

result will be known in the next two months or so. Census of all Rhinos of the country has also not been done in the past. Census of Rhinos was done in Kaziranga sanctuary only, during 1966 and the number was 366. Census of Rhinos in Kaziranga has been conducted again this year and the number is 671.

(b) Naturalists opine that there is a considerable decrease in the number of above animals but it cannot be verified because actual census had not been done in the past. However, there is an appreciable increase in the number of Rhinos in Kaziranga sanctuary.

(c) The shrinkage of habitat and over-hunting can be the reasons for decline in the number of tigers. Shrinkage of habitat and human interference are the reasons for the decline in the number of lions. There is no decline in the number of Rhinos.

The following steps have been taken by Government to preserve the species

- (1) Natural habitats of the above animals are being constituted as wild life sanctuaries where rigid protection is given to the animals.
- (2) Shooting of all the three animals is banned in the country.
- (3) There is a ban on export of all the three animals except for scientific purpose. There is a ban on the export of their products also.
- (4) Protection staff has been strengthened.
- (5) It is proposed to enact a comprehensive legislation to regulate movement and trade of wild life and their products.
- (6) A task force has been constituted to formulate a project for the conservation of the tigers.
- (7) Gir sanctuary is closed to grazing by fencing and there is a proposal to shift the nests outside the sanctuary.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

TRANSFER OF THE ADMINISTRATIVE CONTROL OF THE NATIONAL FITNESS CORPS EMPLOYEES TO STATE GOVERNMENTS

श्री अटल बिहारी वाजपेयी (ग्वालियर) : अध्यक्ष जी, मैं अविलम्बनीय लोकसभ के निम्नलिखित विषय की ओर शिक्षा और समाजकल्याण मंत्री जी का ध्यान दिलाता हूँ और आपसे कहता हूँ कि वे इस बारे में वक्तव्य दें—

‘राष्ट्रीय फिटनेस कोर के लगभग 7000 प्रशिक्षकों की सेवा की शर्तें अन्तिम रूप से तय किए बिना इस कोर का प्रशासनिक नियन्त्रण राज्य सरकारों को सौंपने का भारत सरकार का कथित निर्णय, जिसके कारण उन्हें विभिन्न राज्य सरकारों की दया पर छोड़ दिया जायेगा।’

MR SPEAKER This is a call-attention motion. But the statement is very long.

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF S. NURUL HASAN) : The statement is fairly long because I have attempted to explain all the developments that have taken place, so that the hon. members may be able to have all the facts at their disposal.

MR SPEAKER Has the hon. Member got the copy?

SHRI ATAL BIHARI VAJPAJEE : Yes Sir.

MR SPEAKER . Then, it is all right. We will take it as read.

PROF S. NURUL HASAN . There is only one correction which I would like to make. It is an important correction which I may be permitted to read out. This is on page 6, first paragraph—paragraph (c). It was a little obscure. Therefore, I am rephrasing it so that there may be no confusion. The hon. members would very kindly pay attention to it.

“It has also been decided by the Government of India that if continued payment

[Prof. S. Nural Hasan]

of salary and allowances of these instructors cannot be ensured in the above manner, the Central Government will bear direct responsibility for the same until their retirement."

Statement

The National Fitness Corps is the successor organisation on the National Discipline Scheme which was originally started in the Ministry of Rehabilitation in 1954 as a programme for instilling discipline and imparting training in drill among the younger generation in the refugee camps and colonies. The scheme was transferred to the Ministry of Education in 1958 and enlarged to cover a number of high schools. A committee, under the Chairmanship of Dr. Kunzru, made a recommendation in 1963 that it was necessary at the school stage to introduce an integrated programme to give our education system a graduated scheme of character development for a democratic way of life which should be woven into the fabric of the educational system. This integrated programme at school stage was to replace the several programmes like physical education, the Auxiliary Cadet Corps, the National Discipline Scheme etc. In pursuance of this recommendation, an integrated programme known as the National Fitness Corps was evolved. This integrated programme was approved for adoption in schools in a meeting of the State Education Secretaries and the State Directors of Public Instruction held in February, 1965. At his meeting it was also decided that as the NDS instructors were to function in the schools under the administrative control of the State Governments, they should be transferred to the States and merged with the cadre of physical education teachers of the States. The question of the transfer of these instructors was discussed in a further meeting of the State Education Secretaries and Directors of Public Instruction in April 1965 at which it was agreed that the transfer should be effected on the condition that the State Governments were to be reimbursed in full the pay and allowances of these instructors during the Fourth Plan period (i.e. till 1970-71 according to the then current plan period pattern).

2. The terms and conditions of transfer drawn up by the Government of India envi-

saged that the existing salaries and the central scales of pay should be protected after the transfer of the instructors to the States. This was not acceptable to the States, mainly because the State Governments did not find it possible to give the central scales of pay to these instructors and were averse to taking over the responsibilities of the instructors to be employed by local authorities and in private schools. The terms were revised in May, 1968 as under :

- (i) If an Instructor is not prepared to accept service under the State authorities, he may get the terminal benefits as admissible under the revised pay rules, and his services may be terminated.

OR

- (ii) an Instructor may accept employment under the authorities in the State including local bodies or voluntary organisations concerned, on the scale of pay prescribed there. The Government of India would then either pay terminal benefits as admissible under the revised pay rules on termination of his services with the Government of India or the Government of India may compensate the Instructor for a period of 5 years for the difference between his pay as fixed in a State and the pay being presently drawn by him; the Instructor may be allowed to exercise his option between the two benefits.

