, M. P.
5. Mr. Juraj Turosik, M. P.

The Delegation arrived here this morning and will be in India for about a week. They are now seated in the Special Box. We wish them a happy and fruitful stay in our country. Through them we convey our greetings and best wishes to the Federal Assembly, Government and the freindly people of the Czechoslovak Socialist Republic.

TERRITORIAL ARMY (AMEND-MENT) BILL—Contd.

श्री चतुर्भुज (झालावाड़) : माननीय अध्यक्ष महोदय, राज्य रक्षा मंत्री जी जो बिल लाये हैं उस का मैं वास्तव में स्वागत करता हूँ। हमारे अन्य सभी साथियों ने भी इस का स्वागत किया है। यह बिल बड़े महत्व का बिल है। हमारे डागा साहब और अन्य साथियों ने जो भाषण दिए सभी ने इस बात को कहा कि यह बिल बड़ा महत्व रखता है। समय समय पर हमारे जितने भूतपूर्व रक्षा मंत्री हुए हैं, चाहे बाबू जगजीवन राम जी हो, बंसी लाल जी हो या चरण सिंह हों—सब ने टैरिटोरियल आर्मी की गौरवमय गाथा गाई है, इस के शौर्य का बखान किया है, लेकिन आज प्रश्न यह है कि इस के शौर्य और रंग-रूप का बखान करने के झालावा हम ने इस

[श्री चतुर्भुज]

के लिए क्या किया है, इन की शिक्षा-दीक्षा, ट्रेनिंग इन की स्वास्थ्य सेवाओं, इन के वेतन आदि के लिए हम ने क्या किया ? जब पाकिस्तान और भारत का युद्ध हुआ था, उस समय राजस्थान, पंजाब और अन्य प्रदेशों की सीमाओं पर इस सेना ने हमारे राष्ट्र की बहुत बड़ी सेवा की थी। मैं ज्यादा न कह कर आप से यह निवेदन करना चाहता हूँ कि आप इन की समस्याओं पर बड़ी गहनता से, गम्भीरता से, विशाल हृदय से विचार करें और वास्तव में एक व्यापक बिल लायें जिस में इन की सभी समस्याओं का समाधान हो सके।

दूसरी बात मैं यह कहना चाहता हूँ कि यदि आप इस आर्मी को देश की रक्षा की सैकण्ड पंक्ति के रूप में खड़ा करना चाहते हैं तो इस में अन्य दलों के साथ एकरूपता लाने के लिए जरूरी है कि उन सब को इस में मिला कर इस को ज्यादा मजबूत किया जाय। आज आप के कई दल अलग-अलग काम कर रहे हैं—जैसे होम गार्ड है, सी० आर० पी० है, समुद्री तट रक्षक दल है, भारतीय सीमा सुरक्षा दल है, रेल्वे प्रोटेक्शन फोर्स है, अन्य कई दल हैं, इन सब को समाप्त कर के एक दल बनाना चाहिए जिस से कि हम एक मजबूत सैकण्ड-लाइन खड़ी कर सकें। हम इन को उच्च शिक्षा दें, अच्छा वेतन दें, स्वास्थ्य सेवाओं का लाभ दें—हर तरह से इन को मजबूत बना कर क मजबूत सुरक्षा पंक्ति का रूप दें।

म अधिक न कहकर मंत्री महोदय से यही निवेदन करूंगा आप इस पर गम्भीरता से विचार कर के एक व्यापक बिल सदन के सामने लायें।

SHRI R. S. SPARROW (Jullundur): Hon'ble Mr. Speaker, Sir, I rise to speak in support of the Territorial Army Bill as is presented by the State Minister for Defence.

From every point of view as also apropos the conditions obtaining around our country this step taken is very much in the right direction. This question of Territorial Army from the defence point of view is of utmost importance to any country in the world and it is a pleasure to note that we have started thinking—as the conditions have developed so very quickly—on the uptake in that correct direction.

