

# RAJYA SABHA

Friday, the 13th August, 1982/22nd  
 Sravana, 1904 (Saka)

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

## RE. STATEMENT OF PRIME MINISTER'S VISIT TO THE USA

MR. CHAIRMAN: Question No.  
 461.

SHRI SHIVA CHANDRA JHA  
 (Bihar): Sir, I have to make a sub-  
 mission.

MR. CHAIRMAN: Nothing comes  
 before Question Hour.

SHRI SHIVA CHANDRA JHA:  
 Concerning the agenda on the basis  
 of which work should start here,  
 there is no mention anywhere about  
 the statement to be made by the Mi-  
 nister of External Affairs on the  
 Prime Minister's visit to the USA.  
 Why is it not there in the List of  
 Business while there is an item to be  
 made by Minister on the management  
 of Haldia Dock Complex. It was an-  
 nounced two days ago that the Minis-  
 ter of External Affairs will make a  
 statement today. I want to know why  
 it has not been included here.

MR. CHAIRMAN: A supplement-  
 ary list has been issued.

SHRI SHIVA CHANDRA JHA:  
 This is the supplementary list; no-  
 where it is there.

MR. CHAIRMAN: You can come  
 and see me in my Chamber. I cannot  
 discuss these things here.

SHRI SHIVA CHANDRA JHA:  
 Why in the Chamber? But after all  
 you are the highest authority here  
 concerning the rules. Unless you de-  
 cide something how can we know?

MR. CHAIRMAN: Mr. Jha, no-  
 body can interpret the rules when  
 someone bursts them on him at the

last minute like this. Why didn't you  
 see me in the Chamber. I was sitting  
 there for half an hour. I would have  
 answered your query.

SHRI SHIVA CHANDRA JHA:  
 Why should I come to your Chamber  
 to know about the rules?

MR. CHAIRMAN: If you had  
 drawn my attention in my Chamber  
 earlier, I would be prepared to hear  
 you but not during the Question  
 Hour.

SHRI SHIVA CHANDRA JHA:  
 How will others know, how do we  
 know?

MR. CHAIRMAN: Nothing else  
 will be recorded.

SHRI SHIVA CHANDRA JHA: \*

## ORAL ANSWERS TO QUESTIONS

MR. CHAIRMAN: Question No.  
 461.

### Relay fast by the All India Kendriya Vidyalaya Teachers' Association

\*461. SHRI KALRAJ MISHRA:  
 Will the Minister of EDUCATION be  
 pleased to state:

(a) whether it is a fact that All  
 India Kendriya Vidyalaya Teachers'  
 Association had staged a thirteen  
 day Relay Fast in March, 1982 to  
 press their six-point demands and  
 had observed May Day as Unity Day  
 by proceeding on mass casual leave;

(b) whether it is also a fact that  
 the Kendriya Vidyalaya Teachers  
 who participated in Relay Fast and  
 Unity Day have not been paid their  
 salaries for four days; and

(c) whether Government are re-  
 considering the matter in the light of  
 Association's representations?

\*Not recorded.

THE DEPUTY MINISTER IN THE MINISTRIES OF EDUCATION AND CULTURE AND SOCIAL WELFARE (SHRI P. K. THUNGON): (a) The All India Kendriya Vidyalaya Teachers' Association staged a relay fast from March 11, 1982, at New Delhi. A number of teachers also applied for casual leave for May 1, 1982, to press their demands.

(b) Token cuts of salary were effected for unauthorised absence.

(c) No, Sir.

