

MR. DEPUTY CHAIRMAN: We will now take up the National Service Bill, 1972.

SHRI NAWAL KISHORE: This Bill we have finished in 25 minutes. The next one we will take up after lunch.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2 P. M.

The House adjourned for lunch at fifty-eight minutes past Twelve of the Clock.

The House reassembled after lunch at two of the Clock—MR. DEPUTY CHAIRMAN *in the Chair*.

THE NATIONAL SERVICE BILL, 1972.

MR. DEPUTY CHAIRMAN: Let us now take up the National Service Bill, 1972. Yes, Mr. Pant.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SARI K. C. PANT): Sir, I beg to move:

“That the Bill to provide for the registration of qualified persons and for the rendering of national service by such persons and for matters connected therewith, as passed by the Lok Sabha, be taken into consideration.”

Sir, this Bill was introduced in the present Lok Sabha on the 5th April, 1972. It had been introduced earlier in the Fourth Lok Sabha on the 26th August, 1970. But, with its dissolution in December 1970, the Bill had lapsed. The Bill, as introduced, was passed by the Lok Sabha on the 22nd May 1972.

The main objective of the Bill is to ensure that engineers and doctors are made available in adequate numbers for the defence of our country and for other activities of national importance, such as, family planning programmes and health services for the rural areas, and construction of dams in remote and difficult areas, etc.

In the wake of the Chinese aggression, the Government had formulated a Compulsory Liability Scheme whereby engineers and doctors up to the age of 40 and 45 years respectively, in Government service or in public sector undertakings, were made liable to render service in the Armed Forces or on work relating to defence efforts anywhere in India or abroad for a period of four years. Experience has re-

vealed that the Compulsory Liability Scheme cannot by itself be relied upon to provide sufficient number of doctors and engineers for the Armed Forces of the Union or for other forms of national service. It is, therefore, considered necessary that this liability should be extended to all persons who hold recognised medical qualifications within the meaning of the Indian Medical Council Act, 1956, or a degree in engineering or technology, or both.

It is also felt that the Scheme should cover any kind of national service which the Government may specify and that the Scheme should not be restricted in its scope to defence efforts only. This will have the advantage of widening the base of recruitment to the Armed Forces of the Union and will also help in ensuring that doctors or engineers required for other activities of national importance in civilian departments become available.

The view has been expressed in some quarters that in view of the present availability in abundance of qualified engineers and the fairly easy position in regard to the availability of doctors, there is no necessity for a National Service Scheme, especially in peace time. It has also been contended that in the context of the present unemployment among engineers, the Bill would not serve any useful purpose. I would like to reiterate here that in spite of the fact that over 19,000 graduate engineers are seeking jobs at present, the Ministry of Defence are finding it difficult to recruit engineers in adequate numbers for defence purposes. Similarly, the vitally important programme of extending health and family planning services adequately to the rural areas has been affected because of the considerable shortage of doctors in the primary health centres. As on 30th June, 1971, out of 5,127 primary health centres in the country, 175 had no doctor whatsoever; 2810 centres had only one doctor against the normal sanctioned strength of two doctors. Even in the foreseeable future, difficulties in attracting a sufficient number of doctors to Government service in rural areas are likely to persist. The shortage has occurred in a pattern where one primary health centre caters to 80,000 to 1,00,000 population. The shortage would be further aggravated when the number of primary health centres is increased to ensure a more intensive coverage. The hon. Members are aware that owing to the unwillingness of doctors in some cases to go to rural areas and their tendency to stick to towns, the medical and health cover that we have been

able to provide to rural areas is still very thin. There also exist disparities as between different States. For example, the doctor population ratio for Himachal Pradesh is 13,008; Jammu and Kashmir, 9850; and Nagaland, 9545, as against 5200 for the whole country. As the House is aware, steps are being taken by the Ministry of Health and Family Planning for stepping up the overall availability of doctors, but in the light of experience it seems imperative that in order to ensure adequate provision of medical and health and family planning facilities in rural areas and to remove disparities, some element of compulsion may be introduced.

Sir, I shall now deal with the salient features of the Bill.

The aim of the Bill is to ensure that suitably qualified engineers and doctors are secured for activities which are important from the national point of view. 'National Service' as defined in Clause 2 of the Bill includes not only service with the Armed Forces but any service which is likely to assist the defence of India and civil defence or the efficient conduct of military operations and includes such social services as the Central Government may by notification specify in this behalf.

Clause 3 of the Bill seeks to restrict the period for which qualified persons may be called up for rendering national service to a period not exceeding four years. The liability of qualified person to be called up for national service shall normally come to an end on his attaining the age of thirty years.

The Bill also provides for payment to persons called up for rendering national service of remuneration at a scale which is not less favourable than the remuneration admissible to similarly placed Government employees.

There is no provision for exempting any category of people from liability for national service. However, the person called up for national service can apply to the National Service (Hardship) Committee for postponement of his call-up on grounds that exceptional hardship would result if he is drafted for the national service.

The Bill also provides for appeals to High Court over the orders of National Service (Hardship) Committee. But such appeals have to be certified by the National Committee as involving substantial questions of law. The Bill also imposes certain obligations upon Universi-

ties, educational institutions, District Magistrates and State Governments to provide information about qualified persons liable for national service.

The Bill also provides for constitution of a National Service (Hardship) Committee which will decide on applications for postponement of national service and enforce reinstatement of an employee after completion of the national service.

Clause 36 of the Bill gives power to the Central Government to make rules for carrying out the purposes of the Bill.

Sir, I hope I have been able to explain the purpose and scope of this Bill. May I add that besides ensuring adequate supply of doctors and engineers for the defence of the country and for national development, the proposed legislation can help to keep the country in a state of preparedness as far as the need of these two specialised categories of manpower in any emergency is concerned? This period of service is restricted to only four years. Hon. Members will agree with me that the country does expect that our young engineers and doctors on whose training and education considerable expenditure has been incurred from the State Exchequer, are available for service when the national security and national development so demand.

Sir, I hope that the House will welcome this Bill and accord its approval to the Bill.

The question was proposed.

श्री बी० के० सखलेचा (मध्य प्रदेश) : माननीय उपाध्यक्ष महोदय, यह जो बिल इन्ट्रोड्यूस किया गया है, उसके बारे में कोई दो मत होने का प्रश्न ही नहीं है। एमरजेंसी के अलावा भी हमारी आर्म्ड फोर्सों की सहायता के लिए इन्जीनियर्स और डाक्टर्स की सर्विसेज का उपयोग किया जाय, इसके बारे में दो मत नहीं हैं, लेकिन मेरा जो ऐसा खयाल था कि जहां तक हमारी आर्म्ड फोर्सों का प्रश्न है, उसके लिए पर्याप्त संख्या में इन्जीनियर्स और डाक्टर्स, बिना इस प्रकार का कम्पलेशन किए भी उपलब्ध होने चाहिए थे, क्यों उपलब्ध नहीं हुए, इस बात के बारे में इस कानून के पारित करने के अलावा भी हमें विचार करना चाहिए। आखिर यह देश भक्ति

[श्री वी० के० सखलेचा]

की भावना से सम्बन्ध रखता है। देश की, सुरक्षा की दृष्टि से जब आर्म्ड फोर्स के लिए इन्जीनियरिंग और मेडिसिन के ग्रेजुएट्स की सर्विसेज चाहिए, तो वे क्यों उपलब्ध नहीं हुई? मंत्री जी ने अभी अपने इन्ट्रोडक्टरी भाषण के अंदर कहा कि एक और 19 हजार इन्जीनियर बेकार हैं और दूसरी ओर इन्जीनियर्स की सर्विसेज आर्म्ड फोर्स को प्राप्त नहीं होती। यह बड़े आश्चर्य की बात है। शासन को इस बात को अनुभव करना चाहिए, आखिर क्यों यह भावना हमारे नवयुवकों के अन्दर नहीं होती कि वे इन्जीनियरिंग पढ़ करके बेकार घर पर बैठे हुए हैं, लेकिन सेना के अन्दर सम्मिलित होकर अपनी सेवाएं क्यों नहीं प्रस्तुत करते। केवल आप कम्पलसरी लेजिस्लेशन पास कर लेंगे और उसके द्वारा नोटिस देकर उनकी सर्विसेज भी आप प्राप्त कर लेंगे। लेकिन शासन के लिये विचारणीय विषय यह अवश्य है कि उनको क्यों ऐसा लेजिस्लेशन लाना पड़ रहा है। आपको इसका अधिकार है और सदन आपका इसमें समर्थन करेगा। लेकिन यह बात भी विचार की है कि हमारे नवयुवकों में यह भाव क्यों नहीं है कि वे स्वयं आगे आयें। इसका क्या कारण है कि वे स्वयं की प्रेरणा से सेना में जाकर के भरती नहीं होते? अपनी स्वयं की प्रेरणा से वे इसको अपना कर्तव्य समझ कर, अपना उत्तरदायित्व समझ कर, क्यों नहीं इस काम में भाग लेते, इस बात पर विचार करना चाहिए। इसके अगर कारण हम खोजेंगे तो हम पायेंगे कि हमारे यहां की जो शिक्षा प्रणाली है, उसमें हमारे नवयुवकों को इस संबंध में जो प्रेरणा मिलनी चाहिए, वह नहीं मिल पाती है। इसके अतिरिक्त जिन बातों से उत्साह या प्रेरणा पैदा होती है, उनकी ओर ध्यान नहीं दिया जाता है। फिर देश भक्ति की जिन भावनाओं को हमें तैयार करना चाहिए, उनके बारे में हमारे शासनारूढ़ दल का जो व्यू है वह यह है कि वह केवल लड़ाई के समय में इस भावना को जाग्रत करने की आवश्यकता समझता है और बाकी शांति के दिनों में वह इस बारे में चिंता नहीं करता। सेक्युलैरिज्म