Now, this Army, that is, the Territorial Army is in fact the national Army with its very broad base. Even to start with, when the hostilities take place, it is the second line of defence from weaponry and soldiery point of view. Many countries, as you would have noticed, depend so much on their Territorial Army potential and they work out certain plans which co-relate with the overall and advance thinking plan for the defence of their own region.

You can take any developed country for that matter. You may take USSR. Their regular army consists only of regular cadre of officer class and all the rest on a Territorial Army basis. They go in for training for a specified period, viz., two and a half years to three years and that means country-wise everybody is a disciplined, trained and potential soldier. Not only USSR but also USA have the method of sending all and sundry within the specified age-limit of eighteen years and above of drafting for two to three years and so on. U. K. also indulges and base their preparations very much on the Territorial Army basis. We also have developed our Territorial Army but with the changed condition, international setting that there is today, in so far as India is concerned from de-

fence point of view more of focus is required on to this particular subject.

I am not, Sir, going to indulge very much in speaking too much over the subject. It is being cleverly handled by our hon'ble Prime Minister, who is at present looking after Defence and the team working under her. On that there should be no doubt. New rules, new type of technological thoughts and this Territorial Army thinking is all on the table and I have no doubt that we are going to progress very satisfactorily in that connection.

Sir, I would just like to highlight one or two points for whatever their worth. Today's Bill is just a small fraction of a little technical change-over from one thinking to the other. It is not a detailed type of thinking but as I have said these things are being considered as to how we can enlarge the scope. For instance we have to have different types of wings also. We already have for instance—I may tell this to you for your information—the Railway Battalions. So, if something suddenly erupts during a war, any railway line can be laid by these people. And this nucleus staff structure is there already. Similar is the position regarding tanks, armoured cars, aircrafts and artillery. These wings are already there. Signal staff and engineers are also already there. We have to enlarge all these sections in such a manner that they form themselves into a huge, solid, skeleton, which, at the time of need, would become a formidable and vital force to defend our country to advantage. This is my respectful submission and I have got only one or two points as to the forward steps which I visualise the High Command and this House should take into consideration. Now the question is: How do we in our country bring about a disciplined life? Sir, you will agree with me today that we are somewhat lacking in this respect in our country. We must accept it. We have to improve upon our self-discipline, even party discip-

line and national discipline. Therefore, we have to be more disciplined all round, and ways and means have to be worked out possibly through this medium of the Territorial Army. We should give our utmost attention to this aspect.

Coming to the other point, we may have to even merge the National Cadet Corps as one of the wings of the Territorial Army. There is one other aspect which I would like to stress and it is this. We should impart proper training in our universities, in our colleges and schools, so that the whole of this working becomes fully broad-based bringing our respective defensive measures to full bloom. These are the few reflections which I would like to place before the House for its consideration. With these words I would like to congratulate the High Command and the Ministry of Defence for bringing up this little Bill which I wholeheartedly support. And I thank you, Mr. Speaker, for having provided me this time to speak on this measure.

SHRI NGANGOM MOHENDRA
(Inner Manipur): Mr. Speaker, Sir, at long last, this small piece of amendment has been brought which seeks to do away with a part of the undemocratic segment of the old Act. It is needless for me to expatiate the points which have already been well said by friends on either side of the House.

Sir, it is true that inadequacies in vital Acts are always taken advantage of by the bureaucrats. In the thirty-second year of our independence we still hear such submissions like bureaucratic preponderance in such important ministries. It really hurts a newcomer like me. It also appears that there is no smooth-sailing in this Ministry. I am happy that we have heard from many speakers today on the subject, including persons like General Sparrow, whose military performance everybody knows. There are also other speakers who have made

[Shri Ngangom Mohendra]

their submissions as to how to bring about changes in the Act.