श्री कलराज मिश्र : श्रीमन्, मंत्री जी ने जवाब दिया है कि चूंकि शिक्षकों ने अनश्रयोराइज्ड लीव ली इस कारण उनका जो चार दिन का वेतन है वह काट दिया गया। मैं यह जानना चाहता हूं कि क्या केन्द्रीय विद्यालय संगठन के अखिल भारतीय शिक्षक संघ की तरफ से कुछ मांग-पत्र दिये गये थे और मंत्रालय ने उस पर सहानुभूतिपूर्वक विचार करके स्वीकार करने की बात भी कही थी और कुछ मामलों में स्वीकृति भी प्रदान की गई थी कि कई मांगें हमने स्वीकार कर ली हैं? जब उन्होंने इस तरीके से दबाव डाला तब इस प्रकार की बात आई। मैं यह पूछना चाहता हूं कि क्या अपनी मांगों को मंगवाने के लिए शिक्षकों ने शांतिपूर्ण तरीके से क्रमिक अनशन और हड़ताल का रास्ता अपनाया तो क्या आप उसके औचित्य को अस्वीकार करेंगे? यह तो उनका अपना मौलिक अधिकार है और शांतिपूर्ण ढंग से लोकतंत्र के अन्दर उस अधिकार से वंचित करना, क्या इससे उनकी सेवा पर इसका असर नहीं पड़ेगा? मैं समझता हूं कि अगर आपने ऐसा किया है तो लोकतंत्र के अन्दर जिस प्रकार से सारी चीजें चल रही हैं उसमें यह ठीक नहीं है, उनको इस प्रकार से वंचित नहीं किया जाना चाहिए। क्या आप इस संबंध में विचार करेंगे? यह मेरा पहला सप्प्रीमेंटरी है।

SHRI P. K. THUNGON: Sir, I am not of the view that we are punishing teachers' because, we are aware that teachers are the moulders of future generations. We have always regard and respect for them. And we always try to look into their problems very sympathetically.

As regards the particular question which the hon. Member has posed, in respect of this particular association, through you, Sir, for the information of the House, I would like to state the chronological events. This Association, in fact, is not yet formally recognised. It is only a ~~de~~ facto recognition. Even then, we have been dealing with them. It is because, the teachers are the moulders of...

MR. CHAIRMAN: The question was somewhat different, if I may....

SHRIMATI SHEILA KAUL: Let him speak.

MR. CHAIRMAN: The question was somewhat different (*Interruptions*)

SHRI P. K. THUNGON: I am coming to the point.

MR. CHAIRMAN: The question was... (*Interruptions*) श्रीमती कौल आप इसका जवाब दे रही हैं या आप दे रहे हैं। I am afraid, the question was very different. He did not want all these details. He wanted a particular information Mr. Kalraj Mishra, will you repeat the question?

श्री कलराज मिश्र : मैंने आपसे जवाब चाहा है कि इन्होंने जो शांतिपूर्ण तरीके से अपनी मांगों को मनवाने के लिये अनशन और हड़ताल का जो आश्रय लिया उसमें आपने उनको चार दिन के वेतन से वंचित कर दिया। तो मेरा यह कहना है कि लोकतंत्र के

अन्दर इस प्रकार के शांतिपूर्ण तरीके से अगर अपनी मांगों को मनवाने की दृष्टि से शिक्षा जगत में इस तरह के काम करने वाले लोग अगर अपनी चीजें रखते हैं तो क्या यह गलत है ? अगर आपने इस तरह का ऐक्शन उनके विरुद्ध लिया है तो यह क्या उनके प्रति अन्याय नहीं है ?

**SHRI P. K. THUNGO:** Sir, in fact, the teachers had not taken leave only for four days. Some of the teachers had taken leave for more than four days. But we have been lenient to them and that is why, only for the unauthorised leave, their salaries have been cut. In regard to those who had applied for casual leave for the purpose of agitation, we have not been able to consider theirs as authorised leave. In regard to those who had applied for some other reasons, casual leave for some other reasons, but who had joined this agitation, of course, we have not taken any action against them. We have leniently granted casual leave to them. There is also a third category of teachers on whom we have imposed some kind of penalty; those who had not informed the authorities concerned at all, remained absent and joined the agitation. In their case, we have regarded their leave as unauthorised. In this regard, I would like to say that the view of the hon. Member that the teachers had staged a peaceful dharna or a hunger strike and that we are trying to impose penalty on them for their democratic agitation, does not hold water, because, though we have been very sympathetic and we are for any democratic and peaceful agitation, at the same time, they should remember that they have to be responsible Government employees.