की बाढ़ में वह करके हमारी जो शिक्षा संस्थाएं हैं, वे केवल अपने ढंग से ही पढ़ाती रहती हैं, चाहे मेडिकल कालेज में हों या इन्जीनियरिंग कालेज में हों। आज आवश्यकता यह है कि हर जगह नवयुवकों के हृदय में देश भक्ति का भाव जाग्रत किया जाय और वे यह समझें कि हमारा सबसे पहला कर्तव्य यह है कि देश की सीमाओं की रक्षा की जाय। लेकिन इस दृष्टि से कोई काम नहीं किया जाता, कोई प्रयास नहीं किया जाता। हमारी शिक्षा का जो तरीका है उसमें मूलभूत आवश्यकता यह है कि प्रत्येक नवयुवक के हृदय में देश भक्ति का भाव जाग्रत हो और वह देश के लिए सर्वस्व न्योछावर करने को तैयार हो। अभी इस प्रकार की भावना का निर्माण करने का कोई प्रयास हम नहीं करते और उसके कारण हमें यह दिखाई देता है कि इस समय जहां एक ओर 19 हजार इन्जीनियर बेकार हैं, वहां दूसरी ओर आर्मी के लिए हमको इन्जीनियर्स चाहिए और उसके लिए हमें इस प्रकार का बिल लाना पड़ रहा है। दूसरे इस बिल के बारे में मुझे एक आपत्ति है। जहां तक प्रश्न है कि आर्मी के लिए इन्जीनियर्स चाहिए, डाक्टर्स चाहिए और एंसीलियरी परपोजेज के लिए लोग चाहिए, उसके लिए आप जरूर बिल पेश कीजिए, लेकिन जो नेशनल आब्जेक्टिव्स हैं, उसको डिफाइन नहीं किया गया है जैसे आपने कहा कि फैमिली प्लानिंग के लिए चाहिए, बार्डर्स पर डैम का काम करना है, उनके लिए इन्जीनियर्स की आवश्यकता है और वह उपलब्ध नहीं हैं। उसके लिए इस प्रकार का कम्पलसरी लेजिस्लेशन लाने के बजाये वहां ऐसी रिम्युनरेटिव सर्विसेज कंडीशंस रखी जायें, जिससे लोग आकर्षित होकर वहां जायें और दूसरा परिवर्तन यह किया जाना चाहिए जो मैं चाहता हूं और जो इसकी सबसे बड़ी आवश्यकता है कि यदि आप इसको डिफाइन नहीं कर सकते, क्योंकि पहले तो आप को बिल में ही डिफाइन करना चाहिये था कि कौन से नेशनल वर्क्स इस प्रकार के हैं, जहां आप कम्पलसरीली इस प्रकार की सर्विसेज प्राप्त करेंगे, यह स्पष्ट रूप से परिभाषित किया

जाना चाहिए, तमाम इस प्रकार के मेजर्स जिसमें कंपलसरीली सर्विसेज आप लेना चाहते हैं और इधर आप वेग रखना चाहते हैं कि आखिर कौनसी ऐसी बातें हैं, जिनके लिए आप कंपलसरीली सर्विसेज लेना चाहते हैं, उसके लिए गवर्नमेंट आफ इंडिया नोटिफिकेशन द्वारा बतायें, यह उचित नहीं। और अगर आप उसे डिफाइन नहीं कर सकते तो एक एक्सप्लेनेशन लोक सभा में उसकी डिबेट में माननीय मंत्री जी ने दिया था कि समय के अनुसार परिवर्तन भी हो सकता है, कुछ नयी बातें जुड़ सकती हैं और इसके लिए शासन को अधिकार रहेगा, तो इसमें व्यवस्था रहनी चाहिए कि यदि नेशनल आब्जेक्टिव्स के लिए कोई कंपलसरी सर्विस आप लेना चाहते हैं, तो ऐसे नेशनल आब्जेक्टिव निर्धारित करने के लिए आप कोई इंस्टीट्यूशन बनाते, क्योंकि उसमें सब दलों का प्रतिनिधित्व होना चाहिए और वहां ऐसा होना चाहिए कि सब लोगों के प्वाइंट आफ व्यू आ सकें। आपने इस प्रकार की कोई व्यवस्था इस बिल में नहीं की है, जहां बैठ कर नेशनल आब्जेक्टिव्स निर्धारित किये जा सकें, क्योंकि सत्तारूढ़ दल द्वारा निश्चित किये हुए आब्जेक्टिव्स ही नेशनल आब्जेक्टिव्स नहीं हो सकते। जिस प्रकार जब देश पर हमला हुआ तो सारे दलों ने मिलकर आपका समर्थन किया और उस समय प्रश्न पर आप विरोधी दलों का सहयोग और सलाह लेना चाहते थे, इसी प्रकार नेशनल आब्जेक्टिव्स तय करने में जिनके लिए आप डाक्टर्स और इन्जीनियर्स की सेवायें लेना चाहते हैं, आपको विरोधी दलों की सलाह और सहयोग लेना चाहिए और गवर्नमेंट द्वारा कोई नोटिफिकेशन इसके लिए हो, उसके पहले इसका प्राविधान किया जाय, इस प्रकार की व्यवस्था बिल में होनी चाहिए। ऐसी कोई व्यवस्था होनी चाहिए कि जहां पर बैठ कर सब लोग मिल कर तय कर सकें कि हमारे नेशनल आब्जेक्टिव्स क्या होंगे और यदि आपने इसको केवल सत्तारूढ़ दल तक ही सीमित रखा तो उसके द्वारा तय किये हुए आब्जेक्टिव्स नेशनल आब्जेक्टिव्स नहीं हो सकते। दो तरह के मत हैं और इसलिए आप किसी एक को नेशनल

आब्जेक्टिव कैसे कह सकते हैं, आप उनको निर्धारित कर लेंगे अपने स्वयं के दल की दृष्टि से, लेकिन आपके दल में भी दो मत हो सकते हैं और इस नाते नेशनल आब्जेक्टिव्स को हर ऐसे काम के लिए निर्धारित करने के लिए कोई इस प्रकार की प्रणाली निर्धारित होनी चाहिए, जहां बैठ कर उनको निर्धारित किया जा सके, जहां बैठ कर एक मत से तय किया जा सके उनको आखिर उपाध्यक्ष महोदय, यह एक प्रकार का स्टिनिट ऐक्ट है और इसके मुताबिक हम चार साल के लिए नेसेसरीली किसी आदमी को अगर वह एम्प्लायमेंट में है तो भी वहां से उसे निकाल कर मजबूर करेंगे किसी एक जगह काम करने के लिए, अन्यथा उसको दंड देने का प्राविधान और तीन साल की सजा का प्राविधान इस ऐक्ट में किया गया है और इस नाते इसको डिफाइन न करना, कोई प्रणाली निर्धारित न करना इसके लिए एक बहुत बड़ी कमी है इस बिल में, जिसके बारे में मैं माननीय मंत्री जी का ध्यान आकर्षित करना चाहता हूं। इस प्रकार का कोई प्राविधान या परिवर्तन इस बिल में उनको लाना चाहिए।

फिर उपाध्यक्ष महोदय, इसके अंदर जो एक और बात कही गयी है वह यह कि जो व्यक्ति एम्प्लायमेंट में है, सर्विस में है उसको वहां से आर्डर्ड फोर्स के लिए निकाल कर बुला सकते हैं। इसके बारे में कोई दो मत नहीं हैं कि हमको सर्वदा प्राथमिकता देश की सुरक्षा और आर्डर्ड फोर्स को ही देनी है और देनी चाहिए और इस नाते हम उसे किसी इम्प्लायमेंट से हटा कर इस काम में लगायें, यह ठीक है। लेकिन हमारा एक उत्तरदायित्व यह भी आ जाता है कि जिस कंडीशन में वह व्यक्ति है, जिस एम्प्लायमेंट में वह है और उसको बुला कर हम अपने यहां काम में लगाते हैं, तो उसके रिटर्न होने पर उसको उसी प्रकार की सुविधायें प्राप्त होनी चाहिए कि जो अगर वह उस सर्विस में कंटिन्यू करता तो उसको प्राप्त होतीं। जो प्रमोशन या अन्य सुविधायें उसको वहां उपलब्ध होतीं यदि वह वहां सर्विस में रहा होता, उसके वापस जाने पर भी उसको वह प्रमोशन आदि

[श्री वी० के० सखलेचा]

की सुविधाएं मिलनी चाहिए। इसकी कोई व्यवस्था आज इस कानून में नहीं है। उसको अपने एम्प्लायमेंट में कंटीन्यू करते हुए जो लाभ मिलते वे उसको रिटर्न होने पर भी मिलें, प्रमोशन के बारे में और अन्य सर्विस कंडीशन्स के बारे में, जब वह चार साल के बाद वहां जाय तो उसको वह सब मिलें, इसकी कोई व्यवस्था आज बिल में दिखायी नहीं देती।

उपाध्यक्ष महोदय, उसकी ऐज के विषय में भी एक प्रश्न खड़ा होता है। यदि कोई 28 साल का नवयुवक है और उसको आपने इसके अंदर आर्डर्ड फोर्स की सर्विस में ले लिया है और तीन, चार साल के बाद वह आये और पहले यह अनएम्प्लायड रहा हो तो उसके लिए आगे एम्प्लायमेंट प्राप्त करने में ऐज एक बाधा बन कर खड़ी हो सकती है। इसको आपको देखना पड़ेगा और इसके बारे में कोई प्राविजन करना पड़ेगा। मैं समझता हूं कि अगर आप 27 या 28 साल की उम्र में किसी को काल अप करें और नेशनल सर्विस पूरी करने के बाद ऐज बढ़ जाने के कारण वह एम्प्लायमेंट से महरूम हो जाय, इस प्रकार की स्थिति उत्पन्न न हो, इस दृष्टि से भी उचित प्राविधान इस बिल में दिखायी नहीं देता है।

