

NAVY (AMENDMENT) BILL

16.52 hrs.

THE DEPUTY MINISTER IN THE
MINISTRY OF DEFENCE (SHRI K.
P. SINGH DEO): Sir, I beg to move;

"That the Bill further to amend the
Navy Act, 1957, as passed by Rajya
Sabha, be taken into consideration."

The Navy Act, 1957 was brought into
force with effect from the 1st January,
1958. In the light of the experience gained
from the working of the Act, the Act
was amended in 1974. Since then, some
difficulties have been experienced in the
working of the Act. It has, therefore,
become necessary to make certain fur-
ther amendment to the Act.

The more important amendments
proposed to be made are as follows. They
are four in number.

(1) Some of the minor punishments
were made applicable to Master Chief
Petty Officers when a new cadre was in-
troduced in the Navy in 1968. Experience
during the last 13 years has shown that,
at times, offences committed by Master
Chief Petty Officers are not of a sufficient-
ly serious nature to justify trial by a
court-martial and at the same time these
could not be adequately punished by
awarding to them any of the summary
punishments prescribed under the Regu-
lations and by attracting summary trial.
It is, therefore, proposed that the punish-
ment of 'forfeiture of seniority' for a per-
iod not exceeding 12 months and 'for-
feiture of time for promotion for a period
not exceeding 12 months' be made appli-
cable to Master Chief Petty Officers. Sec-
tion 81 (1) (f) (g) and Section 82 are
being amended accordingly.

(2) Section 94 of the Act empowers the
Central Government, the Chief of the
Naval Staff and other officers to impose
forfeiture of time or seniority in the case
of subordinate officers without undertak-
ing the lengthy court-martial proceedings.
A 'subordinate officer' is a person appoin-
ted as Acting Sub-Lieutenant, a midship-

man or a cadet. Section 84 of the Army
Act, 1950 and Section 86 of the Air Force
Act, 1950 contain provisions for sum-
mary trial of officers below the rank of
Lt. Col. (equivalent to commander in the
Navy) and Sq. Ldr (equivalent to Lieute-
nant Commander in the Navy), respectively.
With the expansion of the Navy and
keeping in view the institution of full-
fledged commands and the upgradation
of officers holding those commands, it
is proposed to bring the provisions of the
Navy Act into conformity with the cor-
responding provisions of the Army and
Air Force Acts so as to provide imposition
of forfeiture of time or seniority in the
case of officers below the rank of Com-
mander.

Thirdly, in the Navy, unlike the Army
and the Air Force, Regulations have been
framed statutorily under Section 184 of
the Navy Act, 1957. Benefits to naval per-
sonnel are conferred by the executive
orders. At present, there is no provision
in the Navy Act to give retrospective
effect to regulations framed under the Act.
A new Section 184A is, therefore, propo-
sed to be inserted to enable the making
of beneficial regulations with retrospec-
tive effect. These provisions are in ac-
cordance with the recommendations of
the Committees of Parliament on Subordi-
nate Legislation and are on the lines of
similar provisions contained in other enact-
ments such as All India Services Act,
1951.

Fourthly, the existing expressions 'rate'
'ratings' and 'disrating' occurring in the
Act at various places are being suitably
substituted by appropriate new termino-
logy, namely, 'rank' and 'reduction in
rank', respectively according to the con-
text in which such expressions occur in
Clause 3(c) and Clause 4(a) and (d).

The Bill mainly seeks to achieve the
aforesaid objectives. This opportunity
is also being availed of to rectify an in-
advertent omission that had occurred in
Clause (a) of Section 55A at the time
of the earlier amendment in 1974 by
adding the words "or such other punish-
ment as is hereinafter mentioned" which
expression has invariably been used
throughout the Act, so that it may be

possible to impose any lesser punishment mentioned in Section 81 of the Act, as considered appropriate.

Also, references to the provisions of the Code of Criminal Procedure, 1898 are sought to be substituted by references to the corresponding provisions of the Code of Criminal Procedure, 1973 in Section 135, 141, 142 and 156 of the Navy Act, 1957.

Sir, I move that the Bill be passed.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill further to amend the Navy Act, 1957, as passed by Rajya Sabha, be taken into consideration."

SHRI HANNAN MOLLAH (Uluberia): Mr. Deputy-Speaker, Sir, all the four amendments in this Bill proposed by the hon. Minister are of technical nature.

Before commenting on the amending Bill, I want to express my views on certain things in regard to the Indian Navy in the face of present geo-political situation and the maritime security environment of our country.

Sir, our Navy has to discharge a very important responsibility. As you know, we have a vast coast line of about 6000 Km. with about 10 major, 20 medium and 300 minor ports with large off-shore strategic islands, such as Andaman & Nicobar, Laccadive, etc. Secondly, we have the largest Exclusive Economic Zone in the world going upto 320 Km., roughly 2.2 million sq. miles, which we have to protect for our geo-political and commercial interests and to ensure the security of our ports as well as 1200 odd islands and ocean territories and the natural resources therein.

