

जमीन है। सारे देश में पिछले 2 वर्षों में रिकार्ड उत्पादन हुआ है कृषि का लेकिन दुर्भाग्य यह है कि आपके जो सरकारी फार्म हैं, जिनके पास 38229 हैक्टेयर जमीन है, उन फार्मों पर 2 करोड़ 79 लाख रुपये का नुकसान होता है। यदा यह नुकसान सरकार बर्दाश्त कर सकती है सब खा गए जनरल मैनेजर साहब, देखने वाला और सुनने वाला 6 P.M. कोई नहीं है। लिहाजा मैं आपसे गुजारिश करूंगा कि आज आवश्यकता है सरकार को अपनी आमदनी बढ़ाने की। 38 हजार 229 हैक्टेयर कोई मामूली क्षेत्रफल नहीं होता।

उपसभाध्यक्ष ( श्री सन्तोष कुमार सहू):  
आप कल बोलेंगे तो अच्छा होगा। छः बजे हाफ-एन-आवर का टाइम है। एन० एल० कपुर।

**HALF-AN-HOUR DISCUSSION ON POINTS ARISING OUT OF THE ANSWER GIVEN IN THE RAJYA SABHA ON THE 27TH MARCH, 1985, TO UNSTARRED QUESTION 1126, REGARDING COMMITTEE ON PROBLEMS OF EX-SERVICEMEN.**

SHRI H. L. KAPUR (Nominated): Mr. Vice-Chairman, Sir, I am really grateful to the Chairman for having permitted this half-an-hour discussion on the subject of ex-servicemen. I know their problems and troubles that they encounter. I fully understand, Sir, that I am speaking at a time when the Members are tired and their interest is flagging and particularly on a subject which perhaps does not interest them very much. I have had the honour and privilege of being a Member of this august House for the last five months. I have sat in this House and listened to my senior and distinguished colleagues with rapt attention. We have discussed in this House almost all subjects. We have talked about the foreign policy. We have talked about the 20-point programme. We have talked about SC/STs. We have talked about backward classes. We have talked about the industrial development of this country. We have talked about the

technological advancements in this country. We have talked about the welfare of the weaker sections of the society. But I regret to say, Sir, in these five months that I had the privilege of sitting here, I have not heard one word about servicemen let alone ex-servicemen.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Mr. Jaswant Singh has been raising this issue.

SHRI H. L. KAPUR: He must have raised it before. Mr. Jaswant Singh is a very dear colleague of mine. I respect him on all counts. But what I said was five months that I have been here - I have not heard one word about servicemen let alone ex-servicemen. I am only confining myself to five months period that I have been here.

Our Armed Forces are world renowned for their valour for their devotion to duty and for their dedication. They have earned laurels on the battle field during the two wars. In the post independence period immediately after we attained independence three months after that, our small army and the fledgling Air Force had to go in to face the marauders and invaders who had entered the valley of Kashmir under tremendous odds with very little equipment at their disposal and with one Squadron of dakota aircraft they put everything into service. You will be surprised that they were to land at a small air-strip, which was not a proper air-field. They landed there, and pumped in the first three days of the operation nearly 600 men and 10,000 pounds of equipment when the air-field was within the firing range of the raiders. It was there in trying to save the valley of the Kashmir which is still with us, the first Param Vir Chakra was awarded to Major Somnath Sharma of the Kumaon Regiment. It was the dexterity of our pilots who flew in aircraft with no modern facilities of pressurisation or even de-icing equipment, from Srinagar to Leh, flying over an average of 20,000 feet above sea level and who took the equipment, the men and material, and landed in Leh, that saved Ladakh from falling into the hands of the invaders and marauders from Pakistan. After that we

[Shri H. L. Kapoor]

had a brush with battle in 1962 when Chinese attacked us and the Indian Army and the Indian Air Force again went into action. They were ill-equipped, ill-trained and ill-clothed for fighting a war up on the hills, but they put up a good fight. We were defeated but we were certainly not humiliated. And then we came to the 1965 and the 1971 wars where the Pakistanis attacked us with all the sophisticated weapons that they had been able to get from the Americans. But the superior training of our men, the courage and valour of those people, made mincemeat of the Patton tanks in Ferozepore. And there was an area there that became the graveyard of Patton tanks. The famous Keeler brothers were the ones who tackled the Sabres in the sky. In 1971 we had a similar pre-emptive attack by the Pakistanis on our forward airfield and again, Sir, the Army, the Air Force and this time the Navy also rose to the occasion. And that is where Flying Officer Nirmal Singh fought a lone battle against three super Sabres and became the first posthumous PVC.....