एक और समस्या जिसके बारे में अच्छी तरह से शासन और भारत सरकार को ध्यान देने की आवश्यकता है, यह है कि आर्डर्ड फोर्स या जो नेशनल आब्जेक्टिव के लिये बार्डर एरियाज में इंजीनियर्स और डाक्टर्स को ले जाना है वह ले जायं लेकिन ये जो आपके प्राइमरी हेल्थ सेंटर्स हैं, उनमें भी उपलब्ध नहीं हैं। जैसा कि हमें कई रिपोर्टों से मालूम पड़ता है, शहरों के अन्दर तो डाक्टर्स उपलब्ध हैं, लेकिन प्राइमरी हेल्थ सेंटर्स में और दूर-दूर के क्षेत्रों में और गांवों के अन्दर उपलब्ध नहीं है। तो मेरा ऐसा निवेदन है कि इस बारे में अच्छे प्रकार से विचार होना चाहिए, इसके मूलभूत कारणों का पता लगा कर के देखना चाहिये कि हमें इस तरीके को कम से कम एडाप्ट करना पड़े, कम

से कम उनको कम्पलमरली बुलाना पड़े, बल्कि हमें ऐसी परिस्थिति पैदा करना चाहिये कि उसके बजाय वे स्वयं की प्रेरणा से दूर-दूर तक के गांवों में जायं, ऐसी ह्युमनेरेटिव शर्तें उपलब्ध करें ताकि जबरदस्ती करने के बजाय स्वयं की प्रेरणा से, अपना उत्तरदायित्व समझ करके, देश के विभिन्न भागों में जा कर के हमारी गरीब जनता की सेवा करें और उन्हें चिकित्सा की सुविधायें उपलब्ध करें ताकि अविकसित क्षेत्रों के विकास की दृष्टि से हमारी शक्ति और पढ़ाई का उपयोग हो और शान्त भी ठीक प्रकार से उनकी सेवा के लिए पर्याप्त मात्रा में सुविधायें उनको दे और पर्याप्त ह्युमनेरेशन उपलब्ध कराये। यह देश की जिम्मेदारी है। तो इस नाते से चाहे यह बिल पास कर लें, लेकिन बजाय मजबूरी के यदि हम प्रेरणा से ऐसा कर सकें तो अच्छा है। इस आब्जेक्टिव को प्राप्त करने के लिए हम शिक्षा व्यवस्था में और देश की स्थिति में सुधार करें और जो आज के नवयुवक उन स्थानों में जाने में कठिनाई अनुभव करते हैं उसमें परिवर्तन लाने का प्रयास करें। इसको हम केवल एक टेम्पोरेरी मेजर के रूप में ही रखें। हां, यह मैं जरूर स्वीकार करता हू कि देश की सुरक्षा के लिये युवकों को जरूर सैनिक शिक्षा दें या इमरजेंसी के अन्दर देश की सुरक्षा के लिए जो कठिनाई मेडिकल डाक्टर्स या इंजीनियर्स के सम्बन्ध में आती है वह अवश्य पूरी करें, इसके हम पूरे तौर पर समर्थक हैं, लेकिन उसके बाद यह स्वयं की प्रेरणा की भावना से होना चाहिए और इस दृष्टि से प्रयास करना भारत सरकार की जिम्मेदारी है, वह जिम्मेदारी किसी प्रकार से कम नहीं होगी और किसी प्रकार से उसको कम मानना नहीं चाहिए।

मुझे आशा है कि इस दृष्टि से जरूर इसके ऊपर विचार किया जायगा। मैं इस बिल का स्वागत करते हुए यह एक महत्वपूर्ण मुद्दा जो नेशनल आब्जेक्टिव के बारे में है, उस सम्बन्ध में परिवर्तन के लिए माननीय मंत्री जी से अपील करूंगा।

SHRI H. S. NARASIAH (Mysore) : Mr. Deputy Chairman, while welcoming this Bill I feel constrained to point out certain salient factors which in my opinion if taken note of by the Mover, might result in the implementation of this Bill more effectively. The first thing I wish to point out is in the definition clause the expression 'social service' is left undefined. This expression is so comprehensive in its connotation that unless restricted and categorised it may not be desirable to leave it to the Central Government to define the nature of social services as and when deemed fit and necessary. Under clause (c) 'National service' means any service which is likely to assist the defence of India and civil defence or the efficient conduct of military operations and includes such social service as the Central Government may, if it is of opinion that it is necessary for public purposes so to do, by notification specify in this behalf. This express of social service which has been left to be defined to the opinion of the Central Executive in my opinion, requires to be categorised and enunciated what are the kinds of social services that are being contemplated by the Central Government. That is my first suggestion. Secondly, I would like to deal with clause 20 where the right of appeal has been conferred on the dissatisfied person. The ground of appeal is restricted merely to a question of law. This I respectfully submit is not sufficient because in an enquiry before the Hardships Committee much of the evidence will be of the nature of merely appreciation of evidence and not so much of ground of law. So, I would suggest to the hon. Minister in addition to the ground being a question of law let it also be gross mis-appreciation of evidence. The grounds of appeal should not only be of law but if there has been gross misappreciation of evidence on the part of the Hardships Committee, that must also be made a basis for preferring an appeal.

The third suggestion is in respect of clause 23, that is, refusal on the part of the employer to reinstate the employee in spite of a direction to that effect by the competent authority. I find that the quantum of punishments contemplated for the employers for infringement and violation of the directions and rules and regulations under this Bill is very, very low. It is almost ridiculous when compared with the heavy penalties and inflictions prescribed for the employees for infringement of these rules and regulations. So

I would suggest that the quantum of punishment contemplated to be inflicted on the employers be made a little more deterrent than what is now contemplated in this clause.

Finally, with reference to clause 30, that is, with reference to compensation payable, I have one suggestion. The clause says—

"Notwithstanding anything contained in the Presidency Towns Insolvency Act, 1909, the Provincial Insolvency Act, 1920, the Companies Act, 1956, or the Partnership Act, 1932, any compensation payable under this Act shall have priority over all other unsecured debts."

This in fact virtually defeats the provision regarding securing any compensation by the aggrieved party. I would rather say that this amount of compensation that is to be paid must be made to have priority over even secured debts ; otherwise there will be nothing left for payment to the aggrieved party.

With these suggestions I welcome this Bill and would request the hon. Minister to consider these points on their own merits.

SHRI BALACHANDRA MENON (Kerala) : I welcome this Bill. The definition of national service should be widened. What is this national service ? It should include so many more things ; service to the military, service by doctors and engineers for a certain period. It might be that teachers might be asked to go to the villages and be asked to set up schools there or educated young men and women should help in adult education. This sense that we are rebuilding our country should be there. It is not merely a question of feeling but it has to be done. The educated young man today must be called upon to shoulder responsibility in taking this country forward both industrially and also in the field of agriculture, in the field of education, in the field of public health, in fact in all spheres. We require their service but at present most of our people do not have that feeling. They feel that they should get into some comfortable job, they should be in the towns. They do not care to go to the villages ; they are not prepared to take up any of these responsibilities in spite of the fact that they know fully well—and we know it also—that it is the people's money that has helped them to get educated and become doctors and engineers. The people have to spend a lakh of rupees to make one an engineer ; so is the

[Shri Balachandra Menon.]

case with the doctor. But when it comes to the question of taking up work in village areas or in backward areas they are not prepared to go; they want to be in the cities and towns. The wrong kind of education that we have given them, the wrong kind of feeling that we have been generating in them that somehow they must be able to make some money and nothing more than that has completely demoralised the youngsters and made them men without purpose. The youngman feels it is rather cruel on our part to ask him to go to a village. He thinks "If I am a doctor there, I will not be in a position to help the people, because there is no medicine. If I go there, I shall have no residence." And that is one of the main reasons why they will not go there. So, when you demand their services there, you will have to see that they get decent houses. You will have to see that after a certain period they are taken back. I would therefore suggest that in this compulsory service that you are going to inflict on the young men you may have it for four years. For the senior people also it should be to go to these areas. Why not? All what you have to do is to protect their salaries. So let the seniors also go to the village for three or four years. It will be good that they go there and help the others, the youngsters. So, in one of the key villages you must be in a position to send a senior man, and round about him let there be a number of other units, dispensaries or engineering units or other. The concept should be to send everybody. You must be in a position to see that people below 50 or 60 spend two, three or four years for the improvement of the unfortunate people in our villages and backward areas whose condition has to be improved. It is as important as military service but this has not been seriously looked into. I would suggest that the definition of "national service" should remain as it is. Somebody complained that the definition is vague. It is good that it should be vague because we may be able to include other sections also in this definition. It might be that there is the breach of a big dam and a large number of people are required to attend to it. Some may be engineers and others may be just skilled workers. I would say that we must be able to call upon anybody and anything may be declared as a national service so that we are able to see that we are able to build up this country on the willing enthusiasm of these people. But can that be done? That

is the question. If this has to be done, then we will have to assure a minimum standard for the unemployed people first. There is unemployment but still the unemployed refuse to go to the villages. Why? Because the conditions there are so bad. They will have to be given group hospitals, group organisations of that type, and the leading men also must go to those areas so that these engineer boys and also the doctor boys feel that their leaders are also there. That feeling must be there. But now the whole question is that the best scales of pay will be given only in the cities. And that has to be changed. I would therefore suggest that this definition of "national service" be left as it is so that it can include a variety of services, and I want that even those above thirty might be called up, must be made liable to be called upon for national service. I would also suggest that in the case of those former employers, who refuse to take back people who had been called upon for such service, if they refuse to reinstate such people; penal action must be taken against such employers, even imprisonment for them, because it is an anti-national act on their part. So that should be seriously looked into. There is the complaint that this is rather drastic to compel people for national service. I have been reading some articles recently by doctors and engineers. They were asking whether the parties in power, whether they will send their youngmen. See to what extent this suspicion has come. So in this case all their boys will also have to be called upon to render national service. There should be an independent body who will check up and find out whether some people are escaping because of their high connections. That also will have to be looked into. A little suspicion that way will blow up the entire scheme. So let us be careful. I know, when it comes to the question of some of the M. P.'s or some of the Ministers having their sons or daughters or nephews having to go into the villages to do this national service, they would like that this is not done. Well, that cannot be. Everybody will have to do it. It is national service. So you will have to zealously guard and see that such things do not take place, corrupt the entire thing and blow up the entire scheme. We must have before us the aim of national service by all. There must be a little compulsion. I am not against necessary compulsion. I want it but at the same time I want to see that this compulsion

is not only for some sections of the people. It should be for everybody. It should be for the national defence of our country. It should be for public health of a country. It should be for the entire people and there should be a fool-proof arrangement under which everybody will be made to do this national service.

