

दृष्टि से हो चाहे दूसरे प्रदानती खर्च हों जैसे कोर्ट फीस आदि के मामलों में सुविधा प्राप्त हो सके ।

वैशेष में मानता हूँ कि जो हमारे हरिजन लोगों के मुकद्दमें हैं चाहे वह भ्रष्टपूष्यता की दृष्टि से हों या दूसरी दृष्टि से भी हों उनके लिए इशारा किया गया है कि उनको इस तरीके की सहायता प्राप्त होगी लेकिन मैं मंत्री महोदय का ध्यान आकर्षित करते हुए कहना चाहता हूँ कि वह सहायता उनको धीरे धीरे गरीब लोगों को प्राप्त नहीं होती है धीरे किसी भी तरीके से उनके न्याय नहीं मिल पाता है । न्याय का सीधा मतलब यह है कि न्याय सब को एक समान मुलभ हो, लोगों को बिना खर्च किये न्याय सस्ते ढंग से पाइये समय में हासिल हो सके । खर्च का विषय है कि आज वह सस्ता धीरे तुरन्त न्याय सर्वसाधारण को प्राप्त नहीं हो पा रहा है । महंगा न्याय जोकि आज प्राप्त होता है वह एक प्रकार से धन्याय है ।

जब तक गरीब धीरे साधारण लोगों का कचहरियों पर विश्वास न हो तो वह न्याय न्याय नहीं कहला सकता है । चूँकि मेरा सम्बन्ध गरीब लोगों से है इसलिए मैं यह चीज कहना चाहता हूँ कि देश के मामूली लोगों का गरीब लोगों का आज की कचहरियों में बिलकुल विश्वास नहीं है धीरे साधारण धादमी एक मामूली सी दरक़्बास्त लेकर क्लैक्टर की कचहरी में धीरे जजब की कचहरी में इधर से उधर घूमता फिरता है । उनको इस तरीके से न्याय प्राप्त नहीं हो सकता है ? इस तरह का यत्न किया जाना चाहिए ताकि मामूली लोगों को एक साधारण दरक़्बास्त के ऊपर भी न्याय मिल सके । जिनकी आर्थिक स्थिति गिरी हुई है उनकी

धीरे विशेष रूप से सरकार को ध्यान देना चाहिए । धीरे कोई दयनीय स्थिति होने के प्रमाण में सर्टिफिकेट लायेगा या धीरे कोई प्रमाण प्रस्तुत करेगा तो उसे सुविधा प्रदान की जायेगी । मेरा कहना है कि इसको ज़रा धासान बनाना चाहिए ताकि मामूली धादमियों को सही ढंग से न्याय प्राप्त हो सके ।

दिल्ली के धन्दर यह जो हाईकोर्ट कायम किया जा रहा है वह स्वागत के योग्य बात है । मैं चाहता हूँ कि यहां पर यह बात साफ़ तौर से प्रकट हो कि जो मामूली धादमी यहां पर रहते हैं धीरे उन के साथ यदि धन्याय होता है तो उनको न्याय पाने में सभी सुविधा दी जायेगी । दूसरे हाईकोर्ट कुछ भी करते हों लेकिन दिल्ली के हाईकोर्ट को एक धादमं इस बारे में कायम करना चाहिए । यहां पर कोई भी धीरे तीन महीने से अधिक पैडिंग नहीं रहनी है । सफ़्ट बँच में यहां पर 2-2, 3-3, 4-4, 5-5 धीरे 7-7 साल बीत जाते हैं लेकिन धीरे डिपोज़ धीरे नहीं हो पाती है ।

मैं इन शब्दों के साथ फिर इस विधेयक का स्वागत करता हूँ धीरे मंत्री जी का ध्यान आकर्षित करता हूँ कि गरीब लोगों को साधारण लोगों को सही ढंग से सस्ता न्याय तुरन्त मुलभ हो सके ऐसा यत्न उन्हें करना चाहिए ।

16.05 hrs.

CALLING ATTENTION TO MATTER  
 OF URGENT PUBLIC IMPORTANCE

THREATENED STRIKE BY CGHS DOCTORS  
 IN DELHI—contd.

Mr. Speaker: We shall now take up the Calling Attention Notice which was held over yesterday.

**Shri S. M. Banerjee (Kanpur):** Sir, I want to make one submission. Yesterday there was only a news item in the Press that there was going to be a strike by the CHS doctors on the 9th. We thought it was better not to give a Calling Attention Notice yesterday and wait for today. Today, Sir, when some of us gave Calling Attention Notices about this strike which has taken place today, you have been good enough to disallow them. I only request, Sir, that we should be allowed to put questions.