**श्री बलराज मिश्र :** श्रीमन्, मेरे प्रश्न का उत्तर प्राप्त नहीं हुआ । फिर भी मैं अपना दूसरा प्रश्न पूछना चाहता

हूँ । पहले सवाल में मैंने यह भी कहा था कि इन्होंने जो अनशन किया था अपनी 6 मांगों को लेकर, उसके पहले भी हमने इस डिमांड के बारे में सवाल पूछा था अन्स्टांड क्वेश्चन था 26 फरवरी का । उसमें जो उत्तर प्राप्त हुआ था उसमें यह कहा गया था कि उनकी प्रौन्नति का जो क्रम है, जो प्रमोशन का कोटा है, उन्होंने मांग की थी कि 25 प्रतिशत से बढ़ाकर उसको 75 प्रतिशत कर दिया जाए । आपने 25 प्रतिशत से बढ़ाकर 33 प्रतिशत करके उनको प्रमोशन का कोटा दिया है और उसी समय उन्होंने जब सैलेशन ग्रेड के बारे में बात की थी तो आपने कहा कि केन्द्रीय विद्यालय संगठन के अध्यापकों को प्रवरण ग्रेड उसी आधार पर दिये जाते हैं जैसे दिल्ली प्रशासन तथा अन्य संघ शासित प्रदेशों के अध्यापकों को दिये जाते हैं । श्रीमन्, मैं यह जानना चाहता हूँ कि केन्द्रीय विद्यालय संगठन के टीचर्स को यह कहा जाता है कि दिल्ली प्रशासन के द्वारा जो टीचर्स को सुविधायें दी जाती हैं या जो वेतन क्रम उनके हैं उसी हिसाब से केन्द्रीय विद्यालय संगठन के टीचर्स को भी दिये जायेंगे । लेकिन जब प्रमोशन कोटा की बात आती है तो दिल्ली ऐडमिनिस्ट्रेशन के द्वारा जो टीचर्स के कोटे हैं वह 75 परसेंट हैं तो फिर इस प्रकार का डिस्ट्रिबुशन उनके साथ क्यों किया जा रहा है ? क्या उनका प्रमोशन कोटा भी दिल्ली ऐडमिनिस्ट्रेशन के टीचर्स के समान ही करने की कोशिश करेंगे ? जब केन्द्रीय विद्यालय संगठन के टीचर्स को और दिल्ली प्रशासन के टीचर्स को समान स्तर पर रखते हैं तो इस सम्बन्ध में मैं जानना चाहूंगा कि इसमें कौन सी दिक्कतें पैदा आ रही हैं ? क्या परेशानियां हैं ? हर स्तर पर आप दिल्ली का उदाहरण देते हैं लेकिन

प्रमोशन के कोटे में आप इनको क्यों नहीं रखते हैं ? इसमें डिस्ट्रिक्मिनेशन क्यों है ?

श्री सभापति : वह आपने कह दिया है, बैठ जाइये ।

SHRI P. K. THUNGON: It is a fact that earlier the promotion quota was 25 per cent only. As a result of the negotiations with the teachers' association it was agreed to raise their promotion quota from 25 per cent to 33-1/3 per cent. After that we have tried to fill up the quota from amongst the eligible teachers and the matter is under process.