This is what I wanted to say, Sir.

SHRI K. P. SUBRAMANIA MENON : (Kerala) : Mr. Deputy Chairman, Sir, this is one of those measures with whose objective one would like to agree, but the measure itself one feels a little hesitant to support. That is because our experience has been that all these measures, which are of a compulsory nature, tend to be misused in their application to the realities of Indian conditions. All the same, I feel that some such measure is necessary because there is a tendency among the elite and the intelligentsia in our country to ignore the needs of the country as such and confine their activities solely to the objective of enhancing their personal and egoistic reputation. Now, as a member of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes, I have had occasion to tour vast areas of the countryside and the rural areas in our country, and I have felt the need for some such legislation. You will be surprised to know that to most of the tribal settlement in our country no doctor goes. He just refuses to go even if he is posted. Now, recently when we were in Bihar, the Governor himself pointed out that in the Chhota Nagpur division, where the population consists of a majority of tribals, there were about 200 vacancies for doctors for the last four years. The State Government had posted 150 doctors in September 1970 and we went there in February, 1972. Not a single doctor had cared to report for duty out of the 150 doctors who were posted to the tribal areas in the Chhota Nagpur division. Now, this is the sort of doctors and also you have to take into consideration the inability of the Government there to enforce its own orders. Now, these doctors were all Government servants. If the Government servants were posted there and they would not take charge, why is it that the Government is unable to take action against them? They should have been summarily dismissed, but that is the point. And that is the point with regard to this Bill also. The point is there is political pressure. Each doctor has got an uncle or a brother-in-law or a son-in-law as a Minister or a big Government officer

or even as an MLA. Then, he gets away with this sort of recalcitrant attitude. Therefore, the essential thing to consider in these things is not the passing of legislation itself, but how it is implemented without any blemish. Unless you do that, no amount of legislation is going to achieve the objective which we have in view.

Then, Sir, I read in the newspapers some comments on this Bill, especially from doctors who have expressed their fear that their professional advancement might be impeded by this sort of posting to the rural areas. Well, I should say that such people, who think that their own professional advancement is more important than the very existence of the rural population, do not deserve to be doctors because they do not have the compassion which is necessary for a doctor. They consider that their selfish advancement is the overall objective in life. People, I should say, had better not become doctors. But then, Sir, that is the attitude which these people in our country have developed and that attitude cannot be detached from the overall socio-economic set-up. Therefore, if the doctors or the engineers feel that the most important thing for them is to make money at all costs, then that also is a menace arising out of the socio-economic factor in which everyone is trying to make money, black money, white money and all sorts of money, and he goes scot-free. Therefore I am saying that the intelligentsia which otherwise should be free from such contaminating influence also feel, when everyone is trying to make money, why we also should not make money? That is the mentality that is developing in the country because you have got a socio-economic set-up which encourages such mentality and which encourages the amassing of money at any cost and under any circumstances. Therefore, you cannot avoid this sort of thing. But all the same, it is necessary, given the same socio-economic set-up, given its difficulties, that we should still think in terms of the problems of the ordinary people in the villages and also enforce certain collective decisions which are applicable to the professional class. And I hope that the Government, in implementing the Bill, will do it without fear or favour or without creating any misapprehensions which generally are created when carrying out such things.

श्री नवल किशोर (उत्तर प्रदेश) : उप-सभापति जी, यह जो प्रस्तावित विधेयक है,

[श्री नवल किशोर]

मैं इसका समर्थन करता हूँ। मगर मुझको परेशानी यह है, कि इस बिल को पन्त जी को लाने की आवश्यकता क्यों पड़ी। आज हमारे देश में एक लाख के करीब इन्जीनियर अन-एम्प्लाइड हैं, बेकार हैं, जब इतने इन्जीनियर बेकार हैं तो क्या वजह है कि वे स्वयं अपनी खुशी से मिलिट्री सर्विस में जाना पसन्द नहीं करते। यही स्थिति श्रीमन्, डाक्टर्स की है। लेकिन डाक्टर्स बहुत ज्यादा बेकार नहीं हैं हिन्दुस्तान में। यह जो कानून आप लाये। इसका मैं समर्थन करता हूँ। लेकिन इस कानून को लाने की आवश्यकता क्यों पड़ी, क्या इस पर पन्त जी कुछ प्रकाश डालने की कोशिश करेंगे? श्रीमन्, जिस समय डिफेंस के सम्बन्ध में यहां पर वाद विवाद चल रहा था तो मैंने भी उस पर अपने विचार प्रगट किये थे। उस समय भी मैंने यह कहा था कि हजारों अफसरों की जगह आज भी खाली है फौज के अन्दर जिनके लिये एप्लीकेशंस नहीं आई। और न आ रही है आप एडवर्टिजमेंट देते हैं और कोशिश करते हैं, लेकिन फिर भी आपको अफसरान नहीं मिलते हैं। तो यह देखने की आवश्यकता है कि इसकी बुनियादी वजह क्या है? यह बात भी सही है कि देश की सुरक्षा का जो महत्व है वह हमेशा होता है। वह बहुत ज्यादा है और यू भी हर इन्सान जानता है कि देश के हर कार्य की अपेक्षा जो फर्स्ट प्रायोरिटी है वह देश के डिफेंस की है, देश की सुरक्षा की है। क्योंकि बिना उसके देश की आजादी कायम नहीं रहेगी, तो जिस आजादी को इतनी मेहनत और त्याग और कुर्बानी के बाद हमने हासिल किया है, उसके लिये हर नौजवान और हिन्दुस्तान का हर व्यक्ति यह चाहता है और यह स्वाभाविक है कि वह अपने देश की इस आजादी को कायम रखे और इसकी सुरक्षा में पूरा-पूरा हिस्सा ले। मुझको ऐसा लगता है कि जो तनख्वाहें आप फौज में देते हैं और जो उनकी वह कंडीशन्स आफ सर्विस हैं, उनमें कहीं न कहीं कोई कमी है, कोई ऐसी कमी है कि जो नौजवानों को अपनी तरफ नहीं

खींच पाती। तो इसको देखने की आवश्यकता है और मैं समझता हूँ कि पन्त जी इस बात की कोशिश करेंगे कि वह इसको देखें।

यह कहा गया कि लोग स्वयं की प्रेरणा से वहां जायं। यह बात सही है, लेकिन कभी-कभी ऐसी स्थिति भी होता है और मैं उससे इत्तफाक करूंगा कि जब सरकार को थोड़ा प्रेशर भी डालना पड़ता है, कानूनी तौर पर प्रेशर डालना पड़ता है, विशेष काम करने के लिये। मुझे याद है कि जब देश आजाद हुआ तो उस समय उत्तर प्रदेश में यह प्रश्न था कि पूर्वी क्षेत्रों में इन्जीनियर्स भेजे जायं; क्योंकि अंग्रेजों के जमाने में वहां बहुत कम काम हुआ था। तो जिस इन्जीनियर को भेजा जाता था, जिमकी पोस्टिंग या ट्रांसफर वहां के लिए होता था तो कोई न कोई बहाना या दस बीस सिफारिशें हाउस के अन्दर की या बाहर की चली आती थीं। तब यह तय किया गया कि जो इन्जीनियर साहब जाना नहीं चाहते हैं उनको सस्पेंड कर दिया जाय। जब सस्पेंड करने की बात आयी तो अप्लीकेशन्स कम आने लगीं, उनका आना कम हुआ और फिर धीरे-धीरे उन लोगों ने वहां जाना शुरू किया और यही वजह है कि आज पूर्वी क्षेत्र में पूर्णतया तो तरक्की नहीं हो पायी है, लेकिन पहले के मुकाबले में कुछ ज्यादा तरक्की हुई है। तो मैं यह मानता हूँ कि स्वयं की प्रेरणा होनी चाहिए, लेकिन कभी-कभी देश की आवश्यकता हो देखते हुए अगर प्रेशर डालने की जरूरत पड़े तो मैं समझता हूँ कि उसको भी करना चाहिए और जैसा मैंने शुरू में कहा कि देश की सुरक्षा को फर्स्ट प्रायोरिटी हर नेशनल काम में होनी चाहिए।

कुछ इस बात की भी चर्चा की पन्त जी ने कि सोशल सर्विसेज यह नियम अन्य के लिए भी लागू किया जा सकता है यद्यपि उन सर्विसेज को डिफाइन तो नहीं किया है, लेकिन जैसा उन्होंने कहा कि उसमें फैमिली प्लानिंग है, बांडर डैम्स हैं, कुछ और भी हो सकती हैं, सही है वह होना चाहिए, फैमिली प्लानिंग को भी

मैं नेशनल सर्विस ही मानता हूँ, इसलिये क्योंकि यह भी बड़ी भारी नेशनल सर्विस में कि देश की आबादी जिस तरह से तेजी के साथ बढ़ रही है, उसको चेक करना बहुत जरूरी है। यह सही है कि साधारणतया डाक्टर्स उसमें जाना नहीं चाहते, उसमें जाना पसन्द नहीं करते इसलिये कि उसमें आमदनी और तरक्की का मौका कम होता है, तो उसके लिए मैं कहना चाहता हूँ कि सरकार को उनको कुछ स्पेशल एलाउंस देकर कंपेंसट करने की कोशिश करना चाहिए अब फैमली प्लानिंग जब आपका एक बेसिक डिपार्टमेंट बन गया है, जिसके ऊपर हमारी भविष्य की आबादी बहुत कुछ निर्भर रहेगी, तो उसको भी हमें एक नेशनल सोशल सर्विस मानना चाहिए।