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Please put the questions, Mr. Kapur.

SHRI H. L. KAPUR: I have to put questions?

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Yes.

SHRI H. L. KAPUR: I will put questions. Will you give me two minutes more? Then I can put questions.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Yes.

SHRI H. L. KAPUR: I want to give the background. I do not want to show my strength of oratory because I am not an orator. I must put the whole thing in the proper perspective for the House to realise what these servicemen do and what they go through and what happens to them when they come out of service. They are bewildered and they are not cared for by anyone. In spite

of the fact that the Government has been very kind to issue orders for reservation, those orders, because of total lack of sympathy, total lack of appreciation, are not implemented. I know that the Government has been very conscious of the ex-servicemen and that the Government has been taking all steps to see that the ex-servicemen do not suffer. A man in the services, because it has to maintain a young profile, comes out of service at the age of 32 to 34 when his responsibilities, when his obligations are at the peak and the means of looking after his family and their needs, to buy clothes for the children, to give them education, is not there. It is in these circumstances that I raise this issue. As I have said earlier, the Government is aware of it, but there is lack of implementation, there is lack of appreciation there is lack of understanding and there is no monitoring. There is no feed-back. Therefore, all the administrative orders, which have no statutory power behind them, go unheeded. On the 10th of March, 1984, if I remember correctly, a high-level committee was appointed by the Government. The members of the Committee, particularly the chairman of the Committee, Shri K. P. Singh Deo, the then Minister of State for Defence, were conscious of the burning problems of our ex-servicemen. Although the Committee was given life of one year, it is a record in the history of the Government of India that the Committee submitted its report in six months and seventeen days. That report was submitted on the 27th October 1984. The Committee made some very far-reaching recommendations which will be a source of comfort and solace to the ex-servicemen if the same are accepted. I would like to ask the honourable Minister whether the Committee's report has been studied, whether the recommendations made by the Committee are being considered, and, if so, what is the present situation, what is the present position.

THE MINISTER OF DEFENCE (SHRI P. V. NARASIMHA RAO): Mr. Vice-Chairman, the High Level Committee on the Problems of Ex-Servicemen submitted its report on the 27th October 1984. Be-

cause of the unfortunate assassination of the then Prime Minister within a few days of its presentation and various other factors, follow-up action on the report could effectively commence only after the general elections. The charge of undue delay is, therefore, not correct. Since then the following action has been taken:

(1) The Ministry of Defence have completed their preliminary screening of all the recommendations and have, except in the case of a few major recommendations suggesting fundamental policy innovations, taken up the acceptance and implementation of most of the other recommendations with the concerned agencies. This is an unavoidable requirement because many of the recommendations would need to be accepted and implemented by the State Governments and other Central Ministries and Departments.

(2) In order to secure the most expeditious and favourable consideration of the State Governments and other Ministries and Departments. I have personally addressed the Chief Ministers and Governors of the States and the Lt. Governors of the Union Territories as well as my colleagues in other Central Ministries. Simultaneously the Defence Secretary has also written to the Chief Secretaries of all the States and Union Territories. Similarly, he has taken up with the Planning Commission the need to make suitable Plan provision of Rs. 350 crores in the Seventh Five Year Plan, as proposed by the High Level Committee.

(3) In respect of few of the recommendations which were entirely within the purview of the Defence Ministry, appropriate instructions have been issued to the Service Chiefs and action is in hand.

(4) Although some inter-Ministerial meetings had been held in the Defence Ministry and the DP and AR as well previously, the procedure for inter-Ministry consultations has been formalised by the constitution of an Empowered Committee under the Chairmanship of Additional Secretary, Defence

with representatives from all other concerned Ministries and the Planning Commission. The Empowered Committee which has already met twice, has been allowed a period of three months from April 1985 to complete its task.