In reply to a memorandum issued to the Instructors asking them to exercise their option, while a majority of the Instructors opted for service in the States, about 200 Instructors went to Court and obtained stay orders against Government taking action pursuant to or giving effect to this memorandum. In reply to these proposed terms, while some States agreed to take over the Instructors on these terms, many States stated that they could take over the Instructors only if sufficient vacancies to absorb them were available and if the Central Government agreed to meet the entire expenditure for the duration of the Fourth Plan.

3. In view of this it became necessary to draw up fresh terms of transfer. The

Cabinet decided in November, 1969 that the Central Government would meet the full expenditure on pay and allowances of the Instructors absorbed by the States for the entire Fourth Plan period subject to the following conditions :—

- (a) The State should create the requisite number of vacancies and take over these instructors in these vacancies ; those sent to private schools being treated as on deputation from the State Government.
- (b) The service rendered under the Central Government should be counted for calculating the increment in the State scales of pay and
- (c) Any shortfall in the pay and allowances drawn by any instructor in the State scale of pay as compared to the pay and allowances last drawn by him under the Central Government, was to be paid as personal pay during the Fourth Plan period.

Many State Governments and Union Territory Administrations had signified in writing their willingness to absorb the instructors under these terms. Many States had agreed in principle to such absorption but felt that they should be relieved of the financial burden on account of the payment of salary to these instructors, even from a future date. Only three States had formally regretted inability to absorb the instructors.

4. Action would have been taken quite sometime ago to transfer the instructors to such of the States as were willing to absorb them but owing to persistent demands from the employees and from some of the hon'ble Members, who were naturally anxious about the security of service of these instructors after their transfer to the States and about the continued protection of the emoluments currently drawn under the Central Government even beyond the Fourth Plan period, as well as to the demand from the employees themselves that they should all be made permanent under the Central Government and brought on to higher pay scales recommended by the Kothari Commission before their transfer to the States, action to implement the Cabinet decision of November, 1969 could not be

taken till these demands were given careful consideration.

5. In the meantime the Public Accounts Committee had commented on more than one occasion on the inordinate delay in the transfer of the instructors to the State Governments. Some hon'ble Members of Parliament have also urged that once the Government of India had decided that the rightful place of these instructors was in the schools, there should not be dual control over them and that the instructors who wanted to go over to the States should not be prevented from doing so. A large number of instructional staff serving in the schools had also formed themselves into a rival association called the Field Staff Association and have been urging the Government to expedite their transfer to the State Governments.

6. Government have given very careful consideration to the various demands made by and on behalf of the NFC employees. As a result of such examination and in order to meet the point of view of the State Governments who have not so far been able to accept the terms of transfer offered by the Central Government in 1969, the Central Government have, decided to modify the terms proposed in 1969, as under :

- (a) to meet in full the expenditure on the pay and allowances of these instructors till the 6th Finance Commission makes its award and
- (b) to recommend to the 6th Finance Commission that the expenditure on pay and allowances of this staff should be treated as the committed expenditure of the States while assessing the future financial requirements of the States.
- (c) It has also been decided by the Government of India that if continued payment of salary and allowances of these instructors cannot be ensured in the above manner, the Central Government will bear direct responsibility for the same until their retirement.

7. Considering that :

- (i) the instructional staff have for the past many years been serving in

[Prof. S. Nurul Hasan]

schools administered by the States and will have to work under the principals and higher educational authorities of the States,

- (ii) it would be anomalous for the NFC programme to be implemented by the States and for part of the staff to implement this programme being controlled and administered by the Centre and
- (iii) whatever action is taken in regard to the NFC instructional staff should be such that they do not have to face a reduction in pay and allowances or a possible retrenchment at a future date,

the Government of India have written to the State Governments on the 4th April, 1972, informing them of the decisions mentioned in para 6 (a) & (b) above and placing the administrative control of the instructional staff under the respective State educational authorities and authorising the absorption in State service of such of the instructional staff as are acceptable to the States under the modified terms and are willing to go over. The further guarantee mentioned in para 6(c) will be intimated to the States forthwith.

8. The implications of the above decision are :

- (a) The State educational authorities can exercise effective supervision over the work of the instructional staff and can utilize the services of these instructors within the State on an as required basis, in the best interest of education in the State
- (b) The State Governments may create as many physical training instructor posts as their schools may need in the scales prevalent in the State and fill them up by absorbing the NFC instructional staff. If as a result of such action the instructors have to be given higher pay and allowances than they are drawing now, the increased expenditure will also be met by the Central Government for the present and this expenditure, we

hope, will be treated as the committed expenditure of the State for the future, if necessary the Centre will bear this expenditure even thereafter.

- (c) Until such time as the State Government creates enough posts to absorb all the instructional staff serving in the State, the staff not formally absorbed by the State will continue to draw pay and allowances under the Central scales as heretofore until they are so absorbed.
- (d) If the State Government is not in a position to accept any of the instructional staff for reasons like lack of prescribed educational qualification for entry into the State service, such staff will continue to draw the pay and allowances under the Central scales as heretofore until they are found alternative employment elsewhere under the Central Government; there is no intention of retrenching such instructional staff.

9. It will be seen from the above that while the present decision of the Government of India will enable the State Government to absorb and the instructional staff to accept service in the State Government, no instructor who is not acceptable to the State Government will be thrown out of employment, nor will any employee receive less pay and allowances than he is drawing now. It will also be clear that the absorption of the staff in State services will be only after the terms are made known to each employee by the State Government. As regards security of service, the hon'ble Members are no doubt aware that with increasing emphasis being laid on education, there is absolutely no possibility of the numbers of schools in any State being reduced as time passes. The number of schools and the number of physical training instructors will increase from year to year. Hence there is really no cause for any apprehension about the instructors now being absorbed by the States facing retrenchment after a few years, especially as the Centre is assuring funds, where necessary, to meet the expenditure on the pay and allowances of the instructors for so long as they remain in service.

