

RAJYA SABHA

Thursday, the 14th August, 1986/23
 Sravana, 1908 (Saka)

The House met at eleven of the clock,
 Mr. Chairman in the Chair.

ORAL ANSWERS TO QUESTIONS

Recommendations of the high level, committee on problems of ex-servicemen

*401. SHRI ATAL BIHARI

VAJPAYEE;†

SHRI LAL K. ADVANI:

Will the PRIME MINISTER be pleased to state:

(a) what are the details of the recommendations of the High Level Committee on problems of Ex-servicemen which have been accepted wholly or partially or have not been accepted and which are likely to be taken into consideration in the light of the Fourth Pay Commission's Report; and

(b) whether some recommendations were referred to the Department of Personnel and Training; if so, what are the details thereof and what is the outcome?

THE MINISTER OF STATE IN THE DEPARTMENT OF DEFENCE RESEARCH AND DEVELOPMENT (SHRI ARJUN SINGH): (a) and (b) A Statement is laid on the Table of the House.

Statement

(a) The required information is given in the Annexure. [See Appendix CXXXIX Annexure No. 120]

(b) The recommendation of the High Level Committee on problems of Ex-servicemen (HLC) regarding automatic placement of Service personnel retiring below age of 58 years in civil careers to enable them to continue in Government

†The question was actually asked on the floor of the House by Shri Atal Bihari Vajpayee.

service till they attain the age of 58 years has been referred to the Department of Personnel & Training. That Department has set up a Committee under the Chairmanship of Secretary, Personnel with Member (Staff), Railway Board, Secretary, Department of Posts, Secretary, Department of Tele-communications, Secretary, Bureau of Public Enterprises, Additional Secretary (Defence), Chief Secretaries of Assam, Haryana, U.P., Tamil Nadu and Secretary, Incharge, Department of Defence Services Welfare, Punjab as Members to examine this proposal further. A decision on this recommendation is likely to take some time.

श्री अटल बिहारी वाजपेयी : : सभापति जी, भूतपूर्व सैनिकों की समस्याओं पर विचार करने के लिए समिति 1983 में बनी थी। उसने अपनी सिफारिशें 1984 में दीं। अब यह 1986 है। अब फिर एक नयी कमेटी बनायी गयी है। जो वक्तव्य दिया गया है मैं उसमें से उद्धृत करना चाहता हूँ "समिति की सिफारिश डिपार्टमेंट आफ पर्सोनल और ट्रेनिंग को भेज दी गयी। अब उस डिपार्टमेंट ने "set up a Committee under the Chairmanship of Secretary, Personnel, with Member, Staff..." इसमें अफसरों की पूरी वारात वारात है। पता नहीं वह क्या करेगी ? अब यह कहा जा रहा है कि "Decision on this recommendation is likely to take some time."

सभापति जी, सैनिक तो केन्द्र की जिम्मेदारी हैं मगर भूतपूर्व सैनिक किसकी जिम्मेदारी हैं। यह अभी तक समझ में नहीं आया है। मैं पूछना चाहता हूँ कि क्या इस समिति का कहा गया है कि एक निश्चित समय के भीतर अपनी रिपोर्ट दें या नहीं कहा गया, या उनके ऊपर छोड़ा गया है जब चाहें रिपोर्ट दें। फिर सरकार उस रिपोर्ट पर विचार करने के लिए क्या एक और कमेटी बनाने के बारे में सोचेगी ?

श्री अरुण सिंह : यह जो हार्ड लेवल कमेटी बनी थी इसने 68 रिकमेंडेशन दी थी। उसमें एक ऐसा था कि जो भी सविस से रिटायर होता है क्योंकि हमारे डिफेंस

सर्विसेज में रिजर्वमेंट की उम्र जो होती है वह 35 से लेकर 55-56 तक जाती है—उमे गारंटीड इम्प्लायमेंट अप टू द एज आफ 58 मिलना चाहिए, जब वह रिक्मेंडेशन उन्होंने लिखा था अपनी रिपोर्ट में, उस वक्त भी उन्होंने कहा था कि यह बहुत कम्प्लीकेटेड है इस को मैथडालाजी बहुत सोच समझकर निकालना पड़ेगा क्योंकि इसकी इम्प्लीकेशन जो है हर तरफ पहुंचती है और उसमें यह भी शामिल है कि जो उनको इस वक्त स्पेशल वेन्यूफिट दिये जाते हैं इन टर्म्स आफ पेंशन, इन टर्म्स आफ स्पेशल रिजर्वेशन इत्यादि दैट आर गिवन फार एक्स सर्विसमेन, ये सब शायद उठाने पड़ेंगे।