Against this background of growing challenges, the urgent need for improving our Navy is imperative. But, unfortunately, our Navy still remains the step-child of our Defence Ministry. Only this year, about 7 per cent of the total Defence Budget was allotted. So, I would request the hon. Minister to apply his mind to this aspect.

17 hrs.

Secondly, the recent Falkland war proved the utmost importance of possessing modernised Navy to win a war. But, what is our position? What is the strength of our Navy in comparison to the other countries?

Hon. Minister has not revealed any information about the Navy on the plea of security. It is strange that any information regarding defence is denied to the August House on the plea of security. I am afraid that our enemy might know our position through their intelligence but, we M.Ps and our people have no right to know the actual position.

Anyway, according to the International Institute of Strategic Studies, our naval strength last year was 47,000 (including Naval Air Force) along with 8 submarines, one aircraft carrier, one cruiser, 29 frigates and some patrolling vessels.

It is reported in the Press that we are going to obtain two submarines from West Germany besides getting from them facilities for manufacturing two more submarines.

There are press reports that while the Navy wants to have more aircraft carriers, the Air Force does not want the Navy to have its own Air Wing. These differences should be properly reconciled in the interest of our defence.

Do the Government feel that they will be able to defend our coastline and our maritime interests in view of and in the face of all sorts of US imperialist conspiracies in the Indian Ocean? You are aware of the fact that the US imperialists are building their nuclear bases at Diego Garcia. Should we forget their role during Bangladesh war? Should we ignore the presence of their Seventh Fleet in the Indian Ocean?

We are at present engaged in the exploitation of our ocean resources in the littoral sea-bed. Work is going on in the Bombay High. There are possibilities of finding out more resources in our

[Shri Hannan Mollah]

Continental shelves. There is an increase in fish resources in the sea. The possibilities of our exploitation of the sea resources are good.

But I would like to know whether our Navy is in a position to defend all our interests in the sea-bed at the present moment in the face of growing conspiracies by the imperialist forces.

I would only like to make a few comments before I conclude, on the amendments. By these amendments, the Government wants to enforce discipline in the Navy. I agree that there should be discipline. But you cannot hope to impose discipline only by means of making Act. We should not take to mechanical enforcement of discipline.

These amendments are meant for summary trials of petty officers. First of all, I would like to ask why there should be summary trial only for officers lower in rank. Why should there not be summary trials for top officials? I hope that the Hon. Minister will explain whether it is discriminatory or not.

I am afraid of the idea of summary trial. The Court Martial itself is a summary trial. Now the Government wants to make further summary trial. It is widely believed that in these summary trials, the personal factors, such as vengeance or revengeful attitude of the high officials is reflected. I would like to have a categorical explanation from the Hon. Minister about his idea of summary trial, what will be the procedure, what is the scope of self-defence available to the victim. The right of self-defence, which is one of the fundamental principles of natural justice, must be guaranteed.

If all these points are properly explained by the hon. Minister in his reply and we are satisfied that the lower level personnel will not be affected wrongly or adversely, there will not be much objection to these amendments.

SHRI R. S. SPARROW (Jullundur): Mr. Deputy-Speaker, Sir, at the very outset I

would like to congratulate the Deputy Defence Minister for bringing in this Bill by having put his finger on some of the small-time lacunae that had to be put even. The Bill in itself is as simple as it is inescapably essential because the conditions of today for the armed forces have changed fast and are on way to further changing fast; the conditions in relation to the means and methods of welfare of modern days, with different types of sophisticated weaponry, as also the strategical approach with the modern weaponry in relation to defence and offence concerning our country, have radically changed, and one has to keep pace with them when it comes to the question of discipline and allied matters for the rank and file, from top level to bottom level. With those changed conditions, you have to make certain that your Command and control keeps on working effectively. That is the substance of this particular Bill which revolves round responsibility and discipline at different levels. And wherever it was found that these two essential factors are required to be toned up that has been adequately done.

As the previous speaker has very correctly brought out, our responsibility has increased. The Indian coastline is now very long and has come into prominence apropos the conditions, the military conditions obtaining to-day. Now it is not only the north western frontier of India but quite lately the northern frontier of India also has taken prominence in the field of tactics and strategy. But with the coastline itself 5500 km long and perhaps a little more it is quite a long coastline—your territorial waters, your other waters where you have to have some sway right upto your islands and other land spots which you have in midsea, your responsibility has increased. And as we all know, the naval discipline is the key-word for keeping the personnel going all the time when they are at sea cut off from all other types of amenities of the land areas. They have just to confine themselves on to the sea and in that particular ship, submarine or the aircraft carrier, whatever

be the ship that they are on. For that reason, as is historically understood and known, naval discipline and responsibility has, at any time, led other armed services in a marked manner.

So, the responsibility at different levels of command and control are now to be enforced with much care. Can such and such a person hold the responsibility of pushing sophisticated type of button with all the implications and consequences attached with that particular button? It is for this reason that very wisely and very correctly this amendment has been brought in.

It is needless for me to go into the technical and strategic aspects of this case because the Bill is only confined to clauses which are very simple to understand a propos the idea that is behind those 3 or 4 clauses.