From the foregoing it would be clear that there has been no avoidable delay in following up the recommendations of the HLC. However, some of the HLC's recommendations such as those for the enactment of new statutes for the welfare of ex-servicemen, the provision of Rs.350 crores in the Seventh Five Year Plan on a matching basis with the States to be utilised primarily for the establishment of Ex-Servicemen's Financial Corporation and an Ex-Servicemen's Industrial Development Corporations and the proposals for assured employment under Government up to the age of 58 years, involve major and fundamental policy require careful examination and would need to be accepted by other Ministries etc. Even when this has been achieved in respect of these as well as in respect of some other recommendations, workable schemes would need to be drawn up and all the details worked out.

For these reasons, it is proposed to implement the recommendations of the High-Level Committee progressively rather than await the final decision accompanied by concrete schemes in respect of all the 68 recommendations. Insofar as the question of resolving the disparities in the pension granted to personnel retiring on or after the 1st April, 1979 is concerned, I would like to make it clear that there is no such disparity. As a result of the Supreme Court decision, the new pension formula, initially applicable only to those who retired after the 31st March 1979, was also applicable to those pensioners who retired before this date and the latter too are now entitled to pension on a slab basis as are the former. However the actual amount of pension drawn by the pensioners would still differ from individual to individual depending on the precise emoluments at the time of retirement and his length of service.

As far as the relief to Pensioners is concerned, while earlier this was sanctioned

[Shri P. V. Narasimha Rao]

ed to pensioners only after every 16-point increase in the price index as against every 8-point increase in the case of serving personnel, from the 1st of December 1980, relief is sanctioned to pensioners as well after every 8-point increase in the index. Accordingly, relief is now admissible to pensioners and to serving personnel at the same frequency. While prior to the 1st of December 1980, the pensioners were compensated at the rate of 5 per cent of pension subject to a minimum of Rs. 5/- per month and a maximum of Rs. 25/-, the relief is now sanctioned twice as frequently and it is calculated at the rate of 2 per cent of the pension subject to a minimum of 2.50 per month and a maximum of 12.50 per month. I might add that with effect from the 1st of September 1984, on the basis of the recommendations of the High-Level Committee, in its Resolution of the 23rd June 1984, the Defence Ministry has also sanctioned *ad hoc ex-gratia* payment to certain categories of Defence pensioners who retired prior to the 1st of January 1973 at rates ranging from Rs. 10/- to Rs. 25/- per month. This *ex-gratia* relief involves an expenditure of over Rs. 14 crores per year. Honourable Members are aware that the Fourth Pay Commission is also going into the question of DA and relief to pensioners.

As regards the reservation policy for appointments to the Central public sector undertakings and nationalised banks, the reservation is uniformly applicable at 14.50 per cent in the case of appointments to Group C posts and 24.50 per cent in the case of appointments to Group D posts. In endeavouring to achieve the effective utilisation of this reservation in favour of the Ex-Servicemen, various measures have been taken from time to time such as by way of training Ex-Servicemen to effectively compete for these posts, basing of senior officers in the Rajya Sainik Boards and the Zila Sainik Boards and the DGRE instead of in the Employment Exchanges and the intensification of monitoring. Some fur-

ther measures suggested by the High-Level Committee, including *inter alia* its proposal for special placement drives in respect of the Central public sector undertakings and the centralised recruitment of Ex-Servicemen on a zonal or circle-wise basis so as to ensure that adequate numbers of candidates are available for selection and appointment, are also being examined alongwith the other recommendations of the High-Level Committee.

To this, Sir I would like to add that since action has been initiated on most of the recommendations and they are in full swing now, I would probably be in a better position to place more facts before the House in the next session by which time things will become much clearer.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Yes, Mr. Jasswant Singh.

SHRI JASWANT SINGH (Rajasthan): Sir, I appreciate what the honourable Minister has said and I quite appreciate the extraordinary circumstances followed the presentation of this Report. I am also mindful of the difficulties which the Government is faced with. Nevertheless I would like to emphasise that this was the first time in independent India that a Committee had been constituted to look specifically into the problems of Ex-Servicemen. And largely on account of an energetic Chairman and a committed Chairman and a very energetic work, as has been pointed out by an earlier speaker, really stipulated period. Now it needs to be said that as much time has been spent by the Government in scrutinizing the Report as was spent in preparing it.