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी, इतने लम्बे-चौड़े वक्तव्य के लिए मैं श्री महोदय को

धन्यवाद। लेकिन फिर भी कुछ सवाल हैं, जिनके जवाब आने बाकी हैं। मंत्री महोदय ने माना है कि ये इस्ट्रक्टर्स पिछले 18 सालों से विभिन्न योजनाओं में काम कर रहे हैं। लेकिन ताज्जुब की बात यह है कि वे अभी तक परमानेंट या स्थायी नहीं बनाये गये। इस वक्तव्य में भी इस बात का कोई इशारा नहीं है कि ये कर्मचारी कब स्थायी बनाये जायेंगे। मंत्री महोदय को मालूम हीगा कि यह मामला नेशनल कौन्सिल में भी उठाया गया था। फादनेन्स मिनिस्ट्री का ता० 13-9-1966 का एक परिपत्र है, जिसमें कहा गया है कि उस तरह के कर्मचारी कम-से-कम 80 प्रतिशत स्थायी किये जाने चाहिए। कर्मचारी इस बात के लिए लड़ते रहे हैं और उनका मामला नेशनल कौन्सिल के सामने गया हुआ है। क्या मंत्री महोदय बतायेंगे कि इनको परमानेंट बनाने के बारे में आगे क्या वायवाही की जायेगी ?

मंत्री महोदय ने यह आश्वासन दिया है कि इनके आज जो वेतन और भत्ते हैं, उनकी रक्षा की जायेगी। लेकिन मंत्री महोदय स्वीकार करेंगे कि इनके आज जो वेतन और भत्ते हैं, वे इसी प्रकार का काम करने वाले अन्य केन्द्रीय कर्मचारियों की तुलना में कम हैं। दिल्ली में ऐसे विद्यालय हैं जो शारीरिक शिक्षा देते हैं और जिनमें काम करने वाले इस्ट्रक्टर्स का वेतन 220 रुपये प्रतिमास आरम्भ होता है, जबकि इन इस्ट्रक्टर्स को केवल 110 रुपये तनख्वाह गुरू से मिलती है। इनके पे-स्केल के रिवीजन, वेतन-मान पर पुनर्विचार करने का प्रश्न भी उठाया गया था, और उन्हें आर्बिट्रेशन को सौंप दिया गया था, इस पर पंच-फैमला होना था, सात महीने से यह मामला पड़ा हुआ है, लेकिन शिक्षा मंत्रालय ने इसके बारे में कोई कार्यवाही नहीं की। इससे कर्मचारियों में असन्तोष होना स्वाभाविक है। मैं जानना चाहता हूँ कि नई परिस्थितियों में इन कर्मचारियों के वेतन-मान का क्या होगा ?

मंत्री महोदय ने यह आश्वासन दिया है कि इनके वेतन-मान की रक्षा की जायेगी और रिटायर होने तक यदि राज्य सरकारें उनके वेतन

धीरे धीरे की डिम्बेदारी नहीं लेगी तो केन्द्रीय सरकार लेगी। मैं इस आश्वासन का स्वागत करता हूँ, लेकिन सवाल यह है कि ये कर्मचारी केन्द्र के कर्मचारी हैं, इन कर्मचारियों का मामला तीसरे पे-कमीशन के मामले पड़ा हुआ है। अब उस कमीशन की सिफारिश आने वाली है, अगर ये कर्मचारी राज्य सरकारों को भेज दिये गये तो क्या तीसरे पे-कमीशन की सिफारिशों इन पर लागू होगी। अगर ये कर्मचारी राज्य सरकारों को भेजे जाते हैं तो वहाँ इनकी सीनियोरिटी, इनके वेतन और भत्तों के सवाल निम्न प्रकार तय किये जायेंगे ? इन्हें अगर राज्य कर्मचारियों के साथ मिलाया जाएगा तो राज्य कर्मचारियों की श्रेणी में इनका कौन-सा स्थान होगा ? क्या मंत्री महोदय यह आश्वासन देंगे कि परमानेन्सी के बारे में और पे-स्केल के रिवीजन के बारे में और तीसरा पे-कमीशन जो भी सिफारिश करता है, उसके बारे में इन कर्मचारियों को लाभान्वित होने से रोका नहीं जाएगा। ये कर्मचारी चाहेंगे कि वेतन केन्द्र में रहे या राज्यों में रहे उन्हें इस तरह के फायदे मिलेंगे ?

शिक्षा मंत्रालय ने फैमला किया है कि नेशनल-फिटनेस-फोर का जो डायरेक्टोरेट है और जो रिजनल-आफिसिज है, वे 1 जून, 1972 से बन्द किये जायेंगे। शायद मन्त्रालय समझता था कि कर्मचारी राज्यों में जाना स्वीकार कर लेंगे, केन्द्र में कर्मचारियों के सम्बन्ध में कोई काम बाकी नहीं रहेगा। लेकिन मंत्री महोदय इस बात को मानेंगे कि सभी राज्य सरकारें इन कर्मचारियों को लेने के लिए तैयार नहीं हुई हैं तथा दूसरी ओर सभी कर्मचारी भी जाने के लिए तैयार नहीं हुए हैं और तीसरे अभी उनकी सेवा की शर्तें तय होनी बाकी हैं—इन बातों को ध्यान से रखते हुए क्या डायरेक्टोरेट और रिजनल आफिसिज को 1 जून, 1972 से बन्द करने का जो फैमला किया गया था, वह रद्द कर दिया जाएगा और जब तक सभी कर्मचारियों के भविष्य का निश्चय नहीं हो जाता, तब तक डायरेक्टोरेट और रिजनल-आफिसिज कायम रहेंगे ?