In relation to the strength and efficiency of the naval forces, because my previous speaker has touched upon this, I will just say one word or two on that. I must say, having quite lately been out on certain of the manoeuvres of the Navy and the exercises that were shown to us—some other gentlemen sitting here were also there—that any and everything that was displayed, showed very clearly that our naval training is of a very high order, compared to any other Navy. I have seen other Navies. And, with the equipment that you have got, their—the Indian Navy's performance, their knowledge, their discipline, their turn-out, their understanding and their skill at arms that are put at their disposal is of the highest order and efficiency. We, our countrymen, could really be proud of that. In relation to the equipment part of that, I know it is no good counting the ships. Everybody knows and we all know. There should be no doubt about it that we have to concentrate on having to build up our Navy as fast as we can and with the best type of models and best type of weapons and best type of ships that are made available. In between also one will have to work out certain priorities. Which particular arm, which particular type of ships do you want to have? Do you want to

have the most sophisticated type of submarines? Do you want to have naval aircraft carriers? Do you want to have destroyers? That is for the specialists to decide what priority in ships you will have to have. I must say that the balance that has so far been worked out has so very adequately been considered in the Ministry of Defence and as settled by the Naval High Command with the present Government. And, I feel absolutely satisfied with the verve and the vigour with which the whole thing is being handled from top to bottom and on that account again. I think we can feel quite satisfied and proud.

Whatever other things my hon. friend sitting on the other side has recommended most certainly should be looked into. I will go this far to recommend to our hon. Defence Minister and the Deputy Minister that wherever any kind of loose plugs have to be fitted into the plug-holes to put things even to strengthen all around our armed forces and particularly, the naval part of that, that, of course, should also be looked into.

With these words, I must say that I congratulate the Ministry of Defence for bringing in this particular amendment and I strongly support it.

श्री राजेश कुमार सिंह (फिरोजाबाद) : माननीय उपाध्यक्ष महोदय, यह जो नौवी एमेंडमेंट बिल, 1982 माननीय डिप्टी डिफेंस मिनिस्टर ने पेश किया है, उस में जहाँ तक अनुशासन की बात है, अनुशासन तो सैनिकों में होना ही चाहिये और इस में कोई दो राय नहीं है लेकिन प्रश्न यह है कि कुछ विशेष श्रेणी के लोगों में ही अनुशासन हो या सभी लोगों में अनुशासन हो। मान्यवर मैं इस मुद्दे से शुरू कर रहा हूँ जो स्टेटमेंट आफ़ आवजेंट एण्ड रीजन्स में इन्होंने कहा है :

"A certain provision is made for summary trial of officers below the rank of Lieutenant Colonel and his Squadron Leader."

[श्री राजेश कुमार सिंह]

इसका मतलब यह है कि एक पर्टीकुलर क्लास के लोगों के लिये यह है। एक जमाना था कि अंग्रेजों के यहां दो तरह के अफसर हुआ करते थे, एक किंग कमीशन वाले और दूसरे वायसराय कमीशन वाले। किंग कमीशन वाले अफसरों के लिये एक विशेष चीज थी और वायसराय कमीशन वाले के लिये दूसरी। थोड़ा सा पद्वति में परिवर्तन आया, उसमें थोड़ी सी तब्दीली हुई और तब्दीली यह आ गई कि अब एन सी० ओज० और जे० सी० ओज० हो गये और कमीशनड आफिसर्स हो गये। मेरे कहने का मतलब यह है कि अनुशासन सैनिकों में होना ही चाहिये। वह सिपाही हो या बड़े से बड़ा अधिकारी हो। क्यों न हो, इस के लिये कोई भी कानून या नियम बनते हैं, तो बनने चाहिये। प्रश्न यह है कि अगर इन्हीं के लिये समरी ट्रायल की गई है, तो जैसा कि एक माननीय सदस्य ने पहले कहा है कि आप के यहां मार्शल लाल है। उस में बहुत जल्दी ट्रायल होता है लेकिन आप समरी ट्रायल करना चाहते हैं उन लोगों की जो बिलो दि रेंक आफ लेफ्टी नेंट कर्नल है। तो मैं यह जानना चाहता हूं।

How is it to be proceeded with?

यह किस तरह से होना किस तरह से इस को लागू आप करेंगे और समरी ट्रायल की प्रक्रिया क्या होगी यह आप ने साफ नहीं किया है। यह साफ होना चाहिये कि इस की प्रक्रिया क्या होगी और क्या एब्ज्यूज को एडिक्ट अपचूनिटी होगी अपने को डिफेन्ड करने के लिये। यह भी एक प्रश्न है कि अगर आप ने उस को अवसर नहीं दिया तो कुछ मनमानी होगी।

मैं आर्मी के बारे में ज्यादा नहीं जानता और हमारे माननीय डिप्टी मिनिस्टर

साहब और माननीय सदस्य को अभी बोल रहे थे और जो एक सैनिक अधिकारी रह चुक हैं। वे इस के बारे में अच्छी तरह से जानते हैं लेकिन हमने यह देखा है कि ग्राम सिविल सर्वेन्ट ने एक वर्ग बना रखा है खास अपने काम के लिये। कहीं अनुशासन के नाम पर इस तरह की प्रवृत्ति यहां भी न आ जाय और कहीं एक विचित्र प्रवृत्ति न पैदा हो जाय, इस बात का डर है।