SHRI SYED SHAHABUDDIN: Mr. Chairman, Sir, my question also relates to the operation of the promotion quota because I think the Minister's answer is not quite clear. The Minister has said and it is a fact that the quota has been increased for promotion from the level of TGTs (trained graduate teachers) to the PGTs (post-graduate teachers) from 25 per cent to 33 per cent. What is not clear is, how this percentage is to be worked out, whether this is a percentage of the vacancies that arise in a given year at the higher level or whether it is a percentage of the total number of posts at the higher level, that is to say, the total number of posts of post-graduate teachers in the system. Secondly, he talked about the lack of eligible teachers. I would like to know, what are the conditions of eligibility in terms of qualifications in terms of training or in terms of experience. Thirdly what is the method of selection? As you know, Sir, the normal method in the Government is either seniority-cum-fitness or seniority-cum-merit. So, there are three parts of the question, that is, how the percentage for promotion quota is to be worked out, whether it is a percentage of vacancies or number of posts what the conditions of eligibility are and what the method for promotion is.

श्री P. K. थुंगन :

SHRI P. K. THUNGON: Sir, the percentage of promotion is from the number of vacancies available. As regards the second part of the question—i.e. conditions for promotion from one post to another—it is prescribed in the case of promotion from primary teachers to TGTs, from TGTs to PGTs. Those vacancies which are already available, even those we have not been able to fill up. One reason is that due to administrative problems, the collection of some CRs has not been so speedy. We are trying to speed it up. That is one of the reasons why these have not been filled up. After receiving all those CRs, the selection will be made accordingly and then we will be able to fill up those vacancies. And the other aspect is that the vacancies which are reserved for promotion of existing teachers are carried forward. In case they are not filled up, they are carried forward and the teachers who are likely to be promoted are not losers.

SHRI SYED SHAHABUDDIN: Neither the second nor the third part of the question have been answered.

MR. CHAIRMAN: I am afraid you will have to take the answer as it is coming.

SHRI SYED SHAHABUDDIN: What are the conditions and the qualifications required for promotion?

MR. CHAIRMAN: You had asked whether it would be on seniority tempered by merit or by merit alone.

SHRI SYED SHAHABUDDIN: He has not answered the basic question: what is the minimum qualification required for a TGT to become a PGT? What is the minimum qualification required and what is the minimum experience required?

SHRI P. K. THUNGON: The qualification required for a TGT is graduation with B.Ed.

SHRI SYED SHAHABUDDIN: Not for a TGT but to be promoted to PGT what is the requirement?

**SHRI P. K. THUNGON:** Post graduate qualification will be applicable.

**PROF. SOURENDRA BHATTACHARJEE:** Perhaps the first question was side-stepped by the Minister in the sense that they are giving retrospective effect to the ideas of the ruling party. It has been maintained that teachers, though very respectable persons, should not resort to any form of movement and therefore since they resorted to this movement, and as these teachers are at the same time Government servants, certain penal actions have been taken. In this connection, my specific question is, he wanted to give a chronology of events which he did not. I would like to have that chronology. For how long the Kendriya Vidyalaya Teachers Association, which has, by his statement, a *de facto* recognition, though not *de jure* recognition, has been demanding or agitating for their 6-point charter of demands and what are the actions taken by the Government, or not taken by the Government, which resulted in these teachers resorting to a very innocuous form of movement, like hunger-strike, that is, inflicting suffering on themselves, and at the same time taking mass casual leave on a particular day out of their leave at credit? What are the steps which have been taken or construed by the Ministry to be a form of movement which is not in consonance with democratic principles or which are against the ethics of the teaching community?

**MR. CHAIRMAN:** Now you can read your chronology. If I may say so, it was irrelevant at that time.

**SHRI P. K. THUNGON:** Thank you, Sir. Now I will state that. Sir, the total number of demands of teachers in this regard was 37. Out of 37 demands we have acceded to 28 demands and four more demands have been partially accepted.