**Mr. Speaker:** How can I do it? Once it has been brought on the agenda, no further notice is required.

**Shri S. M. Banerjee:** It was not on the Order Paper.

**श्री रामसेवक यादव (बाराबंकी) :**  
अध्यक्ष महोदय, ऑर्डर पेपर में था ।

**Mr. Speaker:** Attention of the hon. Minister was called yesterday. The hon. Minister.

**The Minister of Health (Dr. Sushila Nayyar):** I had yesterday seen certain Press Reports regarding strike threat by some doctors in the Central Health Service if the Central Government does not withdraw its order conscripting two hundred of them to the Army. No official notice about any threatened strike had been received until this morning when I received a telegram about the strike. I have learnt this morning that some of the doctors have absented themselves from duty. The Central Health Service Rules were published on the 1st May, 1963 and the Central Health Service was constituted on 1st January, 1965. Rule 11A of the Central Health Service Rules provides that any person appointed to that Service shall, if so required, be liable to serve in any Defence Service or post connected with the Defence of India, for a period of not less than 4 years including the period spent on training, if any. The Rule also provides that (a) such a person shall not be required to serve as aforesaid after the

expiry of ten years from the date of his appointment; (b) shall not ordinarily be required to serve as aforesaid after attaining the age of forty-five years.

The Defence Ministry needs medical men and a quota was fixed by them for each State and the C.H.S. As the House is aware the defence needs are rather acute at present and the Defence Ministry has desired that the requisite number of doctors be supplied by the C.H.S. In pursuance of this requirement and the aforesaid rules, a letter was sent on the 3rd December, 1965 to certain Heads of Institutions intimating them that it had been decided to depute 117 officers to Army Medical Corps. The doctors had been requested to complete the application forms for Emergency/Short Service Commission. The forms duly completed were to be returned to the D.G.H.S. by the 8th December, 1965. The officers are to be interviewed in the office of the Director General, Armed Forces Medical Services, on the 13th and 14th December, 1965. I am sure the House will agree that the C.H.S. doctors should come forward to serve the Armed Forces with readiness, as has been done by doctors in several States.

**Shri S. M. Banerjee:** She has not covered the demand.

**श्री यशपाल सिंह (कैराना):** सी० जी० एच० एस० के इन डाक्टरों की विभिन्न श्रेणियों में से कितनों को ट्रांसफर किया गया और खास तौर से जो लोग नागालैंड में भेजे गये उनको कोई स्पेशल टी० ए० या डी० ए० दिया गया या नहीं दिया गया ?

**डा० सुशीला नायर :** जी इस वक़्त कोई खास ट्रांसफर नहीं हुआ लेकिन अगर हीगा तो जो नागालैंड और नेफा वगैरह में विशेष रिश्तायत दूसरी सर्विसेज को दी जाती है

वही डाक्टरों को भी दी जायेगी इस वक्त तो सिर्फ ग्रामर्ड सर्विस में जाने की बात उठी है ।

**श्री यशपाल सिंह :** 15 अगस्त सन् 1965 के बाद किन किन लोगों के ट्रांसफर हुए ?

**अध्यक्ष महोदय :** वह प्रागया ।

**श्री रामसेवक यादव :** अगस्त सन् 65 के बाद फौजी कारण से या किसी अन्य कारण से डाक्टरों का स्थानान्तरण हुआ और यदि हुआ तो किन किन श्रेणियों का हुआ और उसके कारण क्या उनके वेतन, भत्ते आदि में कोई फर्क आया और उनको हानि या लाभ हुआ ? मुझे जो जानकारी मिली है उसके अनुसार कुछ हानतों में वेतन आदि में नुकसान हुआ एक शिकायत यह भी थी ।

**डा० सुशीला नायर :** वेतन गैरह में तो कोई फर्क हो नहीं सकता, क्योंकि जिसका जो वेतन है वह वेतन तो उसे मिलेगा ही । ग्रामर्ड फोर्स में जायेंगे तो भी उनकी वही वेतन मिलेगा ।

**अध्यक्ष महोदय :** अगस्त सन् 65 के बाद कई घादमियों को जो उस तरह भेजा गया तो आया जो नई स्कीम आई गई उसके अनुसार उनके वेतन में कोई फर्क भी आया अर्थात् जिसे जो पहले मिलता था उस में क्या कोई कमी आई है ?

**डा० सुशीला नायर :** मैंने निवेदन किया कि ऐसा कही नहीं हुआ है ।

**श्री किशन पटनायक (समन्वयपुर)**  
छांटे दर्जे के डाक्टरों के लिए सुविधायें कुछ ज्यादा होनी चाहिए, यह मानते हुए क्या मंत्री महोदय डाक्टरों के सेना में प्रौर देहात में जाने के सम्बन्ध में कुछ कड़े प्रौर व्यापक नियम न्नायेंगे, जिस के बारे में डाक्टरों का बहूत शिचक दिखाने है ?