मान्यवर जहां तक अनुशासन पैदा करने का प्रश्न है, इस में बहुत से प्रश्न आ जाते हैं। अगर सैनिकों के मन में यह विश्वास पैदा हो जाता है कि मेरे रिटायरमेंट के बाद मुझे अच्छी पेंशन मिलेगी मेरे बच्चों को एजुकेशन मिलेगी तो इस से अनुशासन में मदद मिलती है। आज हम क्या देखते हैं कि जां रिटायरमेंट होते हैं और उत्तर प्रदेश में कई रिटायरमेंट सेन्टरों में जो अष्टाचार आया है वह सामने आया है और अखबारों में भी वह आया है। वहां पर खुलकर, आपन अष्टाचार फैला हुआ है। तो ये सारी खामिया हैं। जब एक सिपाही भर्ती हो कर आता है या अधिकारी बन कर आता है तो ये प्रश्न उस के सामने आते हैं जो अनुशासन को तोड़ने में सहायक सिद्ध होते हैं। मैं इस बिल के खिलाफ नहीं हूं और जो अनुशासन वाली बात है मैं उस का समर्थन करता हूं लेकिन कुछ मुद्दे जरूर ऐसे हैं जिन पर जरूर गौर करना चाहिये।

जहां तक एजुकेशन सिस्टम की बात है या वेलफेयर की बात है उन को भी मद्देनजर रखना चाहिये और सब से बड़ी बात यह है कि अनुशासन तब डेवलप होगा जब अफसरों में और उन के सबोर्डिनेट्स में यह विश्वास पैदा हो जायेगा कि वे एक ही मंजिल के राही हैं और उन का लक्ष्य और उद्देश्य एक ही है।

है। जब यह बात होगी तब दोनों में एक अन्डरस्टैंडिंग पैदा हो सकती है। इस संदर्भ में जो कुछ भी बिल में है वह तो है ही लेकिन मैं एक बात और कहना चाहूंगा क्योंकि यह एक अवसर है जबकि माननीय रक्षा मंत्री जी और डिप्टी डिफेंस मिनिस्टर साहब दोनों मौजूद हैं।

अभी कुछ महीने पहले तीन बड़े युद्ध हुए दुनिया में और उनसे हमें सबक लेना चाहिये। एक तो ईरान वाली लड़ाई हुई दूसरी ईजरायल और लेबनान में लड़ाई हुई और तीसरा फाकलैंड का युद्ध हुआ अर्जेंटायना और इंग्लैंड के बीच। इन से हमें सबक लेना चाहिये। अब इण्डिया की क्या स्थिति है। हिन्द महासागर में अड्डे डेवलप हो रहे हैं। डियागो गार्सिया वाली बात है और सिगापुर वाली भी बात है। इस के अलावा अन्दमान निकोबार के पास के इलाकों की बात है और लक्षद्वीप के पास भी कुछ इलाके हैं जिनकी ओर हमें विशेष ध्यान देना चाहिये। वहां पर जो नेवल फोर्स है, उस को तरफ खास ध्यान देने की आवश्यकता है। कोस्ट-गार्डन वाले इलाकों की रक्षा की जो बात है, उस पर भी हमले हो सकते हैं और पड़ोसी देशों से भी हमले होने की संभावना हो सकती है। सोफिस्टिकेटेड वेपन्स देने की बात इसी हाउस में कही गई है।

Sophisticated weapons are supplied by America to Pakistan

इस संदर्भ में मैं इतना ही कहना चाहूंगा कि अर्जेंटायना की वार से हम को सबक लेना चाहिये। इंग्लैंड की नेवल फोर्स ने दुनिया के सामने एक मिसाल कायम कर दी है और वहां पर सोफिस्टिकेटेड वेपन्स का इस्तेमाल हुआ है, आधुनिक तरह के शस्त्रास्त्रों का इस्तेमाल हुआ है। टाइगर फेस आदि ऐसे वेपन्स हैं, जिन की गति बहुत

ज्यादा है और इस आधुनिक वेपन्स की तुलना में हम बहुत पीछे हैं। आप इन सारी लड़ाइयों को देखें तो यह पायेंगे कि हम इस मामले में बहुत पीछे हैं। इसलिये मेरा कहना यह है कि नेवल फोर्स को मजबूत बनाने के लिये मोडर्न वेपनरी को लाने के लिए प्रयास होना चाहिये। यदि ऐसा न हुआ तो हमने देखा कि उन्होंने सारे नेवल फोर्सेज को डेस्ट्रॉय कर दिया। फ्रेंच एकजेंसिस मिसाइल की इतनी तेज गति थी कि राडार पर सूचना मिलने के बाद भी उसने इंग्लैंड के शेफील्ड डस्ट्रायर को डेस्ट्रॉय कर दिया। तो जब इतना मोडर्नाइजेशन हो गया है उससे हमें सबक लेना चाहिये क्योंकि हमारा बहुत बड़ा समुद्री इलाका है, तीन तरफ से समुद्र है, इसलिये मैंने यह बात कही। हमें आत्म निर्भर बनने के लिये भी कुछ प्रयास करना चाहिये तभी डिसिप्लिन होगा। अगर हमारे नाविकों में यकीन नहीं हुआ कि हमारे पास भी कुछ शक्ति है तो उनमें हिम्मत और अनुशासन पैदा नहीं होगा।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूं।