Now, Sir, everybody has agreed or said that the Territorial Army is a second-line of defence or something like that. I come from a very far off State, Manipur, where turmoil has been prevalent since a long time. Some time back I met some senior Military Officers there who are now cracking down and who are now being engaged in some sort of partial coombing operations there in the Valley of Manipur. I asked them how they felt it like. They were not happy with the task assigned to them because they were not made for that. So, in such exigencies it would have been very much better if we had well-trained territorial army doing the job there. Since the Territorial Army personnel have ample time and opportunity to mix with the general public, much more with the common people, when they are not under training and can have a better understanding of the propensities and the feelings of the common people, as their training is undoubtedly different from that of the regular army personnel. It is not good saying merely that our Territorial Army should look more like an army Corps than a second line of defence without giving them proper assignments. Much of the things done now in Manipur or in any part of the country can be delegated to them. Of course, I do not want to attribute the delay in bringing the amendment to the new Minister who has just taken over. But still as has been said by some of our Hon. friends, something which is overdue and ought to have been brought forward in this House, has been brought forward now and I join them in supporting this Bill.

SHRI XAVIER ARAKAL (Ernakulam) (Sir, I would not take much of the time of the House. We are very happy to see you in the Chair in

calm and quiet mod. Sir, many Members have expressed their resentment for not bringing forward this Bill before this House earlier. Hon. Members have also expressed their view regarding the role of this army. Sir, it is said that they are civilians in peace and soldiers in war. Now, coming to the original Act of 1920 which was later replaced by an Act of 1948, Sir, the role of this army is well-expressed in a small paragraph. The role of the force will be:

“(a) to provide a second line to and a source of reinforcement for the regular army;

(b) to assist in internal defence duties in a national emergency;

(c) to be responsible for anti-aircraft and coastal defence; and

(d) to give the youth of India an opportunity of training themselves to defence their country.”

These are the four objects visualised in this Act of 1948. If an amending Bill was delayed for these so many years, we must ask ourselves how far we have achieved or we have succeeded in achieving these objectives.

17 hrs.

There are many criticisms and suggestions on this score. But I am not going in to them now because of short of time. The Bill was introduced in 1970, the National Service Bill of 1970, by Shri K. C. Pant. I hope this energetic State Minister will look into that Bill and see how far in the present context this can be brought in. There are many problems facing this peculiar army. The modern war and technology tells us to have a strong territorial army. There are cases when this was converted into some other force. Some of the officers were thrown out; some officers were retired in 1978. There were over hundred officers who were thrown out. There should be discipline in the army. I

want to tell this House that maximum importance should be given to discipline, because there are anti-social elements who are trying to get into this force and create indiscipline. This has to be watched.

There are two classes: officer class and the enrolled class. Their family has to face untold problems and difficulties. It is high time that we look into this aspect and see that their families are given sufficient protection and help. These are the points which I like the hon. Minister to look into and see that the rules which will come before this House will be strictly followed. With these words, I once again support this amending Bill.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI SHIVRAJ V. PATIL): Hon. Speaker, I must say that the hon. members have shown a lot of interest in this Bill and I thank them for showing interest in this amending Bill and making some valuable suggestions. This Bill is a very simple, technical and innocuous Bill. It is not a Bill which tries to create the territorial army. A Bill for that purpose was passed in 1948. This is a Bill which seeks to provide in the Act laying of the rules made by the Central Government before both the Houses. In olden days also, the rules which were framed by the Central Government were laid before both the Houses. That was done in the year 1977 and before that also, even though it was not necessary for the Central Government to lay all those rules before both the Houses.

The Committee on Subordinate Legislation in its 21st Report recommended that there should be a provision in the Act and this Bill is trying to provide that provision. Therefore, it would be wrong to say that the officers in the defence department did not accept the suggestions made by the Committee on Subordinate Legislation. What I said was that if

the rules framed were of an important nature they would be put before both Houses of Parliament. Actually rules were put before both the Houses. Section 14 of the Act is very simple. It provides for the procedure to be followed while implementing certain suggestions made in the Act: procedure to be followed for carrying on medical examination, the forms prescribed, what kind of form should be there and how the form should be filled in, etc. Section 14 relates simply to the procedure to be followed and so it was not felt necessary probably at that time that all the rules framed for his purpose should come before the House, but....