Only this recommendation has been sent to the Department of Personnel. Information of the States is with the Department of Personnel. It is only this particular, specific recommendation that has been sent. In fact, even the High Level Committee, itself has said that this is such a complicated recommendation and involves so much both in terms of the Ex-servicemen themselves, in terms of serving men today who will because Ex-servicemen, in terms of Central Government and in terms of all the State Governments that this must be worked out, the methodology for achieving this must be worked with great care. And it is for that reason that this particular recommendation has gone to the second Committee. That Committee is not examining the problem of the recommendations *per se*. They are examining the methodology as to how this can possibly be achieved.

श्री अटल बिहारी वाजपेयी : सभापतिजी, पता नहीं आपका संतोष हुआ है या नहीं, मेरा तो नहीं हुआ है। सभापतिजी, “रिक्मेंडेशन नाट एक्सेप्टेड” अभी मंत्री महोदय कह रहे थे कि एक सिफारिश तो मान ली गई है अगर इसकी मैथडालाजी वर्क करने के लिये कार्यवाही हो रही है।

श्री अरुण सिंह : मने यह नहीं कहा मानी गई है।

श्री अटल बिहारी वाजपेयी : यह और

देखिये, मानी नहीं गई है, खाली विचार हो रहा है।

श्री अरुण सिंह : मैंने कहा भी नहीं था मैंने यह कहा था इसका अध्ययन करके लिये क्योंकि हाई लेवल कमेटी ने खुद कहा कि यह बहुत कम्प्लीकेटेड रिक्मेंडेशन है। पूरा अध्ययन करके इसको देखा जाये।

श्री अटल बिहारी वाजपेयी : सारे मामले के लिये जो हाई पावर कमेटी बनी थी उसने सिफारिश की कि श्री अध्ययन करो अब और अध्ययन हो रहा है। सभापति जी, “रिक्मेंडेशन नाट एक्सेप्टेड” जै कोट कर रहा हूँ जो स्टेटमेंट सभा पटल पर रखा गया है—

Enactment of a Comprehensive National Ex-Servicemen's Resettlement Act and the draft Model Act for the States, जैसा मैंने

शुरू में कहा था कि सैनिक तो केन्द्र की जिम्मेदारी है, मगर भूतपूर्व सैनिकों को राज्य सरकारों के भरोसे छोड़ दिया जाता है। भूतपूर्व सैनिकों की मांग यह है कि केन्द्र के जो भी फैसले होते हैं, उन पर अमल करने की जिम्मेदारी भी केन्द्र सरकार की होनी चाहिए। इसलिये इस बात पर जोर दिया जाता है कि आप केन्द्र में कम से कम एक डाफ्ट माडल एक्ट तो बनाइये जिसके हिसाब से जो अलग-अलग राज्यों के एक्ट बनेंगे जिनमें एकरूपता होगी और भूतपूर्व सैनिकों के साथ किसी तरह की विषमता का व्यवहार नहीं होगा।

मैं जानना चाहता हूँ कि यह सिफारिश क्यों नहीं स्वीकार की गई है?

श्री अरुण सिंह : हमने यह किया है कि जहाँ तक डाफ्ट माडल की बात है

Instead of drafting a single piece of legislation we are attempting now to draft specific clauses of legislation concerning specific problems of ex-servicemen and we are in the process of doing it. We have already started, for example, in the matter of Rent Control legislation where we

are formulating specific model clauses discussing those with the State Governments and getting their concurrence because we do not think that these can be thrust upon the State Governments. We are seeking their concurrence in the draft provisions of the Act and then we will be passing that draft to the State Governments who are then incorporating it in State legislations. It is not that no draft has been attempted or no model is being prepared here. What we have not agreed to do is to set up one body for preparing the draft legislation which will cover the whole gamut of every single problem that all ex-servicemen all over India may face. We feel that such an attempt may not yield proper results.