श्री गिरधारी लाल डोगरा (जम्मू) :
जनाब डिप्टी स्पीकर साहब, मैं आपका मशकूर हूं कि आपने मुझे बोलने का मौका दिया। मैं इस बिल की तारीफ करता हूं, और कहना चाहता हूं कि इस बिल को इतनी देर से लाया गया जो कि पहले आना चाहिए था। नेवी के अफसरान अपना डिसिप्लिन कायम रखते रहे हैं जिससे मालूम होता है कि हमारे नौजवान कितने कमिटेड हैं अपने जौब और डिसिप्लिन के लिए। यह जरूरी है कि कानून मुनासिब हो और उसको लाय जाय और इसके लिए मैं दोनों मिनिस्टरान को जो यहां मौजूद हैं मुबारकबाद देता हूं।

[श्री गिरधारी लाल डोगरा]

इस मोर्के का फायदा उठाते हुए मैं दो बातें कहना चाहता हूँ। हमारे मुल्क की हिफाजत के लिये नेवी की बहुत जरूरत है क्योंकि 1947 से पहले हमारा एक मुल्क था और उसके बाद इसके तीन हिस्से हो गये। अगर पाकिस्तान को देखें तो उनका कोस्ट कम है, लेकिन उन्होंने अपनी नेवी को मॉडर्नाइज कर लिया है, और करते जा रहे हैं। आप बांगला देश की तरफ देखिए, जब पाकिस्तान ने हम पर हमला किया और हमारी आखिरी लड़ाई उस के साथ हुई और हमारी फौजें बांगला देश में लोगों की आजादी के लिए गयीं तो हमको सातवें बेड़े ने किस तरह से डराने की कोशिश की थी। आज वही लोग इंडियन ओशन में अपने अड्डे बनाए हुए हैं जो कि हमारे लिये खतरे का बायस बन गया है। बांगला देश की नेवी की कोस्ट लाइन छोटी है लेकिन उनकी नेवी ज्यादा इफैक्टिव और मॉडर्न है। हम किसी के साथ लड़ना नहीं चाहते। मगर अपनी हिफाजत करना चाहते हैं। हमारी कोस्ट-लाइन काफी बड़ी है, उसके लिये जनरल स्पेरो ने मॉडर्न वेपनरी और टेक्टिक्स की तरफ ध्यान दिलाया जो कि हमारे लिये जरूरी है। मगर मैं दो बातें और कहना चाहता हूँ। एक तो यह है कि हमारा शिप बिल्डिंग की तरफ ध्यान जाना चाहिए, चाहे वह नेवल शिपयार्ड्स हों या मर्चेंडाइज शिपयार्ड्स हों। अभी हम सिर्फ असेम्बलिंग कर रहे हैं और पार्ट्स दूसरे देशों से लेते हैं, जो कि किसी वक्त भी बन्द हो सकते हैं। इसलिये हमको सेल्फ रिलायेंट बनना है।

हर शिपयार्ड में जितनी चीजों की जरूरत है, हमारी जो अपनी इंडस्ट्रीज हैं, जिन्हें हम डेवलप कर रहे हैं, हम अपनी एन्सो-लरी इंडस्ट्री क्यों नहीं वहां बना सकते?

हर चीज जो शिप में लगती है, चाहे नेवी शिप में लगती हो या मर्चेंडाइज शिप में लगती हो क्यों नहीं हम किसी न किसी स्टेट में उसकी इंडस्ट्री लगा सकते हैं? उस के लिए हम क्वालिटी और क्वांटिटी एन्शोर करें, उसकी तरफ तवज्जह क्यों नहीं देते? यहां हमारी प्लानिंग डिफैक्टिव है। एक दूसरे का तालमेल नहीं है। सेल्फ रिलायेंस डिफैन्स नहीं है। हमको आज अपनी नेवी, लैंड और एयर फोर्स की तरफ तवज्जह देनी होगी।

हमारा दुश्मन बाहर से प्लानिंग कर रहा है मेरे ख्याल से इंटरनेशनल प्लान हमारे खिलाफ बनी हुई है वह हमारे जख्मों को कुरेदे जा रहा है, हमारी कमजोरियों की उभारा जा रहा है और हमारे अन्दर जो उल्टा चलने वाले लोग हैं, कश्मीर से लेकर साउथ तक चले जाइये उनको ऊपर उभारा जा रहा है, चाहे ईस्ट में चले जाइये या वेस्ट में चले जाइए, जो आज तक हमारे खिलाफ उठ रही हैं, डिफरेंट किस्म की जो बातें हो रही हैं वह ऐसे ही नहीं हो रही हैं। उनके पीछे बहुत बड़ा हाथ है।