मैं एक बात और जानना चाहता हूँ—शिक्षा

[श्री अटल बिहारी वाजपेयी]

मंत्री महोदय को इन कर्मचारियों से मिलकर सारी चीजें बातचीत से तय करने में क्या एतराज है? कर्मचारी ता० 4 को उनसे मिले थे और मंत्री महोदय ने आश्वासन दिया था कि आप लोगों से बातचीत करके कोई फैसला किया जाएगा, लेकिन ता० 4 को ही यह आदेश निकाल दिया गया, उनकी तकदीर का फैसला कर दिया गया, उन्हें राज्य सरकारों के भरोसे छोड़ दिया गया। 17 सालों से जो कर्मचारी केन्द्र की सेवा कर रहे हैं, राज्य सरकारें उनके लिए उचित शर्तें तय नहीं करेंगी और उन्हें अन्धकारपूर्ण भविष्य में भटकने के लिए छोड़ दिया जायगा—ऐसी स्थिति में मंत्री महोदय इन इन्स्ट्रक्शंस के प्रतिनिधियों को बुलाकर उनसे बातचीत नहीं कर सकते क्या?

क्या यह सच नहीं है कि कैबिनेट सैक्रेटरी के साथ यह फैसला हुआ था—10-6-1970 को, कि आपस की बातचीत से मामला तय किया जाएगा? लेकिन कर्मचारियों को बातचीत का मौका नहीं दिया गया। मंत्री महोदय से कर्मचारी मिले थे और मंत्री महोदय ने कहा था कि वह आगे बात करेंगे, लेकिन उमी दिन आदेश जारी कर दिया गया। मुझे बताया गया है—राज्य सभा में मेरे एक सहयोगी श्री पीताम्बर दास ने मंत्री महोदय को टेलीफोन किया था और मंत्री महोदय ने कहा था कि कर्मचारियों से मिलेंगे। लेकिन जब कर्मचारी मिलने के लिए गये तो मंत्री महोदय से उन कर्मचारियों को मिलने नहीं दिया गया। क्या सरकार अपने कर्मचारियों के प्रतिनिधियों से बातचीत करने में संकोच करती है?

मैं समझता हूँ कि आज का जो वक्तव्य है वह पुरानी स्थिति से काफी अच्छा है और अब कर्मचारियों की जो बोझी-बहुत शिकायतें रह गई हैं, उनको दूर करने के लिए दोनों पक्षों में बातचीत हो और मामले आपस में बैठकर तय कर लिये जायेंगे। इसमें आपत्ति नहीं होनी चाहिए—क्या मंत्री महोदय

कर्मचारियों के प्रतिनिधियों से बातचीत के लिए तैयार हैं?

PROF. S. NURUL HASAN : The hon. Member has raised a number of matters and I shall attempt to explain the points on which he wants either information or wants to know the Government's policy.

I am taking up first the question of Rules regarding permanency. In accordance with Ministry of Finance Memorandum dated 13th September, 1966, 50%—not 80% or 100% as demanded by the staff side—of posts other than Class IV posts in non-permanent Departments can be made permanent provided that :

- (1) The office has been in existence for not less than 10 years.
- (2) The office is not proposed to be wound up in the foreseeable future, and
- (3) That the posts have been in continuous existence for a period of five years or more and are required indefinitely.

The important point which seems to have escaped the attention of the hon. Member is the second condition that the office is not proposed to be wound up in the foreseeable future. I think that it is very important that the House may be pleased to take note of the most fundamental question, and the most fundamental question is this. It is not that the Central Government had established viable units in the various States to carry on the work of National Discipline Scheme or National Fitness Corps; the whole idea was that this scheme can only function in an integrated manner if it is incorporated with the school programmes. And therefore these employees had been posted to the various schools in the different States. It would be quite an unthinkable situation if one of the persons on the school staff were to consider himself as being very different from all the other colleagues and would not be to that extent under the direct control of the head of that institution and of the directorate of the State which broadly controls all these institutions and it was particularly in view of this that this decision was taken. My hon. friend has himself been Chairman of Public Accounts Committee and he would no doubt be aware of the views expressed by that Committee in this particular matter.

The next point is about salary scales. He made the point that after all these are Central Government employees and should be covered by the Central Pay Commission. Now, the whole point was this. Once decision is taken that these persons are to be transferred to the State Governments, then, the question of continuing to treat them as Central Government employees would not arise. They will have to be adjusted in the States, Scales of Pay; the only thing is that nobody would be permitted to suffer on that account. I have had an exercise done. If, in view of the policy of the Government which I have placed before the House, if the agreement finally goes through, the position would be—these figures are rather approximate—that about 1700 of the employees of these present institutions are likely to get higher pay scale than has been recommended by Kothari Commission. Between 4,000 and 4,500 persons will not get as much as the Kothari Commission's recommendations, but it would certainly be more than their present scales of pay which they are getting. Only 300 odd people would not get the benefits of the better scale but then we are guaranteeing that the Central Government would continue to give assistance so that the employees do not suffer in any way.