श्रीमन्, आज बड़ा अफसोस होता है कि देश की 25 साल की आजादी के बाद भी काफी देहात के लोग हैं और पहाड़ों में भी ऐसे बहुत से क्षेत्र हैं कि जहाँ लोगों ने डाक्टर्स की शक्ल भी नहीं देखी है और वह जानते नहीं कि डाक्टर कैसा होता है। उनको कोई सुविधा दवाओं की या इलाज की नहीं है। इसी तरह से बहुत से देहात ऐसे हैं कि जहाँ आज भी 25 साल की आजादी के बाद भी लोगों को शुद्ध पीने का पानी नमीब नहीं होता है। जहाँ पैसे की कमी है, एक तरफ वहाँ यह भी सही है कि या जो हमारे पिछड़े और अन्दरूनी क्षेत्र हैं उसके अलावा जहाँ सुविधायें नहीं हैं, वहाँ भी हमारे डाक्टर्स और इंजीनियर्स जाना नहीं चाहते। तो मैं चाहता हूँ कि जहाँ आपने बार्डर्स और डैम्स की बात की है, वहाँ जो देहाती क्षेत्र हैं ऐसे कि जो इनएक्सेसेबिल हैं, जहाँ आज तक भी आजादी की रोगनी की कोई किरण नहीं फूट पायी है, आप उनको इसमें शामिल करें और आप उन स्थानों में जाने के लिये डाक्टर्स और इंजीनियर्स को मजबूर करें। क्योंकि आज स्थिति यह है कि आप जिस डाक्टर की पोस्टिंग वहाँ कीजिए वह जायेगा नहीं। पता नहीं आपको जाने का मौका मिला या नहीं, जेल में भी जिस डाक्टर को भेजा जाय वह वहाँ जाना पसन्द नहीं करता।

समझता है कि उसकी भी जेल है, इसलिये मजबूरन गवर्नमेंट को यह करना पड़ा कि दो साल के लिये हर डाक्टर को वहाँ जाना ही पड़ेगा। तो मैंने यह एक्जाम्पल इसलिए दी कि इस प्रकार का प्रेशर गवर्नमेंट को डालना पड़ता है, लेकिन उसके साथ ही साथ गवर्नमेंट को यह भी देखना चाहिए कि जिस जगह आप उनको भेज रहे हैं, क्या वहाँ के लिए उनकी तनख्वाहें और दूसरी सुविधायें इतनी हैं कि वह उनको दिक्कत तलब महसूस न हो।

मेरे मित्र श्री मेनन साहब ने कहा कि तमाम डाक्टर्स का कहना है कि उनका प्रोफेशनल एडवांसमेंट देहात में जाने से रुक जाता है। मैं समझता हूँ कि इससे ज्यादा बेसलैस आर्गुमेंट कोई दूसरा पढ़ा लिखा आदमी दे नहीं सकता। इस देश के डाक्टर्स पर कैपिटल कितना खर्च होता है, यह देखने की बात है। यह गरीब देश है और उनकी तालीम पर यदि इतना ज्यादा खर्च न किया जाय तो वे डाक्टर्स या इंजीनियर्स बन नहीं सकते। फी स्टूडेंट करीब साढ़े सात हजार रुपया आकर बैठता है एक साल के अन्दर या जो भी बैठता हो, लेकिन इतना पैसा खर्च करने के बाद क्या देश को और नेशन को यह भी हक नहीं है कि वह उनसे इस बान की तक्कको करे या इस बात की उम्मीद करे कि वह कम से कम चार साल अपने जीवन के उसको देंगे, 30-35 साल के जीवन में वह चार साल दें देश के लिये और मैं समझता हूँ कि उसके लिये 30 साल की ऐज भी काफी कम है। जब इसको भी बढ़ना चाहिए। शायद यह उम्र इस खयाल से रखी गई है कि जब अफसर नौजवान जवान होता है, तो उसमें ज्यादा होसला रहता है और वह में जा सकता है। फिर भी इस उम्र को बढ़ाना चाहिए।

श्रीमन्, मैं और ज्यादा नहीं कहना चाहता हूँ। यह काफी काम्प्रिहेंसिव बिल है। कोई भी कानून बनाया जाय उसके अन्दर कोई न कोई लूपहोल्स होते ही हैं, फिर भी जितना मैंने इस को पढ़ा है ऐसा लगता है कि इसमें काफी

[श्री नवल किशोर]

चीजों को कवर करने की कोशिश की गई है। तो मैं इन शब्दों के साथ इस बिल का समर्थन करता हूँ और उम्मीद करता हूँ कि मैंने जो दो चार पांच बातें कही हैं पन्त जी उसको भी ध्यान में रखेंगे ताकि अधिक से अधिक लोग आयें, कुछ प्रेशर भी हो और स्वयं भी लोगों में इच्छा हो कि यह राष्ट्र का काम है, देश के हित में हैं, देश की आजादी और सुरक्षा में है, इसलिए वह खुशी से आयें। इन शब्दों के साथ मैं इसको अपना समर्थन देता हूँ।

श्री रणबीर सिंह (हरियाणा) : उपाध्यक्ष महोदय, राष्ट्रीय सेवा विधेयक, 1972 का मैं समर्थन करने के लिये खड़ा हुआ हूँ और मैं मानता हूँ कि भारत की आज फौज ही रक्षा नहीं कर सकती है या इंजीनियर्स या डाक्टरों ही रक्षा नहीं कर सकते हैं, भारत की रक्षा तभी होगी जब कि भारत की उन्नति हमारे पड़ोसी देशों के मुकाबिले में ज्यादा हो या उतनी हो। हमारा पड़ोसी देश है चीन। उसकी नीयत के बारे में सभी हमारे देश के लोग जानते हैं और कुछ दोस्त जिस तरह से बातें कहते हैं हमारे देश के बारे में, यहां पर आटोनामी की आवाज उठाते हैं, उसके अन्दर भी कुछ काला-काला ही ऐसा दिखाई देता है।

श्रीमन्, इसलिये यह बहुत जरूरी है। जहां तक जिन सेवाओं को इसके अन्दर दर्ज किया गया है, इंजीनियर्स और डाक्टरों उनकी सेवाओं की तो आवश्यकता है ही इस देश के लिये लड़ाई के वक्त में भी, अमन के वक्त में भी, देहात में भी और शहरों में भी, लेकिन इस देश को बनाने के लिये जहां रुपये की आवश्यकता है, वहां कार्यकर्त्ताओं की भी आवश्यकता है और विशेषज्ञों की आवश्यकता है। विशेषज्ञ आज काफी तादाद में मिलते हैं। डाक्टरों की भी बेकारी अभी कुछ शुरू नहीं हुई, लेकिन बेकारी शुरू हो जायगी एकाध साल के अन्दर और जहां तक इंजीनियर्स का सम्बन्ध है वह तो काफी बेकार हैं, एक तरफ वह लोग बेकार हैं दूसरी तरफ इस देश के अन्दर काफी तरक्की

होनी चाहिये इसकी आवश्यकता है लेकिन उस के करने के लिये वित्त मंत्रालय के ऊपर भी कोई विधेयक लागू करना चाहिये। वित्त मंत्रालय पैसा देने में शिक्षक करता है। उप-सभापति महोदय, दिल्ली से 8-10 मील के ऊपर हरियाणा प्रदेश हैं, वहां तरक्की हुई और हमारे देश के दूसरे प्रदेशों के लिये वहां एक शिक्षा भी मिलती है कि थोड़े समय के अन्दर कितनी तरक्की हम कर सकते हैं। दूसरे देशों की तरफ जाने के बजाय अगर हमारे प्रदेश में जाया जाय, बिजली को देने, बिजली के तारों को बिछाने का सवाल था, हरियाणा के इंजीनियर्स ने सारे प्रदेश के हर गांव के अन्दर बिजली के तारों का जाल बिछा दिया।

श्रीमन्, आज ही अखबारों में चर्चा है कि हमारे प्रदेश के अन्दर हमारे इंजीनियर्स ने और हमारी सरकार ने जो फैसला किया था कि हर देहात को हम सड़कों से जोड़ देंगे, उस प्रोग्राम को छः महीने के लिये मुलतबी करना पड़ा और वह इसलिये कि हमारे प्रदेश को पैसा कुछ कम मिल रहा है और इसके अलावा कोयला नहीं मिलता है। ये कुछ चीजें हैं जिनकी हमारे देश में कमी नहीं। यह कागज है जिसके ऊपर हम नोट छापते हैं, उसकी कमी नहीं और न ही कोयले की कमी है। काम को ठीक तरीके से करने की बात है और देश को आगे बढ़ाने के लिये जहां इंजीनियर्स या डाक्टरों के लिये यह जरूरी होगा कि जब उनकी मांग हो वह वहां पर पहुंचे और नहीं पहुंचे तो उनको सजा मिले। ठीक ही कहा मंत्री महोदय ने कि जहां तक डैम्स बनाने का ताल्लुक है वहां पर इंजीनियर्स जाते हुये शिक्षकते हैं और वहां भोजना बहुत जरूरी है, उनका काम करना वहां बहुत जरूरी है। शहरों के अन्दर तो काम शायद वैसे भी चल सकता है, लेकिन वहां तो काम सिर्फ विशेषज्ञ ही कर सकते हैं। इसलिये जहां विशेषज्ञों की सेवाओं की आवश्यकता है, वहां रुपये की भी आवश्यकता है और मैं आपकी मार्फत सरकार से निवेदन करूंगा कि इस देश को ऊंचा उठाने के लिये, इस देश की रक्षा करने के लिये यह भी बहुत