हम अपनी डिफेंस की बनाना चाहते हैं, इंटरनली बातों की तो मजबूत करना ही है और डिफेंस की तरफ भी तवज्जह देने की जरूरत है। जो हमारी नेवल शिप बिल्डिंग की जरूरियात हैं, उनके बारे में हमको सेल्फ रिलायेंस होने की जरूरत है। हमें अपनी एन्सोरोज को डेवलप करना चाहिए, चाहे कहीं भी करें। एक ही जगह करें, या बहुत जगहों पर करें चाहे कहीं करें मगर उन अक्षरों की देखरेख में उसकी क्वालिटी और क्वांटिटी ठीक रहे। उस तरफ हमें तवज्जह देनी चाहिए।

हमारे जितने भी पोर्ट्स या बन्दरगाह हैं कुछ भी कहिये, उनके बगैर आपकी नौ-इफैक्टिव है। जब तक आप उनकी क्वालिटी इम्प्रूव नहीं करेंगे, आपके यहां तो ड्रिजिंग भी पूरी नहीं है। सिवाय मद्रास पोर्ट ट्रस्ट के कहीं भी पूरी ड्रिजिंग नहीं है। आप काचीन में चले जाइए आपके पास 4 इंजर हैं, 3 तो 1948 से पहले के हैं और उनको कोई अंग्रेज लाया था और एक सेमि-इंडियन है उनकी आउट पुट कुछ नहीं है। अगर आप पोर्ट्स में ड्रिजिंग नहीं करेंगे तो आप अपनी पोर्ट को डेवलप नहीं कर पाते। आप डिफेंस कैसे करेंगे।

कुछ ऐसी बन्दरगाहें हैं जो स्टेट गवर्नमेंट्स के पास हैं और कुछ सेंट्रल गवर्नमेंट के पास हैं। एक दूसरे के ताल-मेल नहीं है। नौवी का कंट्रोल नहीं, उनके साथ को-ऑर्डिनेशन नहीं। सिविल-शिप बिल्डिंग में या नेवल शिप-बिल्डिंग में, मेरे इल्म में तो कोई को-ऑर्डिनेशन नहीं है। उनका आपस में को-ऑर्डिनेशन होना चाहिए, तभी काम चलेगा, नहीं तो बहुत मुश्किल है। हम यह कहें कि थोड़ा-थोड़ा करते जाते हैं वह काफी नहीं। हमें धोखा नहीं खाना चाहिए वह तो मदारी का तमाशा है। जो हमारे मुख्य दुश्मन हैं जिनके साथ हमारी टक्कर का अवेशा है, वह क्या कर रहा है, और हम क्या कर रहे हैं, उनके मुकाबले में हमारी ताकत क्या है, हम कहां तक आगे बढ़ रहे हैं, इस तरफ में आपकी तबज्जह दिलाना चाहता हूं। अगर हम सिर्फ एक्स-साइज को देखें तो ले-मैन तो कन्वीन्स हो जाता है कि हमने बहुत कुछ किया, यह ठीक है कि पहले के मुकाबले में बहुत कुछ किया है, मगर जिनके साथ हमारी टक्कर है, मुकाबला है, जिस वक्त हमें मुकाबला करना होगा, उस वक्त के लिए हम डिफेंस में क्या कर सकते हैं और उसके लिये कौनसा सैल्फ

रिलायेन्ट सिस्टम बना रहे हैं। आज तक हम जवानों और अफसरों की बहादुरी पर जीते हैं, आगे भी उनकी क्वालिटी जितायेगी, मगर हम क्या करते हैं, हमको पूरी तरह प्लानिंग करनी चाहिए। हमारी प्लान में सबसे ज्यादा जोर जो देना है वह हमारी इंटरनल और एक्सटरनल डिफेंस की ओर देना है उसके लिये हमें को-ऑर्डिनेशन करना है। नौवी का दर्जा शायद पहले इतना ज्यादा नहीं था समुद्र से इतना खतरा नहीं था लेकिन आज हमको नौवी की तरफ भी ध्यान देने की जरूरत है, प्लानिंग की जरूरत है, कोस्ट-लाइन डेवलप करने की जरूरत है। उसके लिये जितनी हार्वर्स हैं, पोर्ट्स हैं उनको पूरी तरह डेवलप करने की जरूरत है। हमारी शिप-बिल्डिंग कैपेसिटी ज्यादा है उसको हम इमलिए यूटिलाइज नहीं कर सकते कि जो पार्ट्स लगने हैं, मशीनें हैं या दूसरे पार्ट्स हैं, वह पूरे एवलेबल नहीं है। इसलिये कैपेसिटी यूटिलाइज नहीं हो सकती न मर्चेन्डाइज शिप-बिल्डिंग में न नेवल शिपिंग में। सिर्फ इसकी तरफ में आपकी तबज्जह दिलाना चाहता हूं। आज हिन्द महासागर खतरनाक हो गया है हम सो नहीं सकते