I would like the House also to take note of one other point that is under consideration. The Central Government has been urging all the State Governments to implement the Kothari Commission's scales in all their schools and if what we are hoping goes through, this particular matter could be sorted out. There is a demand that there should be some uniformity in pay scales of all school teachers. It is a demand with which personally I sympathise a great deal. We will be using all powers of persuasion which the Ministry has with the powers that—be, who are in a position really to look at these things and ensure that the pay scales of all the school teachers are raised to what is to be a nationally desirable scale.

As regards the question of seniority, I am afraid I shall not be able to satisfy the hon. Member. I understand that the seniority rules of the Central Government itself are that if a person is retrenched from an office and seconded or sent to another office even under the Government of India, while he can take with him the benefits of length of service in terms of fixation of his pay and other terminal

benefits, he does not carry with him seniority. Therefore, if this is not possible within the Central Government itself, I do not think that we can really insist on the State Governments that all these persons must get the same seniority.

SHRI ATAL BIHARI VAJPAYEE : They are not being retrenched.

PROF. S. NURUL HASAN : They are not being retrenched but they are being transferred from one office to another...

SHRI ATAL BIHARI VAJPAYEE : So, they should be allowed to have their seniority.

PROF. S. NURUL HASAN : That is precisely what I have been trying to say, that seniority rules which are well established are such that they will get all the benefits of length of service, but when it comes to a question of *inter se* seniority, there are other people whose rights are going to be affected by this, and, therefore, this is a matter on which the Central Government cannot bring any pressure on the State Governments.

The next point that was raised was about the closure of regional offices. We would like that this closure should take place and we shall take such steps as are necessary, but the most important matter is that there should be no dislocation and that the salaries should continue to be paid on the due date and if for that purpose any adjustment is needed, that adjustment on practical and administrative grounds will certainly be made.

SHRI ATAL BIHARI VAJPAYEE : What type of adjustment ? If the instructors are not transferred, there will have to be a directorate to look after their interests and there will have to be regional offices.

PROF. S. NURUL HASAN : I have said that we want to transfer them. The only thing is that the Government is guaranteeing that they will not suffer in monetary terms in any way. Therefore, to that extent, if a particular office is needed to be kept for a few days more, it might have to be kept but the very important thing is that these people should continue to get their salaries on the due date.

SHRI ATAL BIHARI VAJPAYEE : That was not my point. The hon. Minister has said in his statement that if there are instructors

[Shri Atal Bihari Vajpayee]

who are reluctant to go to the State Governments their services will be kept at the Centre. Who will look after their services ?

MR. SPEAKER : The hon. Minister is saying that Government wishes that these should be closed, but they will see that the payments are made regularly, and that they will ensure payment of salaries in time.

PROF. S. NURUL HASAN : The point really is that we are not giving the option to the instructors. We are giving the option to the State Governments, and, therefore, if for an interim period, some further adjustment in the administrative set-up is needed, that adjustment will certainly be made.

SHRI ATAL BIHARI VAJPAYEE : I did not want to interrupt the hon. Minister. But at page 7, para (c) of his statement, he has stated :

"Until such time as the State Government creates enough posts to absorb all the instructional staff serving in the State, the staff not formally absorbed by the State will continue to draw pay and allowances under the Central scales as heretofore until they are so absorbed".

Obviously, if the instructors refuse to go and they are not absorbed by the State Government, they will remain at the Centre.

PROF. S. NURUL HASAN : I do not think that I have made a statement that this situation will arise 'if the staff refuse to go'. The paragraph which the hon. Member has read out from the statement is explicit and it says :

"Until such time as the State Government creates enough posts to absorb all the instructional staff serving in the State, the staff not formally absorbed by the State will continue to draw...".

SHRI ATAL BIHARI VAJPAYEE : Is it not a fact that three States have refused to absorb the staff ?

MR. SPEAKER : Do not enter into argument,

PROF. S. NURUL HASAN : That is the assurance I have given. I have said in very clear, unambiguous and unequivocal terms that it will be the duty of the Ministry to ensure that everyone gets his salary on due date. In the light of this absolutely clear and unambiguous statement, I do not think there is any need for me to make a further clarification.

A reference was made to the fact that I have not met the NFC representatives. The fact of the matter is that for five days there was a meeting between the representatives of the NFC employees and my colleague, Shri Ramaswamy. At every stage, it was the basic issue which continued to be discussed. Then there have been meetings between a senior officer of my Ministry and these representatives and finally with the Cabinet Secretary, to whom the matter had been entrusted to hold detailed negotiations. I had told one of my friends, an hon. Member of the other House, that I would be very glad to meet the persons I do not know what happened. Perhaps I was detained in one of the two Houses. Therefore, I was unable to keep the appointment.

I may make this statement again that so far as the fundamental policy of the Government is concerned, that is not something on which I am prepared to reopen negotiations not because I have any objection to keep on negotiating but because I am afraid that these people are going to suffer themselves if the decision is delayed even further. But if there is any question of adjustment or of any other particular small matter within the framework of the broad policy that requires to be looked into, I will be very glad indeed to do so.

Another point to which I would like to draw the attention of the House is that so far as the Directorate and the regional office employees are concerned, they want to be declared surplus—it is a technical term—as quickly as possible so that they may be enabled to be absorbed in the other departments of the Government. We may be able to continue these offices at a reduced level till such time as may be necessary, but the reabsorption of the personnel in other offices of the Government of India should not be interfered with; otherwise the future interests of the persons working in the Directorate and the regional offices will be adversely affected.