I started by saying that I am appreciative of the extraordinary circumstances which came into being after the presentation of the Report. One historical fact has to be highlighted at this juncture. The Supreme Court judgment did a great deal of damage in raising expectations unnaturally. The constitution of this Committee was largely on account of

these heightened expectations. The heightened expectations were about pensions. Pensions are the key to the whole ethos of the welfare of Servicemen. Now, the point I am trying to make is that the whole thrust of the Report of the Committee, of which I had the privilege of being a member the whole thrust of the Committee's Report would be dissipated necessarily and naturally if, as the hon. Minister has described, it has to be spread out between States and inter-departmental committees and various other committees to examine it all over again. At the time of preparing the Report we did go through this entire exercise. We did have consultation with each of the concerned Ministries, and it was only following upon those consultations that the Committee in its wisdom finalised its proposals. Therefore, by repeating the whole exercise all over again, the thrust of the Committee's report would be lost.

Sir, I would just like to take one of two minutes, because I have specific queries to make. I am sure the hon. Minister is mindful of the fact that very urgent attention is needed to take decision on this Report because the problem of ex-Servicement has a quantum growth. It grows at a level of around 70,000 human beings per annum which, if you reduce it, you will find is nearly one per hour. One ex-Serviceman is being sent out of service every hour. Almost, even while we are debating this question here one goes home and since the ordering of this Committee, 70,000 have gone home.

Then price rise and inflation is neutral to how many retiring members and with what frequency they retire. There is a direct nexus in speedy redressal of ex-Servicemen's grievances with the morale of serving personnel, because we have recommended in the Committee itself that the whole question of ex-Servicemen be formalised by its inclusion in the Seventh Five Year Plan. That also lends a certain urgency to the matter. I would, therefore, ask two or three questions.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Ask questions.

SHRI JASWANT SINGH: One is, the hon. Minister said that there were certain decision which are within the purview of the Ministry of Defence itself to take. Which are those decisions which have been taken?

SHRI P. V. NARASIMHA RAO: It is a long list.

SHRI JASWANT SINGH: I appreciate. As long as you are satisfied that you have taken them. Sir, there was also a summary along with these recommendations of the Committee because we were mindful that the decisions were going to be spread out. Have you taken into account that summary? Have you taken into account a hierarchy of priorities which is in that summary, which is most urgently necessary and which can await decision, so that the decision-making process, which is diffused, is taken in accordance with a plan which the Committee had taken into account? We had taken into account the fact that the Government would take time in working these things out and, therefore, we had given our priorities.

Finally, Sir, just two things. You rightly pointed out that we have to consult the States. Here is a basic anomaly. When the ex-servicemen are employed by the federal Government, their subsequent welfare and looking after is the responsibility of State Governments. The Committee had gone into this aspect. The federal government employs them whether in the Army or the Navy or the Air Force and upon being discharged, upon going home, they then become the responsibility of the respective State Governments. There is a very unfortunate and a very unjust disparity in the treatment that is subsequently meted out to these ex-servicemen depending on from which part of India they come. Mindful of this inbuilt dichotomy, the Committee had recommended that a move be made for a federal legislation so that the subject could either be treated as Concur-

[Shri Jaswant Singh]

rent or rationalisation brought about on this aspect. Has the Government applied its mind on that? As the whole question was really central to pension rationalization, the Committee had recommended one rank: one pension. What is the status of that recommendation of one rank: one pension?

**SHRI S. W. DHABE (Maharashtra):** Mr. Vice-Chairman, Sir, it is a very important question about the welfare of ex-servicemen. As rightly pointed out by my colleague, the subject should be either in the Concurrent list or in the Union List, because the welfare of ex-servicemen is primarily the responsibility of the Central Government that their employees are given proper facilities. Therefore, a legislation is important.

In this connection, I want to point out two difficulties which I am experiencing helping the ex-servicemen. Firstly, in the employment exchanges there is no separate list maintained for employment of ex-servicemen. If they want employment, they have to be routed through the District Sainik Boards. In the Employment Exchange the position is that whosoever knows about the vacancy gets it immediately and his reservation quota is not fulfilled. May I suggest to the hon. Minister who is very much interested in the welfare of these ex-servicemen that a separate Employment Exchange be opened for the ex-servicemen to fill their quota? Otherwise what happens is that the recommendations of the District Sainik Boards are not called for at the district level and when they know about it, the vacancies are already exhausted.