श्री लाल कृष्ण आडवाणी : सभापति जी, (इस समिति की) इतनी सफाई है कि अच्छा होता कि इस सारी रिपोर्ट पर नहीं सदन में पूरी चर्चा होती क्योंकि एक सवाल के संदर्भ में शायद इसके साथ न्याय करना संभव नहीं होगा। लेकिन संसद के एक सदस्य के नाते से इस बात को समझने में मैं असमर्थ हूँ कि एक बहुत महत्वपूर्ण सफाई जो इस समिति ने की है सरकार ने स्वीकार क्यों नहीं की है।

15.4—The Committee strongly recommends that a Parliamentary Committee consisting of Members from both House be constituted to oversee the implementation of various schemes and facilities for ex-servicemen.

मैं मानता हूँ कि बहुत सालों से यह घोषणा होती कि एक्स-सर्विसमैन के लिये यह होना चाहिये, हम यह कर रहे हैं, वह कर रहे हैं, लेकिन इम्प्लीमेंटेशन में जो दोष है, उसी को ध्यान में रख कर यह सफाई की गई है इस हाई लेवल कमेटी द्वारा और इसके बारे में मंजी जी ने उत्तर दिया है कि— That this recommendation is under active consideration.

जो एक्टिव कन्सिडरेशन वाली सूची है उसमें यह है। 1984 से लेकर अब तक एक्टिव कन्सिडरेशन में है। क्या माननीय मंत्री जो आज आश्वासन देने को तैयार है कि पार्लियामेन्ट की कमेटी बनेगी? स्पष्टीकरण

रेकोमेन्डेशन में से मैं रेस्टोरेशन आफ कम्यूटेड वल्यू आफ पेंशन जिसकी बाद 15.39 में की गई है, जिसके बारे में कहा गया है कि थर्ड पे कमिशन की रिपोर्ट आने के बाद हम फैसला करेंगे। अब तो फोर्थ पे कमिशन की रिपोर्ट आ चुकी है, अब क्या इसके बारे में फैसला हुआ है क्योंकि यह एक्स-सर्विसमैन की दृष्टि से कम्यूटेड वल्यू आफ पेंशन का बहुत महत्वपूर्ण मामला है। यह दो सवाल हैं।

SHRI ARUN SINGH: As far as the question of Parliamentary Committee is concerned, I am in no position to give an assurance except that I can assure the Hon. Member...

AN HON. MEMBER: Why not?

SHRI ARUN SINGH: I will assure the hon. Member only this that we are very actively looking at this. We in the Ministry are in favour of it... (Interruptions) but I am not in a position to give an assurance.

श्री राम अवधेश सिंह : इसका मतलब है कि सरकार... (व्यवधान)

श्री कल्पनाथ राय : बैठिये, बैठिये... (व्यवधान)

MR. CHAIRMAN: No interruptions on both sides.

SHRI ARUN SINGH: In so far as the commuted value of pension is concerned... (Interruptions). I have not yielded.

MR. CHAIRMAN: Why don't you allow him to complete his answer? If you have any problem, I will again give you time.

SHRI ARUN SINGH: In so far as the commuted value of pension is concerned, there is a case pending at the moment in the Supreme Court. It has been listed. It is up for hearing. The problem about the commuted value of pension concept is that such a concept cannot apply only for ex-servicemen.

SHRI LAL K. ADVANI: They have recommended for both.

SHRI ARUN SINGH: High-level committee was talking about commuted value

of pension. Their terms of reference specifically referred to ex-servicemen. But the concept of commuted value of pension can not be applied to one type of pensioners, and that is where complication has come in. On our part, I would like to say that, we are in favour of this concept of restoring the pension.

SHRI SURESH KALMADI: The appointment of the High-level committee was definitely a very positive step and the problems were identified. But unfortunately, implementation of these recommendations has been pretty slow. Sir, Mr. Vajpayee said that when a person is serving, he is the responsibility of the Central Government. The serviceman is even prepared to lay down his life for the Government. But the moment he retires, it becomes the responsibility of the State Government and unfortunately, the State Governments have been totally lethargic to the problems of ex-servicemen.