श्री मूलबन्ध झापा (पाली) : राष्ट्रीय फिट-नेस कोर, डा० कुंजरू की योजना के अनुसार बनाया गया था। लेकिन वर्तमान शिक्षा मंत्री जी उन 7,000 आदमियों को निकाल कर उनकी नाराजगी मोल लेना चाहते हैं। आप एक बात बताइये, आपने उनकी तनस्वाहों का प्रबन्ध किया, ठीक है, लेकिन कौन-सी स्टेट उनको लेने के लिए तैयार है? मध्य प्रदेश लेने के लिए तैयार नहीं है, केरल लेने को तैयार नहीं है, राजस्थान में कोई शर्तें नहीं बनी हैं। हर स्टेट में फिजिकल इन्स्ट्रक्टर आज मौजूद हैं। आप उन सात हजार आदमियों को जिनको आप स्टेट्स में 1965, 1966, 1967 से कोशिश कर रहे हैं भेजने की, और मिस्टर राव ने पालियामेंट में स्टेटमेंट दिया था, उसके बाद माननीय मिन्टारथ शकर रे ने वायदा किया था कि कमीडर करेगे, आज तक आप उन सात हजार आदमियों के साथ कौन-सा ऐग्रीमेंट टन राइटिंग कर सके हैं जिसके आधार पर आप उनको भेजना चाहते हैं। आप जानते हैं कि राज्यों की आर्थिक स्थिति खराब है, क्या ऐसी हालत में वे इन सात हजार आदमियों को मंजूर कर लेंगे?

आप कहते हैं कि सात हजार लोगों के बारे में हमने निर्णय कर लिया है, तो यह निर्णय आपने उनको बुलाकर किया? क्या यह समझौता इन राइटिंग में लिया है? या केवल आपके इस लम्बे-चौड़े वक्तव्य में हम लोग यह सोच लें कि उन सात हजार आदमियों को भाग्य के भरोसे पर छोड़ दिया जाय। यह योजना क्यों बनी थी? आप इस योजना को क्यों खत्म करना चाहते हैं? इस योजना का क्या मकसद था? यही न कि देश में अनुशासन पैदा किया जाय, बच्चों को प्रशिक्षण देना। आज भी देश में इन बातों की जरूरत है। पहले इस योजना को बनाने के बाद आप अब इस योजना को राज्यों के भरोसे छोड़ना चाहते हैं। और राज्य उमको स्वीकार नहीं कर रहे हैं। किसी भी राज्य ने आपकी बात को मान लिया हो तो बताइये कि किसने माना है? क्या एक ने भी आपकी शर्तों को मान लिया है? कौन-सा राज्य ऐसा है जिसने

आपकी शर्तों को मान लिया है, और किस राज्य ने कितने लोगों की सर्विसेज को ऐबसाब कर लिया है। कौन-सा राज्य है जिसने आपकी शर्तों को लेकर लिखित रूप में दे दिया हो? 31 मई को पालियामेंट की सिटिंग समाप्त हो जाएगी, और पहली जून को आप एक आर्डर निकाल देंगे कि सात हजार कर्मचारी जो 17 साल से सर्विस कर रहे हैं उनकी कोई सीनियारिटी का कंसीडरेशन नहीं होगा, उनकी पेंशन का सवाल तय नहीं किया जायेगा, उनकी तनस्वाह का सवाल तय नहीं किया जाएगा। केवल एक काम किया जाएगा कि सात हजार आदमियों को राज्यों में भेज दिया जाएगा, जब कि राज्य उनको लेने को तैयार नहीं है। इन राइटिंग आपके पास कोई ऐग्रीमेंट नहीं है। और अगर कोई ऐग्रीमेंट हो तो आप उसको पढ़कर बताइये जिसमें राज्यों ने लिखित रूप में दिया हो आपको कि हम इन सात हजार कर्मचारियों में से इतने कर्मचारियों को इन-इन शर्तों पर लेना चाहते हैं?

आपने एक वायदा किया है कि हम अपने यहां से तनस्वाहें देगे। इन सात हजार कर्मचारियों की वनिस्वत आप का ऐमा ध्यान था कि देश में विस्थापियों में अनुशासन पैदा करने के लिए और उनको प्रशिक्षण देने के लिए दो लाख कर्मचारी लेना चाहते थे। तो क्या आपकी नाराजगी की परीक्षा इन लोगों पर होगी। जितने शिक्षा मंत्री 1965 से आ चुके हैं किसी ने भी यह कदम नहीं उठाया, और आपने एक फलम से यह हुकम लिख दिया कि एक जून के बाद सारे कार्यालय बन्द हो जायेंगे और उनकी तनस्वाह और सीनियारिटी राज्यों के भरोसे छोड़ दी गयी है। राज्यों ने लिख कर कुछ दिया नहीं है। अगर लिख कर दिया हो तो वह चिट्ठी आप पढ़कर सुनाइये जिसमें राज्यों ने आपके ऐग्रीमेंट को मान लिया हो।

प्रो० एस० मुहल हसन : जनावबाला, नाबुधी मर आंखों पर। लेकिन अगर वाक्यात देख लिये जाते तो शायद तकरीर का अन्दाज दूसरा ही होना। मैं अन्न करना चाहता हूँ कि :

[श्री नुरुल हसन]

The Government have given a categorical assurance that we are not throwing anyone to anyone's mercy. We are guaranteeing, until the retirement of the persons concerned, the salaries and the emoluments of all those employees, and the States which have not been able to find funds will not, thereupon, throw these people out, because the underwriting or the guarantee of the Central Government is there, in clear, absolute terms.

Only three States have said that they would not be prepared to accept. These are Uttar Pradesh, Madhya Pradesh and Kerala. So far as Madhya Pradesh is concerned, I understand that negotiations are already under way in the light of the revised terms and they are agreeable as far as I am informed.