जरूरी है कि हम इस बात के ऊपर फिर से विचार करें कि किस तरह से फाइनेंसिंग आफ बजेट्स हो और हमारे प्लान का फाइनेंसिंग कैसे हो। और देश की तरक्की के लिये पैसे की कमी देश के रास्ते में कभी रोड़ा नहीं बननी चाहिए। देश की तरक्की तभी हो सकती है, जब हम सब और हमारा वित्त मंत्रालय भी, उसका साथ दे और देश आगे बढ़े। 500 करोड़ रु० का ओवर-ड्राफ्ट हमारे प्रदेशों को रिजर्व बैंक से दिया गया और उसमें बहुत सारे प्रदेश शामिल हैं। अगर उनके पिछले कर्जों में या आज की जो इमदाद केन्द्र से मिलनी है, उस से हिसाब की काटा फोटी कर दी जाए तो उनकी तरक्की रुक जाएगी। इंजीनियर्स क्या करेंगे? फिर इस तरह का विधेयक कैसे इस देश की रक्षा के लिए मददगार हो सकेगा। तो इस देश की रक्षा के लिए तभी यह विधेयक और इसकी कार्यवाही देश की मददगार हो सकती है, जब वित्त मंत्रालय भी देश के इंजीनियरों और डाक्टरों की मदद करायें। उनकी बेकारी दूर करने और देश को आगे बढ़ाने में वित्त मंत्रालय पूरा साथ हमारे गृह मंत्रालय को दे, तभी उद्देश्य की प्राप्ति हो सकती है।

DR. M. R. VYAS (Maharashtra) : Mr. Deputy Chairman, I support the Bill wholeheartedly. But while doing so I would like to point out the possibility of the Bill falling far short of the requirements of the country. If the purpose of the Bill is only to call up some individuals at the last moment of emergency, I am afraid it will not meet the purpose at all. It is time that we utilised such a Bill for the purpose of reorienting our conception of national defence. So far we have been relying on a professional army. And if I understand the clauses of the present Bill correctly, the idea is to incorporate or induct a few individuals whenever the necessity arises. This is a very wrong way of thinking in terms of the future where India will probably require a bigger defence force than what we have now. But a professional army is a white elephant and if we only depend upon a professional army for our future requirements, I am afraid, it will be depending upon a white elephant and complete waste of energy in times of peace. I would suggest, therefore, that the terms of the present Bill be made applicable in such wider terms that it will

create a kind of a semi-military attachment to the permanent forces of our country. Now, if a person is called up according to the present Bill at a given time and inducted into the army, I am afraid he will be a misfit for a considerable time. Modern army or modern techniques in the defence are very intricate affairs and unless people who are inducted into the defence forces are well geared to be part and parcel of that unit, they will rather be a liability than an asset. Therefore, my suggestion is that there should be a permanent recruitment under this national service and a regular cadre should be built up to assist the armed forces in times of emergency. Unless this training is given prior to any emergency, the real purpose of the Bill will not be served and the individuals who will be put into the army or navy or any other branch of the armed forces will be a kind of unutilisable service. Another thing that strikes me while reading the terms of the Bill is the condition for recruitment that the individual should hold a university degree.

3 P. M.

Modern defence does not require only people having university qualifications or Doctors and Engineers holding equivalent university qualifications. Modern defence system requires a vast arena of semiskilled services such as transport operations and others. I would, therefore, suggest that the scope of the Bill should be expanded to include such semiskilled services including signal men, wireless men, etc. who do not go to universities, so that a kind of parallel or second army is built up in the peace time which can also be put to use in times of emergency. The same difficulty would arise, in my opinion, about age limit given in the Bill. The Bill gives the age limit of 30 and after thirty years a person cannot be called up for national service. The age limit is very low in the sense that usually a Doctor or an Engineer starts acquiring higher degree of skill at the age of 27 or 28. If you fix the age limit at 30, you may not be able to get the benefit of this higher skill. Certainly defence forces will require not only raw recruits straight from the universities or laboratories, but they will require people with experience. I would, therefore, suggest that the age limit be raised from 30 to 35 so that defence forces may be able to get the services of experienced people and not people of premature experience who have just completed their university or technical education.

In the end, I would like to say that it

[Dr. M. R. Vays]

would be a good and great thing if the present Bill is utilised to construct a new conception of our defence policy. We should, in my opinion, withdraw from the conception of the past of having a bourgeois army or a professional army on which the nation has to depend all the time. The people in the defence forces should be part and parcel of the life of the country. If we develop a paramilitary or semi-military army, I am sure that this army can also be used for services of social nature as envisaged in the Bill and as mentioned by the hon. Minister. He mentioned the need for conducting campaigns for medical aid in villages, etc. Why could it not be done through a kind of semi-military or para-military service which could look after engineering and other facilities in the country as a whole. ? Thus we will have a permanent armed force all over the country rendering useful service in peace time and if required in times of war they can be used for military purposes also. If we could do this, we will have the benefit of these people in a wider range. They will also have closer contact with the people. They should feel that they are the part of the life of the country. They should not merely be an Army which will withdraw to the cantonment. I am sure every soldier is part of our life and he should also feel that he is part of our life. If we could do this, it will result in benefit to all.

SHRI JOACHIM ALVA (Nominated) : Mr. Deputy Chairman, I heartily welcome this Bill. There are certain elements of compulsion in the Bill and it is good that we start some elements of compulsion in our national life. We suffer in our national life because we often think ; "I will go like this ; let others do that work". Unless we have more elements of compulsion in our national life in regard to many other things as well, we shall not be able to build up this country.

Pandit Nehru, I think, as Prime Minister of India mentioned in a Committee that Prime Minister Chou-en-Lai worked as labourer in building up the National Assembly of China. And, Sir, I have seen all the National Assemblies in the world except that of Japan. The National Assembly of China is one of the largest parliament buildings in the world and in that building the Prime Minister of China and our own Prime Minister met and where our own Prime Minister admitted that it was high time that our engineers and doctors came to the fore and did something.

Sir, what has happened to these engineers and doctors ? They think they are the cream of life. Of course, they should be the cream of life of a country. But, they go abroad and try to get refrigerators and cars and try to bring them here and live well. Let them have them all I don't mind it. But, they never think of the village. Sir, Mahatma Gandhi set up the highest standard in this respect. He once said that it was a matter of fortune to be punished in jail for reporting the incident of a man being hung up from a tree and dying. Gandhiji told me that he would not call me to his Ashram until we got Swaraj. We got Swaraj. And, Sir, in the Ashram there were great men and wonderful men. One of them was a great singer. Another man was one Kalekar. Another was an expert in dairy. There was also one Mr. Desai, the Editor of the "Young India", whose son is an important journalist in the "Times of India". I mention these things because they were the revolutionaries. They built up the revolution in the villages. They felt that unless we built up our villages, we would not be able to build up our country. We have got many villages; we have got thousands and thousands of villages in our country and our young engineers and doctors do not go to such villages to serve there. Sir, I have also seen girls who are going to villages for work. I have seen some university girls working in the rural areas, in the villages, when we had the village programmes, getting about Rs. 120/- p. m. or so, for going from village to village. I think it was very complimentary for some of our girls who still go to the rural areas to work like this. But, Sir, the doctors and the engineers think that they are very progressive people and they do not go to villages. The doctors are reluctant to go to the villages and they forget the oath they have taken. Sir, what is the oath that they take ? The oath is that they serve humanity irrespective of gain. Sir, I read an article and it is about an American doctor. Sir, he was called at mid-night by his patient to attend on him and he went there just to see him at mid-night. Of course, he had to pay, the patient had to pay him and the doctor got the fee also. But, what I want to say is this that because he was ordered to come and go by his patient at mid-night, he came and went away. This spirit of compulsion is there even amongst the American doctors.

Sir, what about our doctors ? They have become just mercenaries, at least many of

them. Of course, they should be provided with good houses and they should be well looked after, their wives and children should be looked after well and their children's education should be taken care of. We do not mind them and they should have all amenities. But, what has happened in Orissa? You would have seen the scandal in Orissa where the doctors and the pharmacists have taken money from the Orissa Government of about Rs. 35 lakhs to Rs. 40 lakhs during the last two years for medicines not given to patients or for rotten medicines that have been manufactured and this is the state of affairs in the State of Orissa. I want to know whether Delhi is free from any such thing.

Then, Sir, the engineers are also in a very important position. Even though I do not like all the provisions of the Bill, the spirit of compulsion which the Government of India has brought about for the first time after 25 years is something to be welcomed, something we should have and unless we introduce this spirit of compulsion, we cannot induct our youngsters or others into our schemes of national service.

Now, what do the ICS men do? I mentioned about them the other day in my speech on the working of the Defence Ministry. I said that the first Defence Secretary after our independence became a Swatantraite, a leader of the rich people.

The second one, Mr. V. Shankar, has become the head advocate of a Maharaja. None of them has gone into Defence Services. Their sons get jobs in big, foreign companies. This is the pattern of the ICS people. But now the people will find it hard. Our sons and daughters will have to go and work hard.

I was in Iran. I was told that the Shah of Iran had ordered all the doctors to go to the villages. He gave them all the facilities. And the doctors who went to the villages afterwards said, "We are not going back to the towns". This is what the Iranian doctors do. This happened ten years ago. I was there. Why should we not send our doctors to villages after providing them all the facilities? We can dig wells where there is no water. We must give them electricity if it is not already there, so that they can stay there and manage their affairs in a better way.

Sir, these are very important points.