Now, many recommendations made by the committee deal with State Governments. I would like to know whether the Government proposes to set up another committee to monitor whether the State Government is taking steps; like say, one is for self-employment scheme, or 10 per cent of housing sites to be reserved for ex-servicemen, and also steps on the welfare aspects, like providing security to ex-servicemen after their retirement. This is the responsibility of the State Government. We know of the example of General Vaidya who was shot dead just a few days back. The responsibility is not with the Centre; it is not with the army positioned in Pune, but it is the responsibility of the State Government. I would like to know whether those ex-servicemen who took part in operation Bluestar are going to be provided security by the Central Government, and the army in particular.

SHRI ARUN SINGH: Both the hon. Members raised this point about who is responsible for the ex-servicemen. As far as the Ministry of Defence is concerned, the fact that they have left service, does not, in any way, reduce our responsibility. I would like to correct the

hon. Member who last spoke. I hope that the servicemen are not here to lay down their lives for Government; they are here to lay down their lives for the country.

As far as the matter of interaction with the State Government is concerned, it is a fact that there is some weakness in certain States in the implementation of the recommendations of the High-level committee. When we looked up very carefully in the Ministry, we concluded that the one method of dealing with the problem is, uptill very recently, the problems of ex-servicemen in the Ministry were dealt with as an additional problem of somebody who had no other job to do and, therefore, we felt that this was not the right way of approaching this problem. We have now created a separate cell in the Ministry, in the Department of Defence, that means, on the civilian side, under an Additional Secretary who is charged with this specific responsibility and he is in the process of visiting the State Governments, interacting with them and attempting to convert them to the point of view that urgent implementation of the committee's recommendations is necessary.

As far as the last point is concerned, may I make it absolutely clear that the army has no Constitutional authority to act in relation to either serving personnel or the ex-servicemen, in terms of providing security for protection of their life, unless so required to do by the Constitutional Government.

SHRI RAJIV GANDHI: May I add one point on the security of those who participated in Operation Bluestar and who might be at risk. Firstly, I would like to say that we are taking special interest and seeing that proper security is given. In many instances, we have some problems because the individuals refuse to have security. When we ask them 'would you like to have an armed guard?' or when we say 'you must have something else', they themselves say that they do not want to have this. This causes us some problems. But wherever it is necessary, we will give proper security.

from the Centre, from the State Government and, if required from the Army directly.

SHRI PAWAN KUMAR BANSAL: Sir, the introduction of PEXSEM, a programme for preparing Ex-servicemen for self-employment is one laudable scheme introduced by the Ministry of Defence. I would like to know from the hon. Minister as to what is the allocation made for the scheme in the current year and also whether there is any reservation being provided for wards of ex-servicemen in the other schemes like TRYSEM.

SHRI ARUN SINGH: I do not have the exact figures in regard to the money value. I think, about 2,700 ex-servicemen are going through PEXSEM every year. We find that the demand on us is growing. Therefore, we are going to make increased allocation for this particular project. In so far as the wards of ex-servicemen are concerned, the question of reservation as a concept is something of which we are not entirely in favour. Within the ambit of the various welfare schemes, both for ex-servicemen, specifically, and for the citizens of the country in general, it is our expectation and hope that we will be able to convince the State Governments that a fair share of these schemes should be given to the ex-servicemen.

SHRI M. KADHARSHA: Sir, the recommendations of the Fourth Pay Commission relate only to the serving personnel and not to the retired army men. Anyway, I am happy, the Government has set up a high-level committee to go into the problems of ex-servicemen. In this connection, I would like to point out that the railway and post and telegraph employees are Central Government servants. In their case, as per the Supreme Court judgement of 17-12-1982, then those who retired before 1972, are receiving revised pension and they are also getting their arrears. But the same is denied to the army personnel. Part (b) of my question is whether equity will be shown to the past pensioners. Sir, the statement has not said anything about the facilities to be given to the pensioners, facilities

like festival advance. I would also like to know from the hon. Minister whether the portion of the commuted pension would also be returned after complying with the terms and conditions as the Tamil Nadu Government has done?