We will hold further discussions with the other State Governments and do all that lies in our power to ensure that the interests of these employees are safeguarded to the extent possible.

श्री चन्द्रिका प्रसाद (बलिया) : अध्यक्ष महोदय, माननीय मंत्री जी ने आश्वासन दिया कि मैं छंटनी करने नहीं जा रहा हूँ और उनकी तनखाह मैं दूँगा। उनकी बात का मैं स्वागत करता हूँ। लेकिन कुजूरु कमेटी की रिपोर्ट के अनुसार यह कोर बनी थी। उसकी मंशा थी कि इनको स्टेट न भेजा जाये। दूसरी बात उन्होंने यह भी कही कि अगर वह नैगोशिएशन करना चाहें तो मैं रुकूँगा। यह भी सही है कि मंत्री जी की बातों से पता चला कि अभी सारे प्रदेशों से बात तय नहीं हो पाई है कि कौन प्रदेश लेने को तैयार है और क्या उनकी शर्तें हैं। इसी प्रकार आप देखेंगे कि बंगाल और मिसूर में और कई दूसरे सूबों में हाई कोर्ट में मुकदमे चले हैं और स्टेट भी हुए हैं। कानून की तहत मंत्री मारी चीजों को हल करने का आश्वासन भी दे चुके हैं। इसमें कोई दो राय नहीं है कि सारे प्रदेशों से यह मसला हल होना चाहिए। उन्होंने ऐसी-सिएशन से भी बात कर ली। मैं कहना चाहता हूँ कि जब तक स्टेट है, जब तक फैसला नहीं हो जाता तब तक समय के अन्दर वह सारी बातों को हल करें।

दूसरी बात मैं यह जानना चाहता हूँ कि अगर प्रदेश सरकारें नहीं लेती है तो क्या मंत्री महोदय उनको बैठाकर तनखाहें देंगे, या वह उनको मैनटेन करेंगे ?

तीसरी बात मैं यह कहना चाहता हूँ कि प्लेनिंग कमिशन की रिपोर्ट के मुताबिक यह ऐप्रूव्ड कर्मचारी है। प्लेनिंग कमिशन ने यह भी कहा था कि देश को दो लाख कर्मचारियों की आवश्यकता है। यहां पर 7,000 कर्मचारियों की हमारे सामने परेशानी है। जब देश के अन्दर दो लाख आदिमियों की आवश्यकता है तब इसकी रोजनी मे मैं चाहूँगा कि इन लोगों को स्टेट को क्यों भेजा रहा है। जब तक मुकदमों का मसला है तब तक सारी बातों को तय कर लिया जाये और 1000 जून से जो उनको हटाया जा रहा है, इस आदेश को वापस क्यों नहीं लिया जाय।

प्रो० एस० नुरुल हसन : जनाव, यहा कुजूरु कमेटी की तरफ दशारा किया गया। वह रिपोर्ट मैं पढ चुका हूँ। मुझको उमममे कोर्ड ऐसी बात नहीं दिखलाई देती। जिममे यह अन्दाजा हो कि स्टेट्स को अलग रखने की तत्रबीज थी। इसीलिए वह बार-बार कहने है कि :

When such an integrated programme is evolved and built into the country's educational system, it might no longer be necessary to continue the separate schemes, the existing programmes under physical education, the auxiliary cadet corps and the national discipline scheme, as the best features of these schemes would be reflected in the new integrated programme.

The whole emphasis of the Kunzru committee was in evolving an integrated programme of school education. That being so, I am very surprised if the impression has gone round that this integrated scheme can be evolved with one or two persons being sent from the Centre, working in a school because, then, that by itself would tend to militate against the concept of integrated scheme. So far as court cases are concerned, it is quite obvious that it is the duty of the Government not to do anything against the orders of the court and if any assurance is needed...

SHRI PILOO MODY (Godhra) No, the Constitution gives us that assurance.

PROF. S. NURUL HASAN . There is no question of Government taking any action which goes against the decision of the court ; that will be fully respected.

श्री धनशाह प्रधान (गृहडोल) अध्यक्ष महोदय, नेशनल फिटनेस कोर को राज्य सरकारों के सुपुर्द करने का क्या कारण है ? सन् 1954 में जो आपकी मस्था चल रही है और अभी भी चालू है, जिसको 18 वर्ष हो चुके हैं, उनके कर्मचारियों का वेतन अगर देखा जाय तो 150 रु० में 250 रु० तक है। इस बढ़ती हुई महगार्ड के जमान में उन बेचारे इन्स्पेक्टरों का जो वेतन है वह बहुत कम है। ऐसी हालत में उन्हें केन्द्र से हटाकर आप राज्यों को स्थानान्तरित कर रहे हैं। मैं जानना चाहता हूँ कि इन 7,000 कर्मचारियों का जीवन-अभ्यारम्भ क्यों बनाया जा रहा है। हरिजन आदिवासियों की मरुया क्या है ?

दूगरी बाा यह है कि उन लोगों की कठिनुड्ग मन्त्रिमानी जानी चाहिए। उनके बारे में सरकार क्या कर रही है ? मैं यह भी जानना चाहता हूँ कि उन गत हजार लोगों में महिलायें कितनी हैं और पुरुष कितने हैं। उन महिलाओं में से कितने हरिजन और आदिवासी हैं जिनके विरुद्ध आप कार्रवाई करने जा रहे हैं। मेरा सरकार में निवेदन है कि इस कार्रवाई को अभी स्थगित रखा जायें। इसमें 2,000 महिलायें हैं और 5,000 पुरुष हैं।

PROF S NURUL HASAN I have already explained at length the reasons that led the government to take this decision. This decision has been taken in 1965, I have attempted to explain the details in the statement. As regards the question of haryans and women I am afraid I do not have with me the breakdown of the figures on that basis.