The other point is that especially in Nagpur I find that Major Generals and other ex-servicemen and others have entered into business. One of the business is that of providing Security Guards. Now, the Indian Oil Corporation and other corporation which were having internal security guards are now giving the contract to Major Generals or other officers. When they employ their own security

guards, they get paid Rs. 800 per month. When the contract is given to an organisation of ex-servicemen or to an individual, they give only Rs. 400 per head and they in turn pay only Rs. 200 or Rs. 250 to the workers who are supposed to guard the important installations. Therefore, this exploitation which is done by the management of the public sector undertakings is resulting in industrial unrest. Well, the Contract Regulation Act is there which provides that they should be given the same rate and the workers should get the same wages. Commission should also be paid. May I suggest to the hon. Minister that wherever the business of security guards is given to ex-servicemen by the public sector undertakings, they must follow the law of the land? He should see that not only wages but appropriate commission is paid to these persons so that they can get reasonable and adequate remuneration for their maintenance. These are my two points.

**SHRI P. V. NARASIMHA RAO:** I am very grateful to the hon. Members for the suggestion they have made. I have almost touched upon all the points. One point which was made was about consultations. I would like to assure Mr. Jaswant Singh that we are not going to make *de novo* consultations which the Committee has made. It is only on the implementational side that consultations will have to be made. They will be asked what they propose to do and how they propose to do it. So, these consultations will naturally be different, and these are as necessary as the other consultations are. Without this, nothing will go.

Then, Sir, about legislation and other matters which I have already dealt with, they will be examined. And as I said earlier, after two or three months when we meet again, I will be able to give you a more comprehensive report of what has been done and, I hope, by that time most of these matters would have come to a stage where I would be able to report on them. About the question whether this has to be included in the Concurrent List or the Union List, this again is a matter of legislation; we will have to go into it. But it will be

appreciated that where it is a matter of land, you cannot possibly keep land in the Concurrent List or the Union List. You will have to go willy-nilly to the State Governments. Instead of actually grabbing this power and putting it in the Union Government. What we have to do is to motivate the State Governments. After all, these people were born there. They are naturally the responsibility of the State Governments as much as they are of the employer, that is the Union Government. So, it is a matter of realisation. I have the experience of having given top priority to the Ex-Servicemen. We had some difficulties in my State. But we got over those difficulties. Actually, we brought the Ex-Servicemen to top priority in our own legislation. It is not impossible. They will certainly be able to do. And what I propose...

SHRI S. W. DHABE: You can involve the State Governments.

SHRI P. V. NARASIMHA RAO: That is what I am saying. It is a matter of persuading the State Governments. We must appreciate under what pressure they are working in respect of land. There are so many other conflicting claims. And in spite of those claims, they have to give some kind of priority to Ex-Servicemen. They have their limitations. But after appreciating their limitations, they also have to appreciate that Ex-Servicemen are not exclusively the responsibility of the Union Government since they belong to that State. We are not asking ex-Servicemen to be taken to the States other than where they hail from. They are their own people. And they can be certainly given jobs, given whatever concessions that are needed, and the State Government will profit from it. It is not charity. It is to their own advantage to give all these facilities to ex-Servicemen. And this is what I have tried to impress on the Chief Ministers. I have written to them, and I am going to pursue the matter with them.

So, Sir, at the moment, I have nothing more to add. We are of the same view that Ex-Servicemen's matters should re-

ceive the priority and the attention they deserve. And strictly speaking, this HLC report does not deal directly with pensions. But since the matter has come up, I have placed before the House what we have done, what has been done in the matter of pensions also. I can say to the hon. Members that this is not the end of the road. You can go on giving me whatever suggestions you have. If you have any difficulty at any place or in any Undertaking, we will certainly look into that. So, this is a matter which has to be an on-going process and I invite hon. Members to co-operate with the Government and give us the benefit to their experience and their ideas. Thank you, Sir.

#### MESSAGES FROM THE LOK SABHA

##### I. The High Court and Supreme Court Judges (Conditions of Service) Amendment Bill, 1985

##### II. The Coinage (Amendment) Bill, 1985

SECRETARY-GENERAL: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha :—

(I)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the High Court and Supreme Court Judges (Conditions of Service) Amendment Bill, 1985, as passed by Lok Sabha at its sitting held on the 15th May, 1985.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

II

"In accordance with the provisions of rule 96 of the Rules of Procedure and