इन सब गुजारिशों के साथ मैं इस बिल की पूरी ताइद करता हूं।

SHRI BHOGENDRA JHA (Madhubani): Sir, there cannot be two opinions in the House or in the country about the importance to be given to the Navy and Naval Officers and men and the need for ensuring preparedness in the Sea, both with regard to Warships and the Submarines. I say this because of the US attempt to turn the Indian Ocean into American Ocean. The Prime Minister had been to the USA recently. But I think no heed was given to her suggestions that the Indian Ocean should be turned into a Zone of peace. Very often, in this House,

[Shri Bhogendra Jha]

the Ministers from the Treasury Bench have equivocated between super powers while the Soviet Union is repeatedly supporting this demand for turning the Indian Ocean into a zone of peace and the USA is stubbornly refusing to accept it and is obstructing the demands for holding the Conference in accordance with the Resolution of the United Nations. We know that Maritius, our fraternal, small but brave country, has through its Parliament, passed a legislation that Diego Garcia has been and should remain a part of Maritius and the U.S.A. war bases should be dismantled from there.

Sir, the Prime Minister had been to Maritius recently and it is good that she openly supported this demand and the Government of Maritius. Today, not the Atlantic, not the Pacific, but the Indian Ocean is being turned into a ocean of dispute and confrontation by the USA. In such a situation, our preparedness, particularly in the sphere of warships and submarines and other naval weapons have become very imperative because on three sides we are surrounded by seas. But I think that this Bill mainly concerns with the inner or internal discipline of our officers and men. I would have liked to go into this Bill deeper, into the problem of Navy as a whole. Our scientists, our officers are in a position to build more sophisticated, more up-to-date naval weapons for the defence of our shores but much more resources and attention are required to be given. Not only that. Our neighbours and friends and the small littoral countries in the areas may require our co-operation and help in times of need and we may also require their. But this Bill is limited only with regard to the inner and internal discipline. But with regard to that also, I have got something to say.

Sir, today, in our capital, there was a marked demonstration where millions of people had marched through the streets of this capital raising slogans for the defence of our country, defence of our freedom, for turning the Indian Ocean into a zone of peace, for dismantling the US war base in Diego Garcia. This is a coincidence that while we are discussing this subject here, millions of people of this coun-

try marched through the streets of the capital with the above demands. Sir, I think that our country should speak with one voice, our Parliament naturally should speak with one voice. I do not know if there is any other voice in this House. We all know that our men and officers of the Navy have got the patriotic tradition. In 1946 it heralded the dawn of our freedom and raised the banner of revolt against the British rule, though our leadership compromised with the British and accepted its plan of partition of the country. Though we compromised, they revolted against the British rule and they unfurled the flags of their unity. That must not be forgotten. Very often we tend to forget it and try to make our own history.

Sir, I would like to make some suggestions and I think the hon. Minister will give heed to them. With regard to the internal force and the Navy also, I do demand that the proportion of the directly recruited officers is reduced and the proportion of promotion of the existing officers should be increased because experience of actual work is not less valuable than acquisition of Degrees outside. I do not say that there should not be any direct recruitment in the category of officers but the share of promotion of the existing officers must be increased.

Second, I would like to state that in the British days there was some sort of a Chinese Wall between the number of officers and the number of the men in the Navy. That must not be allowed to continue now. I do not say that it is continuing in the same way, or in the same conditions, but very minor and very insignificant changes have been made and our men are not well-treated. Though they may be juniors in job, or in responsibility, or inferior in rank, yet they are all our nationals and are involved in the common task of defending our country. In this context, I think, the rules should be changed, the manner and method should also be changed so that our men should feel that according to their abilities, they are serving our country as officers, middle officers or men on equal footing. As far as defence of our country is concerned, they

are equally serving our country. In this case, they are defending our shores.

With this end in view, I would like to state that the present Bill, though not objectionable, in many respects falls far short of the requirements of the present situation.

Even with regard to the internal affairs of the Navy, the officers and the men, their condition needs to be improved. These officers and men cannot form their trade unions, they cannot go on strike or dharna, but the country and the Parliament has to see that they are not ill-treated, they are not discriminated against, and they have no ground, no basis for feeling discontented. As I said, with that end in view, the present Bill falls far short of the requirements, and I think, the Minister, if he is not in a position to do it at this stage, will see to it that suitable steps in the right directions as suggested by me earlier are taken so that the condition of our officers and men improves, particularly that of the ratings and the other categories.

With regard to the quality of our submarines and warships, which we have begun to build in our country, lack of resources should not be allowed to stand in the way, because otherwise in the time of crisis, we will be put in an awkward situation, as we have to guard our shores on three sides of the country.

With these words I conclude and I hope that the Government will give proper attention to the voice of these people.

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI K. P. SINGH DEO): Mr. Deputy-Speaker, Sir, I am extremely thankful to the hon. House for its unanimous support to this Bill. In the course of the discussions, the hon. Members have made some very useful suggestions. Besides, certain other points have also been raised, though they do not relate to the present Bill. The hon. Members have stayed into the question of strategy, emoluments and welfare of the personnel, drawing lessons from the conflicts happening elsewhere in the world.