**डा० सुशीला नायर :** माननीय सदस्य का सुझाव बहुत सुनासिध है, श्रीमन् । जहां तक देहातों का सम्बन्ध है, यूनिवर्सिटी टैरीटरी में सेंट्रल हेल्थ सर्विस का उनसे ज्यादा सम्बन्ध नहीं है, लेकिन ग्रामर्ड फोर्स के लिए कड़े नियम बनाने के सम्बन्ध में माननीय सदस्य ने जो सुझाव दिया है, उस पर पूरा विचार किया जायेगा ।

**Shri D. C. Sharma (Gurdaspur):** Is it not a fact that the doctors wrote a letter to the Director-General of Health Services or whatever he is called, asking for clarification of the terms before they were sent to the Army? I think it was written about 10 or 15 days ago and they have not received any clarification. If there is any substance in this allegation. . .

**Dr. Sushila Nayar:** There was no question of clarification. Whatever are their terms of service on the civil side would be applied by the Military authorities. I am not aware of any letter. . .

**Shri D. C. Sharma:** Did the Director General of Health Services receive the letter? Did the doctors seek clarification? Was any reply given to them?

**Dr. Sushila Nayar:** To the best of my knowledge, we have not received any letter asking for any clarification.

**Shri S. M. Banerjee:** If I have heard the hon. Minister correctly, she has mentioned that the Defence Ministry wanted certain doctors and these doctors have refused to go or are refusing to go. I want to know whether it has been brought to the notice of the hon. Minister that Dr. Sharma, Convenor of the Delhi Doctors Joint Action Council has already written a letter to the Prime Minister in which among other things, he has said:

"Besides this, we will further state that we are keen to join the A.M.C. but only after the Central Health Service rules are finalised to our satisfaction. . ."

[Shri S. M. Banerjee]

He has also pertinently pointed out:

"Contrary to the assurances and promises of the Health Minister, more than forty doctors are being transferred under the old, disputed and unsettled rules of Central Health Service, 1963 and the medical officers are supposed to comply with the same by 8th December, 1965, giving only a notice of two to four days."

I want to know whether this is a fact and if so, whether the hon. Minister or the Deputy Minister has cared to meet a deputation of doctors at this hour when the country needs them so much?

**Dr. Sushila Nayar:** We cannot invite a deputation. No deputation has asked to see the Minister or the Deputy Minister nor have I seen anybody. (*Interruptions*).

**Mr. Speaker:** Order order! let her reply.

**Dr. Sushila Nayar:** A certain doctor, who has styled himself as the Convenor of the Delhi Doctors Joint Action Committee, has sent a Memorandum to the Prime Minister, a copy of which was sent to us yesterday and in that copy, he has mentioned some of these things. But it has nothing to do with any rules. The rules under which they are being sent were finalised in 1963 after the Chinese invasion.

**Mr. Speaker:** These are the three members. There was no other signatory, I suppose.

Shri Shinkre.

16.15 hrs.

DELHI HIGH COURT BILL—contd.

**Shri Shinkre:** Although I fully share and subscribe to the view ex-

pressed by my hon. friend, Shri Kamath. . .

**Shri S. M. Banerjee (Kanpur):** I thought he was putting a question on the Calling Attention Notice.

**Mr. Speaker:** That is over. We are now on the next item.

**Shri Shinkre:** . . . that this a very important Bill, I regret to say that I do not think that a strong case has been made for the reference of this Bill to a Select Committee. For, after all, what this Bill aims at or intends to do—to put in figurative terms—could be said to be this; instead of a hut or a shed or a barrack that a person has today, he would be given a proper bungalow to live in. I do not know whether there is any case for referring this Bill to a Select Committee on that basis or otherwise also. Presently, the Delhi people have a high Court provided to them in the Circuit Bench of the Punjab High Court. Instead of that Circuit Bench, they will have in future, after the adoption of this Bill and its passage into an Act, a fully constituted High Court of their own. Constitutionally, as you know, it is the inherent right of every citizen to have his own High Court accessible to him as closely as possible, and from the Circuit Bench of the Punjab High Court to a fully constituted High Court at Delhi I think that it is only an improvement. The people of Himachal Pradesh who will be under the jurisdiction of this High Court at Delhi, as is contemplated in this Bill, will also be benefited thereby, because as everybody knows, the judicial commissioner's court is only an excuse for a High Court. Instead of that, they will be having a fully constituted High Court. Since Himachal Pradesh cannot provide for a fully constituted autonomous High Court, it is in the fitness of things that they should be allowed to take advantage of the High Court which is proposed to be set up in Delhi.