Another point is that you have provided

for three or four years' jail for a person who is an employee. But you have provided for only one month's jail for the employer. You spare the big business people because they have champions here. Why have you provided a lower punishment for business-people, big business people, who violate the law? Why is it confined to only one month's jail in their case? Your son and my son will get three years jail. And the employer will get one month's jail. This is discriminatory. I want Mr. Pant, who is a young and able Minister, to see that this discrimination is removed. Why should not a capitalist be behind the bars for the same period if he violates the law? This kind of mixed economy has caused havoc to our national life. You provide for one month's jail or fine. My son and your son will be put behind the bars for three years or four years. Why is this discrimination there? These big companies employ a person for 11 months only and they cause a break in their service. They want to keep them on temporary basis. Why not these big business people also be put behind the bars for three or four years as the employees? Why should there be such discrimination? I wish the Government is very hard on the employers, as they are on boys and girls who are young. I think girls will also have to go and work very hard. Unless you are very hard on employers, it is no use being hard on our young boys and girls. I am surprised to see that when you carry out any raids at the premises of these big people and you find some jewellery or any such things, you never give their names in public. In England the name of a Chief Justice came out in papers. He did something and his name was published in papers in England. His name came out. It was a mistake but anyhow it came out but we protect them in the name of law. We raid their houses and find out any amount of jewellery and money hidden and their names cannot be given out but the poor woman who has stolen a little thing, her name comes out. This kind of contradiction is there. It is something which we cannot put up with. That is why whatever is in favour of the employers we lean heavily on the side of the employers. We never bring him to book. I remember Pandit Jawaharlal Nehru when he took up office saying: 'We shall hang every capitalist by the tree' but we have not seen it because he was a noble man. The old ladies, the bourgeois ladies or fashionable ladies used to decry that their boys were going to the NCC service and they had to do very hard

[Shri Joachim Alva]

work and they are sent to the villages. Why not? Young women in the old days, in the thirties and forties had to work in chakkis and do roadmaking. What is wrong in the NCC boys doing it. Previously the old and fashionable ladies used to complain about the NCC people being sent to villages but now they are not doing it because the enemy is at hand, either from Pakistan or China. So we shall have to be up and ready. That reminds me that in Tashkent when I was in Russia the girl who served me said: 'I am going away, Sir. Thank you.' She said: 'I have to go to the farm. I serve here and also in the farm. Not only myself but all those who are in the farm. I get my salary in the farm and I shall get my salary in the restaurant'. That is the system which Russia has built up by paying double salary for people sent compulsorily to work somewhere and also in the farm. Here I broached this subject of the youngboy going to compulsory service and getting back to the job and the employer is not ready to take him back. The Russian example is a better example. Unless we imitate many of the things that are done in the highly socialised countries, we cannot put our country on the right track. This compulsory service is very very essential. Hence I welcome this Bill.

MR. DEPUTY CHAIRMAN: Several Members give their names and they are not found when their turn comes. When other Members are called upon to speak and when the time is about to be over, they come. This practice is not good. They should be in their seats. Dr. Alva.

DR. NAGAPPA ALVA (Mysore): Mr. Deputy Chairman, the National Service Bill is a welcome measure and I support it. This in fact is overdue. A Bill of this kind ought to have been brought after the Chinese aggression at least after the Pakistan war in 1965. Though it is overdue, though it is late now I feel it is timely. The Bill provides for the registration of qualified persons, that is, doctors and engineers and to make them do national service. At the outset my fear is whether this will be implemented with all the seriousness that is due. There are certain aspects to be considered here at this juncture. One is the preparedness not only militarily but also the preparedness of our country in all walks of life to face the emergency. The unemployment problem of the educated has

become a very serious one and added to that the problem of the unemployed engineers and doctors is a thing which has to be taken up with all the seriousness and if we make up our mind we can certainly do it and for that this is a very welcome measure as I have already said. Sir, we know that of all the doctors in the country—80 per cent of them somehow or other stick to the towns and only 20 per cent go to the villages. And almost all the post-graduates and specialists—99 per cent of them—stick to the towns and cities. Sir this measure is very necessary. While this is also an attempt to solve the unemployment problem, we hope if this measure is properly implemented will create a sense of understanding which will awaken the consciousness of the people towards not only preparedness but also towards national service. Here it is said that this is for national defence, civil defence and also for social service. Sir, that word 'social service' must be made 'national social service' because at this juncture every service to the people particularly to the rural population of this country is very very necessary.

At the same time I want to point out one or two defects that are here. The main defect I find here is about registration. There must be a separate register. The Employment Exchange has become a multi-purpose society where I should say there are all sorts of confusion. So a separate register must be maintained in every States and at the Headquarters there must be a Department to coordinate the efforts. At the same time it is very very necessary that the States must be made to cooperate in this effort. This is national effort and every State has to see that these people get into this service most willingly. It is also necessary to see that their service conditions are good and attractive.

There is another grave defect which I should like to point out here and that is the age limit of 30 years. Those who pass the engineering examinations or the medical examination and remain unemployed are already 27, 28 or even 30 years of age and unless you raise this age limit to 35 I think no purpose will be served by this. Afterwards when these people come into regular employment their national service must be taken into consideration and the upper age limit for entry into State services must be suitably adjusted,

Now if the engineers are taken into this

national service much rural reconstruction and developmental work can be gone and this will be a kind of encouragement or incentive to people. Now there is grave disappointment among the parents and the public at large because of the unemployment of these people. Sir, there is a feeling among the intelligentsia which has got to be curbed. These educated people have virtually forgotten the village and rural areas and they seem to have no interest in the country. They only think of themselves and their welfare. From that point of view also this Bill is a very important and we must encourage this. Once again I would say that their service conditions must be made good so that those who serve there may attract others when they are convinced that they will get the maximum possible comforts. This will make them take to this most willingly. Sir, there is a feeling that an element of compulsion is here but that compulsion at this juncture is very necessary.

About the medical service I would like to say one thing. As it is, the rural services are entirely unsatisfactory. In practically one-fifth of the blocks we do not have primary health centres and from what I understand one-fourth of the primary health centres are not manned by doctors. So it is very necessary that doctors should be taken in for this service which is the main organised sector for the programmes of public health, medical care and family planning. I appeal to the Government to prove that they are serious in this matter. It is urgently very necessary that this should be implemented, and within one year they must prove to the people that they are at it because this concerns a great cause, cause of the people of this country, cause of the defence of this country and cause of serving the villagers in this country. Thank you, Sir.

SHRI K. C. PANT : Sir, I am grateful to the hon. Members who have spoken on this measure, and for their support to the measure. Each and every Member, whom I have heard, has supported the intention behind the measure, and has accepted the need for this measure. I did not hear a couple of speeches, and I understand that in his speech Shri Sakhalecha took objection to the element of compulsion in the Bill. I think that point has been adequately answered or, if I may say so, more than adequately answered by several hon. Members who spoke before me, and I do not think that I need to dwell on that aspect of his speech.

SHRI V. K. SAKHALECHA : When I was speaking, the question of compulsion was raised in this way that primarily it was our duty to see that your young graduates should be ready to offer themselves for this work. It is lack of education for such youngsters that they are not coming forth for such service.

SHRI K. C. PANT : Sir, the young men, if they come forward willingly, then of course, even if there is such a measure, it is not compulsion. They will accept it willingly, and I for one hope that the response of the doctors and engineers who are called upon to undertake some national service under this scheme will be a positive response, will be a response which considers such national service as an opportunity which they should welcome because, after all, as has been said by many hon. friends, the condition in the rural areas, to take only one public aspect of the matter, in respect of medical services, leaves much to be desired even today. There is the clear fact of the primary health centres not being fully manned—two doctors are supposed to man one primary health centre. I have already given the figures. In many of them not even one doctor is present. In several others only one of the two doctors is present. This is in a situation when one primary health centre is covering one lakh of persons. That means one doctor is covering 50,000. Now, surely we cannot accept this position. We cannot just sit back and wait for doctors to come forward and in due course man our primary health centres or the other facilities. It is necessary that the health standards of the nation are raised quickly, productivity is linked with health standards, production is linked with health standards and our well being is linked with health standards. It is very necessary that in the rural areas health standards should rise quickly. This is not possible unless a larger number of doctors come to the rural areas. So, even if you look at this one aspect, you will realise the importance of securing the right type of doctors for this work. Shri Nawal Kishore has referred to the vital importance of family planning.

SHRI MAHAVIR TYAGI (Uttar Pradesh) : Before you go to Shri Nawal Kishore, I just seek one clarification from you with regard to the point which was emphasised by Mr. Sakhalecha. He said that the four years' compulsory service should not debar that youngman on account of overage or something

[Shri Mahavir Tyagi]

else. After he is released, if he wants to apply for some Government job, he should not be disqualified on account of his age having gone up by four years. Could you please adjust your rules in such a way that these four years may be exempted from his age? As I have said, this should not be a bar in his case.

MR. DEPUTY CHAIRMAN : These four years will be deemed to be Government service.

SHRI K. C. PANT : No. He is not going as far as you, but I think the point needs consideration. Certainly when a person is called for national service, he should not be debarred on account of his being overaged. I think the point is well taken.

SHRI MAHAVIR TYAGI : That is my plea.

SHRI K. C. PANT : I will certainly look into that aspect while the rules are being framed. As I was saying, the other aspect of the matter to which I have referred in my opening remarks and to which Nawal Kishoreji referred is family planning, which is one of the most vital programmes. It is absolutely essential that we win the race against population growth. While there is a greater consciousness today in the rural areas, that consciousness has to be translated into a ready acceptance of the various schemes which have been formulated to contain population. When these schemes are put into effect, one finds sometimes that there are various rumours in the rural areas which are set afloat by interested parties to see that family planning does not grow. Any one who is experienced in this field knows this and it cannot be met merely by making speeches. There have to be doctors present who can advise the villagers, who can explain to their satisfaction where things may have gone wrong and then they can put things right and restore their confidence. I find that very often the scheme is well launched, but then some minor difficulty arises. Some operation is not successful or something happens and the whole schemes brought into disrepute on that account. Howsoever we look at it, the need for more doctors being sent to the rural areas is one that I think the whole House will accept. I have dwelt on these two aspects only. But there are other things also like building dams in remote areas. But the most important

aspect of this Bill is the fact that in the Defence Services today we require these engineers and the engineers are not available. On the one hand, there are unemployed engineers and on the other hand they are not available. It is somewhat anomalous, it is somewhat contradictory, and it is a fact and a fact of life which we have to accept and therefore some provision has been made for engineers being available as and when they are required by the Army.