Some hon. Members have raised the question about the intention of this amending Bill. Shri Rajesh Kumar Singh and Shri Bhogendra Jha had apprehensions that this may be discriminatory in nature. I would like to take this opportunity to assure the House that it is exactly the opposite which this amendment seeks to do. In fact, in the Navies of the world, minor offences committed by sailors are tried summarily by the Commanding Officers of the sailors. Here, there is no question of discrimination. The Bill seeks to make forfeiture of seniority and forfeiture of time for purposes of promotion applicable to the rank of master chief petty officers, which cadre was introduced in 1968, but had not been taken into consideration in the amendment in 1974. In fact, this Bill proposes a summary system of trial for Officers of the rank of Lt. Commander and below. In fact, it is extending to even junior Officers. That is Acting Sub-Lt., Lieutenant, Lieutenant Commanders are put similar to the provisions which exist for the Army and the Air Force. Therefore, Sir, this is not discriminatory in nature, but it is more egalitarian. And since offences which had been committed by senior sailors like the Chief Master Petty Officers were not adequately covered by the small provisions or the regulation, that is admonition and stoppage of pay, leave, these have to be adequately included in the punishments. Therefore, the amendment to this Bill.

Sir, our esteemed colleague, Gen. Sparrow, has rightly mentioned that Command and control and discipline must go hand in hand with regard and punishment. For good work people must be rewarded and for indiscipline and for acts of omission and commission they must be punished. Therefore, the question of discipline is of paramount importance as far as any Armed Force, including the Navy is concerned. And this Bill seeks not only to bring in people who are not under its purview, but it also seeks to broaden the thing and to bring it in the same line as the Army Act and the Air Force Act are.

Some Members had apprehension that discipline is sought to be brought in by this Regulation. I would like to take this

[Shri K. P. Singh Deo]

b opportunity to assure the House that discipline is not being sought to be brought in by this Legislation. Discipline in the Indian Armed forces whether it is Army or Navy or the Air Force, is brought in by personal examples of the Officers, the JCOs, the Chief Petty Officers, Master Petty Officers, Warrant Officers and by welfare means, and the very fact that our Officers share with the men the same conditions of service as well as the same dangers, same adventures, same risks and the same type of exercises in everything. Therefore, this amendment does not seek to bring in or set any discipline by Legislation, but it is only to broadbase certain criteria of personnel who had been left out of the purview.

Sir, many of the Members had mentioned regarding the Falkland crisis, the Lebanon war, the Iran Iraq war, Bombay High, our coastline and maritime interests, Diego Garcia, the Indian Ocean being a zone of peace, our developments in the sea-bed and the economic interests there and the sophisticated weaponry in the field of national security and specially the induction and the production of weapons and equipment. I would like to take this opportunity to assure the House that the Indian Armed Forces particularly the Navy is not only studying the after-effects and the lessons of war, but the Government is very much seized and is also keeping close watch on the developments in the Indian Ocean, in the various operations that have taken place, whether it in the Lebanon Crisis, the Iran-Iraq crisis, or the Falkland crisis; and the lessons of war, which have been made available are under close scrutiny and study. As far as sophistication, modernization and also the twin aims of Government's policy on self-reliance and self-sufficiency are concerned, indigenization is going on at a very rapid pace. Our Navy is one of the balanced navies. And when people speak about modernization and sophistication, they have to take into consideration the geopolitical and the geo-strategic position, and the environment in which our Navy is placed. So, there is no use comparing with the U.S. Navy or the Soviet Union's Navy, for whom the environment and the

role are different—whereas the role of our Navy is entirely different, and our environment is also quite different from what exists in the other theatres.

Doubts had been raised by some Members on whether we are capable of defending ourselves or not, I would like to take this opportunity and say most emphatically, with all the emphasis at my command, that our Armed Forces are ready and prepared to take on any eventuality which may befall our country, whether it is from air, sea or land.

In regard to the general remarks which had been made in the course of the debate, I think I have given answers. I think I have clarified the reasons for bringing this amendment, and I am extremely thankful to the hon. Members for their unanimous support.

17.47 hrs.

STATEMENT RE. PASSAGE BY I&K LEGISLATIVE ASSEMBLY OF JAMMU AND KASHMIR GRANT OF PERMIT FOR RE-SETTLEMENT IN (OR PERMANENT RETURN TO) THE STATE BILL, 1980

MR. SPEAKER: Now the Prime Minister,

THE PRIME MINISTER (Shrimati Indira Gandhi): Information has been received that the Jammu and Kashmir State Legislative Assembly has to-day passed the Jammu and Kashmir Grant of Permit for Resettlement in (or Permanent Return to) the State Bill, 1980, as originally passed by it. As the House is aware, this was recently returned by the Governor of Jammu and Kashmir to the State Legislature for re-consideration in view of his opinion as to the constitutional infirmities from which it suffers.

Earlier, we had told and written to Sheikh Mohammad Abdullah that the Government of India would be willing to favourably consider, on humanitarian grounds, any individual cases which he may have in mind for grant of citizenship.