**PROF. SOURENDRA BHATTACHARJEE:** For how long have they been pending?

**SHRI P. K. THUNGON:** I am coming to that; I will tell you that also. Four more demands were partially accepted and some are under consideration. So far as this movement is concerned, they started it from last November. In fact, they have been threatening a hunger strike and they went on a hunger strike and so on and so forth. Sir, within the last eight months they had ten sittings with the Commissioner, with the Chairman, with the Vice-Chairman, with the Minister and with the Deputy Minister. As regards their demands, I have stated that many of them have been acceded to. In fact, we have been very lenient in this regard. For instance, in November, the orders for pay cuts were reviewed and no pay cuts were made at that time. Then, in March 1982, we had effected only a token cut of salary and we have not ordered any break of service. Only we have made some token cuts in their salaries. In fact, while resorting to such agitations, if punishment is given, such a lenient view would not have been taken. There could have been a break of service also.

**PROF. SOURENDRA BHATTACHARJEE:** Casual leave cannot lead to break of service.

**MR. CHAIRMAN:** I don't think we can go on with this.

श्री जगदीश प्रसाद माथुर : श्रीमान, मंत्री महोदय ने जवाब देते हुए कहा कि उनकी ब्रेक आफ सर्विस नहीं मानी जा रही है। मैं मंत्री महोदय का ध्यान आकर्षित करना चाहता हूँ कि पहले नियम यह था कि अगर कोई, ऐसी हड़ताल करे और उसको सजा दी जाये तो जिसकी ब्रेक आफ सर्विस होनी होती थी उसकी इन्ट्री की जाती थी। अब यह आटोमैटिक है। ब्रेक आफ सर्विस आटोमैटिक होगा और ब्रेक आफ सर्विस न हो इसके लिए हर एक के कैरेक्टर रोल पर लिखा जायेगा कि

ब्रेक आफ सर्विस नहीं की जायेगी। तो मैं पूछना चाहता हूँ कि क्या मंत्रालय ने इंस्ट्रक्शन दिये हैं कि अफसर जो कन्सर्न्ड हैं वह हर एक के ऊपर लिखेंगे कि ब्रेक आफ सर्विस नहीं होगी। क्योंकि यह आटोमैटिक होगा, पहले का रूल बदल गया है।

**SHRI P. K. THUNGON:** So far as the Ministry is concerned, Sir, I have stated already that the pay cut has been caused but there will be no break of service.

**SHRI JAGDISH PRASAD MATHUR:** I am drawing your attention to the new rule. Earlier on, only on specific orders, that so and so's services are to be taken as break of service, it used to be done. Now it is automatic. Unless the officer says, in writing that it will not be an automatic break of service, for every individual, every individual is affected. Have you instructed them? (Interruptions)

**SHRI HARI SHANKAR BHABHA:** Sir I was the first man to raise my hand.

**MR. CHAIRMAN:** First or last does not matter. Mr. Manubhai Patel and then, you.

**SHRI MANUBHAI PATEL:** I am asking this question with some knowledge of the working of the Central Schools Organisation: I worked on its Governing Body from its inception. For five or six years I was there on its Governing Body, as a non-official member, when I was in the Lok Sabha. When it was started, it was under the recommendations of the Fourth Pay Commission so that the children of the Central Government staff, who go on transfers, should not suffer. That is why this Central Schools Organisation was created. But when it was created, it started with a very small number. It went up

to 100 schools and now the number is nearly 300 or so. So the administration has become top heavy and it is not possible for such sort of organisation to look after the problems of so many Central Schools scattered all over the country in different States and in the forward areas of military, Air Force, etc. So, may I know whether the hon. Minister would like to consider this question in order to solve this problem permanently? I know that Education is a State subject, but, at the same time, with the condition to maintain the same pattern of the Central School Organisation, it is affiliated with the Central Board of Examinations. I would like to know whether the Government would like to transfer these schools to the State organisation in their respective States so that in a decentralised manner all these problems could easily be solved and there would be no trouble in future.