श्री चन्द्रिका प्रसाद अगर प्रदेश सरकारें नहीं लेगी तो सेंटर क्या कार्रवाई करेगा ?

अध्यक्ष महोदय . मंत्री महोदय बतला चुके हैं।

श्री मूलबन्द डाला : मैंने दो प्रश्न किये थे। उनके उत्तर मुझको नहीं मिले। राईटिंग में क्या लिख कर दिया गया है यह नहीं बतलाया।

PROF. S NURUL HASAN : A reference has been made by my hon friend, Shri Sat Pal Kapur to Punjab .

MR SPEAKER . Only those hon. Members whose names are printed in the list can ask questions. Otherwise, it will create an unhealthy precedent.

श्री सतपाल कपूर (पटियाला) : बैलट में मेरा नाम नहीं आ पाया। लेकिन अगर क्लरिफिकेशन हो जाय तो क्या हर्ज है ?

अध्यक्ष महोदय : अगर बैलट में नाम न आये तो क्या किया जाय ?

श्री अटल बिहारी वाजपेई एक बात माफ नहीं हुई।

अध्यक्ष महोदय आपने पहले भी कोई रमी नहीं की, अब फिर खड़े हो गये। यह ठीक नहीं है। यह प्रैक्टिस ठीक नहीं है।

श्री अटल बिहारी वाजपेयी : मंत्री महोदय ने बतलाया कि कोर्ट कैमेज है। बगाल और मैसूर में स्टे भी हो गये हैं। क्या वे कर्मचारी और जगह कोर्ट में जायें और स्टे लें तभी मारा सवाल स्टे होगा ?

PROF S NURUL HASAN . Sir, government cannot and do not have any intention of depriving any citizen of any right guaranteed to him by the Constitution

SHRI PILOO MODY . Question.

SHRI M KALYANASUNDARAM (Tiruchirappalli) rose—

MR SPEAKER . I have seen your letter. Whenever any allegation is made against a Minister, the normal practice is that it should be sent to the Minister for his comments and then it is raised here

SHRI M KALYANASUNDARAM : Sir, I may be allowed to raise it today. Let the

[Shri M Kalyanasundaram]

Minister make his statement tomorrow. Suppose he does not send his reply ?

MR. SPEAKER : You leave that to me.

SHRI M KALYANASUNDARAM : Let the House know what it is about. Why do you keep the House in suspense ?

MR. SPEAKER : You keep it with you. Don't be impatient. Let me get the reply of the Minister.

12.40 hrs.

RE ALLEGED DONATIONS MADE BY A COMPANY TO THE RULING CONGRESS FOR ELECTION CAMPAIGN—*Contd.*

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Sir, may I have your permission to raise a point about the reported utterances of the Prime Minister ? I had produced here a document which I had authenticated, which is a matter of concern for the House and the whole country. In continuation of that I am pleading with the Government to accept it. They have only airily denied its authenticity. I regret to say that so far I have not been allowed to vindicate my honour or show the falsity of the Government's denial. The Prime Minister avoided purposely and refrained from saying things in the House. But in a public meeting...(*Interruption*). This is a very serious matter.

MR. SPEAKER : You have not sent that to me. I did not get that.

SHRI JYOTIRMOY BOSU : I wrote to you.

MR. SPEAKER : No.

SHRI JYOTIRMOY BOSU : If you want, I will send you the clipping.

MR. SPEAKER : When you want to raise a question, I must know on what newspaper you are basing it.

SHRI JYOTIRMOY BOSU : I will send it. I wrote to you. The Prime Minister in a public meeting in Calcutta, before thousands, had said that the whole thing was false, Millions in the country have read it. It is highly improper, specially when the issue is still before the House.

MR. SPEAKER : It has been disposed of. It is not before the House.

SHRI JYOTIRMOY BOSU : My only forum is the Parliament as far as this is concerned. You were called upon by the Opposition leaders to ask the Government to produce documented material in rebuttal. Also, you were requested to inquire from Saraswati Press.....(*Interruption*)

MR. SPEAKER : I had disposed of the matter finally. Why are you prolonging it ?

SHRI JYOTIRMOY BOSU : .. Shri B R P. Goenka to provide you with facts.

MR. SPEAKER : Why should I ?

SHRI JYOTIRMOY BOSU : Have you been good enough to write ? I would expect you to accede to the reasonable request. If you do not, I very much regret to say, without casting any aspersion on the Chair, that we may have to take recourse to methods which may not be good for anybody.

श्री अदल बिहारी वाजपेयी (ग्वालियर) : मैं प्रोप्राइटी का सबाल उठाना चाहता हूँ। जो मामला सदन में उठाया गया है अगर सरकार को उसके बारे में कुछ कहना है या प्रधान मंत्री जी को उसके बारे में कुछ कहना और खंडन करना है तो उसका क्या सदन में खंडन नहीं किया जा सकता था ? लेकिन सदन में मौन रहना और जन सभा में जाकर मुखर हो जाना यह कहाँ तक उचित है—(इंटरप्शन) उस दिन आपने कहा था कि अगर अपोजीशन में गट्स हों तो वह मोशन लाए। हम लाए लेकिन आपने उसको मंजूर नहीं किया।

अध्यक्ष महोदय : उस दिव मैंने आपकी मदद की। गिन लिये थे, आप थे नहीं।