SHRI ARUN SINGH: May I correct the hon. Member on one aspect? I would like to point out that the Fourth Pay Commission is definitely going into the problems of ex-servicemen. It is now reviewing the question of pension. For the first time in the history of Pay Commissions, the Government of India has referred the concept of pension to the Pay Commission. This is a very major step because it gives the possibility of an independent review of the whole gamut of pension across the board for all employees. We are very hopeful that some of the very significant problems which have come up in relation to ex-servicemen and their pension will be dealt with by the Commission. In addition to this, I had earlier referred to the fact that there is a case pending in front of the Supreme Court concerning the commuted value of pension. I did not quite understand what the hon. Member has said about festival advance.

MR. CHAIRMAN: In some States, some advance is given in case of festivals to people in service. It is called festival advance. It is all right.

PROF. B. RAMACHANDRA RAO: Mr. Chairman, Sir, while I appreciated that a large number of the recommendations have been accepted, I would like to point out that recommendation number 15.29 in regard to the equation of military qualifications, trade and professional experience with civilian equivalent is very important. As you know, technical people in military service especially in signal corps are largely required in the civil service, in universities and scientific laboratories etc. But the lack of equivalent is a hurdle in solving the problem of rehabilitation and reemployment of ex-servicemen. Will the hon. Minister tell us whether expeditious action will be taken so that the deficiency on one side can be made up by the availability of technical people a large number of them in the field

of electronics, mechanical engineering and people with other technical qualifications?

SHRI ARUN SINGH: The hon. Member has made a very valid point. There are very very highly skilled people available in the armed forces or defence services in all kinds of technical trades. I am prepared to make an assurance that the action on this concept of equivalence that means relating experience and performance of a serving personnel to a civilian counterpart, will be expedited by us.

Changes in the district planning set up as suggested by the G.V.K. Rao Committee

*402. **SHRI LAL K. ADVANI:**†

**SHRI ATAL BIHARI
VAJPAYEE:**

Will the **PRIME MINISTER** be pleased to state:

(a) what are the significant changes suggested by the G. V. K. Rao Committee in the district planning set up for the poverty alleviation programmes and in restructuring of the implementation machinery; and

(b) whether the States were asked to give comments thereon, if so, what are the details thereof and the guidelines issued to them?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND MINISTER OF STATE IN THE MINISTRY OF FOOD AND CIVIL SUPPLIES (SHRI AJIT PANJA): (a) The significant changes suggested by the Committee include the following:

(i) involvement of Zila parishad & District Development Committees in the programmes;

(ii) Posting of District Development Commissioner in each district;

(iii) formulation of separate District Plans and District Budgets;

†The question was actually asked on the floor of the House by Shri Lay K. Advani.

(iv) constitution of District Planning Team and District Anti-poverty Team; and

(v) associating representatives of voluntary agencies and participants of the programmes in the Special Committees of the Panchayat Raj body.

(b) Yes, Sir, Replies from most of the States/Union Territories are awaited. After receipt of their replies, the matter will be placed before the National Development Council for consideration. In this background no guidelines in the matter were required to be issued to the States/Union Territories.

SHRI LAL K. ADVANI: Sir, the key recommendation of the G. V. K. Rao Committee is the creation of a development administration, a set-up headed by the Development Commissioner who shall be of a rank not less than that of the Chief Secretary and a kind of a parallel administration the objective of which, he says, being "to establish the primacy of the development administration over the maintenance administration." Now, apart from the feed back that you get from the States to the specific recommendations made by the Committee, I would like to know the Government of India's reaction to this key recommendation because it is a matter of principle, it is a matter of policy it is a matter of basic fundamental approach. Do you agree with it or do you reject it or is the Government's position that still it is under consideration, even this key recommendation?

SHRI AJIT PANJA: Sir, this key recommendation is under consideration. (Interruptions).

MR. CHAIRMAN: You prompted the answer by saying, is it under consideration?

SHRI AJIT PANJA: Sir, this key laterally, the hon. Member will himself stand up and say that the States have not been consulted. The Committee was formed in March 1985, the report was submitted in January 1986 and immediately thereafter it was circulated to the States and Union territories. As it touches about 5,80,000