**SHRIMATI SHEILA KAUL:** Sir, I am very happy that this question has been put because I will be in a position to clarify so many doubts. Our Central Schools are spread all over India and their number has gone up to 364. We have got a central office where the Commissioner is in charge of all these schools and then we have got the regions. In each area, there is an Assistant Commissioner who looks after one area. Like this, these areas are spread all over India. We have a direct contact with these schools through our sub-offices which are spread all over India. If we were to give over these schools to the States, the standard of these schools which is supposed to be better than theirs would naturally come down to the standard of the State schools. There is such a demand for admission on these schools. For instance, even in Delhi, where there are 17 Central Schools, all the people here, even those parents whose jobs are non-transferable, want that their children should be put in the Central Schools and it creates a problem for us when hon. Members give suggestions that they be put in these schools. We are trying to

get more schools all over India; and it is our policy to increase the number. But, if we were to give away these schools to the States, as I mentioned earlier, I am afraid their standard may perhaps be like the standard of the State schools.

MR. CHAIRMAN: Last question. Mr. Bhabhra.

SHRI MANUBHAI PATEL: What is the difficulty when the curriculum is the same?

श्री हरी शंकर भाभड़ा : सभापति महोदय, मंत्री महोदय ने यह कहा है कि वह अध्यापकों का विक्टिमाइजेशन नहीं कर रहे हैं। उन्होंने यह भी कहा है कि उनकी कुल इकत्तीस मांगों में से सत्ताईस ... (व्यवधान)

श्री सभापति : तेईस ... (व्यवधान)

श्री हरी शंकर भाभड़ा : तेईस मांगें उन्होंने स्वीकार कर ली हैं। मैं उनसे पूछना चाहता हूँ कि उनकी जो कुल मांगें हैं, उनमें एक मांग क्या यह भी है कि ट्रांसफर के मामले में सरकार समान नीति को अपनाए ?

मान्यवर, विक्टिमाइजेशन का मेरे पास एक केस है जो मैं देना चाहता हूँ। यह कोई जे० आई० खान, टीचर है, जो झांसी में दस साल से टीचर थी, उसका ट्रांसफर किया गया बेबीलोना, ... (व्यवधान) बबीना में।

श्री सभापति : बेबीलोनिया तो खत्म हो चुका है कब का।

SHRI HARI SHANKAR BHABHRA: That is Babina, not Baby-lonia.

श्री सभापति : अब तो वह इराक का ... (व्यवधान)

श्री हरी शंकर भाभड़ा : बबीना ट्रांसफर की गई, लेकिन उसको वहां ज्वाइन नहीं करने दिया गया, जिसकी वहां से ट्रांसफर हुई थी, वह रितीव नहीं हुआ। तब उसकी ट्रांसफर हुई ग्वालियर। वह ग्वालियर गई, उसको वहां भी ज्वाइन नहीं करने दिया गया। उसको न अभी तक तनख्वाह मिल रही है और न टी ए, डी ए मिल रहा है और अब उसका ट्रांसफर कर दी गई है पंचमड़ी, जबकि वह झांसी में थी, झांसी में वह आठ-नौ साल से थी और अब भी वहां 15-20 साल से बहुत लोग बड़े हुए हैं जिनकी ट्रांसफर नहीं की गई है। लेकिन इस महिला को जगह-जगह पर घुमाया जा रहा है, न उसकी सैलरी दी जा रही है, न उसको टी०ए० और डी ए० दिया जा रहा है।

तो इससे यह बात स्पष्ट है कि सरकार कोई भी समान ट्रांसफर की नीति पर काम नहीं कर रही है। यह मांग इस एसोसिएशन ने आपके सामने की है क्या और इस मांग को क्या आप स्वीकार कर रहे हैं? और स्वीकार कर रहे हैं तो उस में यह जो घटनाएँ हुई हैं इस प्रकार की घटनाओं को रोकने के लिये आप कौन से कदम उठा रहे हैं?