SHRI MOOL CHAND DAGA (Pali): He is making a wrong statement; it is against the views of the Committee. That is not the point. This is not a technical point. It is mandatory on the part of the government to place the rules.

MR. SPEAKER: Did you ask for my permission?

SHRI SHIVRAJ V. PATIL: I appreciate the enthusiasm shown by Mr. Daga. This shows how much he is interested and I welcome it. I was saying that section 14 provides for the procedure to be followed and the rules to be made for following the procedure. Now that the Subordinate Legislation Committee recommended that they should be provided for, the recommendation is accepted and we have brought the Bill before this House. I must say that all the hon. Members have supported the Bill and it is not necessary for me to say anything more than this. At the end I thank the hon. Members for supporting the Bill.

MR. SPEAKER: The question is:

“That the Bill further to amend the Territorial Army Act, 1948, be taken into consideration.”

The motion was adopted.

MR. SPEAKER: Now, we take up clause-by-clause consideration.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1, Enacting Formula and the

Title were added to the Bill.

SHRI SHIV RAJ V. PATIL: I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

श्री रामावतार शास्त्री (पटना) :

अध्यक्ष महोदय, हम लोगों को कैसे छोड़ दिया ? हमने थर्ड रीडिंग में नाम दिया हुआ है ।

अध्यक्ष महोदय : आप उठे नहीं थे, मैंने सोचा शायद आपका मन बदल गया होगा ।

श्री रामावतार शास्त्री : हमने नाम लिखकर दिया था, आपको बुलाना चाहिए था ।

अध्यक्ष महोदय : आप उठते तो मैं समय दे देता ।

श्री रामावतार शास्त्री : आपने ध्यान ही नहीं दिया ।

अध्यक्ष महोदय : मैंने देखा नहीं, आप मेरा ध्यान दिला सकते थे ।

श्री रामावतार शास्त्री : हमारा तो अधिकार आपने ले लिया, यह तो उचित नहीं है ।

अध्यक्ष महोदय: यह तो अब हो गया । अगर आप उस वक्त कह देते तो मैं रोक देता ।

श्री रामावतार शास्त्री : क्या मुझे हर बार उठना होगा ?

अध्यक्ष महोदय : मैंने गलती से आपकी स्लिप की तरफ ध्यान नहीं दिया । अगर आप जठ जाते, तो मैं आपको बुला लेता । It is just a slip. It is not intentional. I can assure you, Mr. Ramavatar Sastriji. There is no question. It is just a slip.

श्री रामावतार शास्त्री : आप हमेशा के लिए यह तय कर दीजिए कि हम बोलने के लिए उठते रहें ।

अध्यक्ष महोदय : इस बात को लम्बा करने का कोई फायदा नहीं है । मैंने आपको बताया है कि यह इनटेंशनल नहीं है । आप एक बात को तूल दे रहे हैं ।

This is a slip. Not intentional. Why can't you accept it? Why can't you accept it gentleman? It is unintentional.

श्री रामावतार शास्त्री : मुझे इससे बहुत तकलीफ हुई है । अब वह बात नहीं उठाई जा सकेगी । आखिर यह स्लिप कैसे हो गई ?

MR. SPEAKER: This is too much. This is too much now. This is exceeding the bounds. I said this is not intentional. You should accept it. It looks ridiculous on your part.

श्री रामावतार शास्त्री : यह आपत्ति की बात है । यह आपत्ति की बात क्यों नहीं है ? हम लोग अपनी स्लिप इसी लिए भेजते हैं कि स्पीकर ध्यान रखें ।

MR. SPEAKER: Why can't you accept such a simple thing? I had no intention to do it. I am a human being. I am no infallible. It is so simple. Why can't you accept it?