श्री पी० के० शुक्ल : सदस्य महोदय ने जो इंडिविजुअल केस के बारे में बताया है उसके लिये तो मैं उन से अर्ज कलंगा कि वे मुझे सेपरेटली नोटिस दे दें तो मैं उन को इस बारे में अच्छी तरह से जवाब दे पाऊंगा। और विक्टिमाइजेशन के बारे में सदस्य महोदय ने जो कहा है, मैं यह दोहराना चाहता हूँ कि हम टीचर्स का विक्टिमाइजेशन नहीं करते हैं। जो कुछ तनख्वाह काटी गयी थी वह इस लिये काटी गयी है कि जिस हद तक उन को जाना चाहिए

था उस से ज्यादा वह अनभयराइज्ड तौर पर गये हैं। जो ऐसे लोग हैं उन की ही तनख्वाह काटी गयी है और मैं यह भी आप के जरिये कहना चाहूंगा कि जब हम टीचर्स के प्रति सहानुभूति रखते हैं तो उस के साथ-साथ यह भी उन को याद दिलाना चाहते हैं कि हमारा असली काम जो है वह बच्चों को पढ़ाना है और उन के इंटेरेस्ट को नम्बर एक पर रखना है।

**SHRI HARI SHANKAR BHABHRA:** What about a uniform policy on transfer? That is the main question. Have they accepted this demand or not? I simply cited an example.

श्री. पी. के. युंगन: इस के बारे में बता चुका हूँ कि उन की डिमांड में से वह एक डिमांड थी, लेकिन ट्रांसफर के लिये जो एक रेशनल पालिसी है वह आलरेडी हमारे डिपार्टमेंट में है, इस संगठन में है और इस लिये उन के साथ बातचीत भी हुई थी। वह लोग मेरे खुद के पास आये थे, और बातचीत की थी और बातचीत के बाद हमने यह भी कंसीडर किया था कि कहाँ तक उनके सुझाव माने जा सकते हैं और कहाँ तक नहीं माने जा सकते हैं।

\*462. [The questioner (Shri M. Kalyansundaram) was absent. For answer vide cols. 32—34 infra]

\*463. [The questioner (Shri Rameshwar Singh) was absent. For answer vide cols. 32—34 infra]

Draft Protocol sent to Pakistan

\*464. **SHRI HARVENDRA SINGH HANSPAL:**  
**SHRI DHULESHWAR MEENA:**

Will the Minister of **EXTERNAL AFFAIRS** be pleased to state:

(a) whether India has sent to Paki-

†The question was actually asked on the floor of the House by Shri Harvendra Singh Hanspal.

stan the draft protocol on reciprocal exchange of information, consular access and modalities for the release and repatriation of nationals of either country detained in the other;

(b) if so, what are the broad outlines thereof;

(c) what is Pakistan Government's reaction thereto; and

(d) by when the exchange of detainees is likely to take place particularly the Indian Defence personnel in the custody of Pakistan who are languishing in their jails?

**THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA-RAO):** (a) Yes Sir.

(b) The draft provides for exchange of information on and consular access to nationals of one country detained, arrested or imprisoned in the other.

(c) Pakistan Government's reactions to our draft are still awaited.

(d) Government of India have repeatedly taken up with the Government of Pakistan the issue of the release and repatriation of Indian nationals detained in Pakistan. The process is likely to be expedited by the exchange of information on and consular access to the detenus/prisoners as suggested in our draft protocol. Special efforts are being made for release and repatriation of Defence personnel. A fresh set of photographs and personal particulars have been forwarded to the Pakistan authorities who have agreed to make efforts to locate the Defence personnel.

श्री हरबेन्द्र सिंह हंसपाल : मंत्री महोदय ने जो जवाब दिया सभी डिफेंस पर्सनल के लिये, वह तो ठीक है लेकिन मैं यह जानना चाहूंगा कि कुछ दिन पहले करीब 10 या 8 आदमी, प्रिजिनर, वहाँ से वापस लाये गये थे और उन की मेंटल कंडीशन बहुत अपसेट थी या वे मेंटली डिस्टर्ब्ड मालूम होते थे। तो ऐसा