So, Sir, these are matters which I have already dealt with earlier. I agree with Shri Alva entirely that it is a question of creating the right spirit and I hope that the young doctors and engineers will respond in the right spirit, that they will not only look upon this as a compulsory service but will look upon this as an opportunity to serve the nation. As some one has said, a lot of money is spent on the education of these doctors and engineers; society spent that money and society has a right to expect some return from them by way of service. And, Sir, it would redound to their credit if they accept not with reluctance, not grudgingly, but would accept it open-heartedly and with open arms as an occasion to understand India, to visit the villages to familiarise themselves with the problems of our rural areas, our rural communities in far off places or the tribal areas to which reference was made by Shri Menon, our areas in the northeast of our country, the Andamans, the Laccadives and so on. And there are so many far-flung regions in the country the problems of which one does not understand till one visits them. Now, if our doctors and engineers understand these problems when they go to those areas, it will open up new avenues in their thought, it will widen their understanding of their own country and will make them better citizens of this country. So, Sir, it is in that spirit that I hope that they will accept the scheme and welcome it.

Now, Shri Sakhalecha also referred to the definition of national service in the Bill and said that there should be some provision to widen it as to where national service should be included, and Shri Narasiah also referred to this definition. Sir, the need for specialists like these, the need for engineers and doctors, may change, will change, from time to time and I think this is an exercise which will have to be done by the Government in consulta-

tion with the various departments as to what the needs at the moment are. We have the Man-power Division, we have the Planning Commission which is doing its own exercise. All the time, many sections of the Government in coordination are working on this manpower problem and manpower planning. Therefore, they would certainly be the best people to look into all the aspects of the question and determine which is the area which has the maximum need for this kind of national service and for enlistment at any given time, and I hope that that will be accepted. Shri Narasiah also referred to the National Service (Hardship) Committee and I think, in effect, what he suggested was that matters of fact should also be considered by this Committee, not merely matters of law. The problem is that there may be resistance to recruitment or enlistment of this kind. And in fact, some hon. Members referred to the possibility of influence being exercised to exclude some people or to include some others. Now, I think we should try to make the system as fair, as just and as even-handed as possible, and in this Hardship Committee, we have a high-powered committee which will go into these matters. We have as its Chairman a High Court Judge or one who is qualified to be a Judge or has been a Judge. It has a high status. It can be depended upon to look into the facts completely objectively, and even if these persons, who do not want to be enlisted, start going up in appeals—time and again there will be a number of frivolous and vexacious appeals—we do not want to leave the door open for that. That is why the Hardship Committee is expected to look into the points of facts. But where it considers that the point of law arises, and such points can arise, and the Law Ministry feels that this is a necessary provision, the provision for appeal is there.

Sir, Shri Balachandra Menon wanted us to improve the conditions in the rural areas. I agree the conditions should be improved in the rural areas. But I do not think that it follows from that that till conditions get improved enough to attract these people, doctors etc., we should not have the scheme. Therefore, I am glad for his support for the scheme. Independently of that one should suggest about improving the conditions.

SHRI BALACHANDRA MENON :
Houses must be there for the doctors.

SHRI K. C. PANT : Yes. Conditions

must improve. I am not against that. I am merely saying that in order that conditions may improve to a point where they are as good as they are in cities and, therefore, equal attraction to the doctors, is the condition that may not be readily reached in the foreseeable future. It will take several years and we cannot afford to wait till then. That was the only point I was making.

On the definition he mentioned that it should be flexible. I entirely agree with him. Even on the question of unemployment of engineers and doctors, today engineers are unemployed in the coming future. But we may come to a position after, may be two years, when unemployment will ebb away and we shall have a very different picture from what it is today.

Sir, Nawal Kishoreji referred to the point that when the country needs doctors and engineers, then a certain amount of compulsion is necessary. He said that defence needs must have priority and it is really this which seemed to be the basis of this particular Bill he said.

My hon'ble friend, Shri Ranbir Singh, supported the Bill. I am grateful to him for it. But he utilised the occasion to plead the case for Haryana in relation to repayment of loans and overdrafts. And because I have once done my grinding in the Finance Ministry, I am extremely sensitive to these subjects, and I can immediately pick them up from the other points that he made. I think it was a good attempt to utilise the occasion. But I do not really see how I can help him there nor do I see the relevance of these remarks.

Sir, Dr. Vyas made some suggestions which also did not entirely fall within the scope of the Bill. His idea seems to be that we should use this Bill to have a kind of parallel army in peace time. He said that the professional army is a white elephant on which energy is wasted in times of peace. This is a sentiment with which atleast today I think, not many in this House would agree. A professional army is required by every country today in the world though there are examples of countries like Switzerland where there is no permanent standing army. They have recruits who can be called within 24 hours or so. That example occurs to me. I cannot readily recall any other example of a country without a permanent professional army. He himself said that the tasks of a

[Shri K. C. Pant]

modern army are very complex and, therefore in order to perform these complex tasks, you require expertise, you require training and you require a certain discipline, etc. All these things are necessary. I do not think that in the conditions of to-day, at any rate, when we are having tension on our borders, I can accept the idea that a professional army is redundant. But I think what he actually meant...

DR. M. R. VYAS : I said "depending only on the professional army"; that was the wording I used.

SHRI K. C. PANT : I noted it very carefully. But I was coming to that. I think what actually he meant was some kind of a territorial army concept ; what he was referring to was the concept of reservists to call up in times of emergency. Now, we do have reservists in our country. We also have the territorial army. We have Home Guards. They certainly perform the kind of functions which, I think, he has in mind. But even then they do not replace the army in its normal functions. Even the Border Security Force, which is guarding the borders, is supposed to give way to the army once an attack starts. The idea is that when the attack starts the army goes into the border area and when the actual fighting starts, the Border Security Force withdraws. In this war, the Border Security Force had to fight many battles, but that is another matter. They stretched themselves beyond what they were expected to do. But normally even there the army is required because the army has got the equipment, it is trained and it has got the specialisation for that kind of task. The most important point is that in this Bill we are only dealing with engineers and doctors. It is not a general call-up Bill ; it is not a general Bill for dealing with this problem. There is no shortage of the kind of persons whom he has in mind. The shortage is confined to this area. Therefore, the Bill only covers the areas specified,

Sir, he also gave a suggestion that paramilitary units should go and work in the field of health, for construction of dams, etc. Again with all respect, where civilians can perform the job, I think it is right that the civilians should perform the job. The army has its own tasks and prepares for them. But to allow the army to perform all kinds of civilian jobs in the country and to create an impression that the army somehow can do a

much better job than the civilians—I do not know if that is the kind of climate he would like to create. I do not know if one can escape that conclusion, if one tends to belittle the performance of the civilian section of the Government and say that the army should be put in and then only right results can be achieved. I hope he will think over these matters. I cannot readily see the wisdom of letting the army perform tasks which the civilians can perform.

Dr. Alva referred to the need for some such measure after 1968. As I said in my earlier remarks, in the wake of the Chinese aggression, the Government did formulate a compulsory liability scheme for engineers and doctors. It was confined to those in Government service or in public sector undertakings. It was only when, after experience, it was found that it was not working properly that this measure was brought forward, the Bill which is before the House to-day. He referred to the fact that the Employment Exchanges are overworked and that the registration should be done elsewhere. We want to keep the expenditure within limits. That is why we want to utilise the specialised agency of Employment Exchanges for this purpose also. But within the Employment Exchanges we will have separate cells or officers to look after this particular work. But if we allow the officers to proliferate and other agencies to come up, that will add to the expenditure and we wanted to keep that down.

DR. K. NAGAPPA ALVA : I suggested that separate registers must be maintained. There must be somebody in charge and the State Government also should be well informed about it. That was my suggestion.

SHRI K. C. PANT : These suggestions, I think, are perfectly all right. But the Government did not want separate buildings to be put up, some new agencies to be created, expenditure to be incurred. Certainly separate registers, making someone responsible and answerable in getting the cooperation of the State Governments, these are certainly things that will have to be looked into, that will have to be done. Then he referred to the service conditions and he wanted the service conditions to be good. If he has seen in the Bill, the payments that are to be made to the enlisted engineers and doctors are the same as would be made to Government servants in

their positions. I think that is a very reasonable, proposition, particularly as we propose to employ the unemployed engineers and doctors in the first instance provided, of course, they are good. It is no use employing persons who would not answer the needs of the tasks which are to be entrusted to them. But if they are good, we intend to employ them first because it would be an answer to another problem in the country if you can employ those unemployed engineers and unemployed doctors. Though I do not think there are many unemployed doctors as such because every doctor does find something to do. But there is such gross overcrowding in some of the cities at the expense of the rural areas that that aspect becomes important. . .

DR. K. NAGAPPA ALVA : I am suggesting that post-graduates and others who are specialists, both engineers and doctors, may have certain special conditions, that is, their pay scale may be a little different. Because it is a question of encouraging them to come forward. There is a feeling now that those who have post-graduate qualification and other specifications in the fields of science and technology are not being encouraged. Therefore, this is an occasion for us to see that all such persons are encouraged by providing them better service conditions, better facilities and better scales of pay.

SHRI K. C. PANT : Since their pay scale would correspond to what the Government servants would get, to the extent there is encouragement with Government service for such specialised services, that, I suppose, will be reflected here also. Finally, he said that when these people are re-employed, their national service should be taken into consideration. I would refer him Clause 23, sub-Clause (7) (b) where it expressly says :

“In determining the terms and conditions of reinstatement of the former employee, regard shall be had to the additional skill and experience acquired by such employee in the course of his employment in the national service.”

Sir, I think I have covered most of the points that have been raised. I would commend the Bill to the House.

DR. K. NAGAPPA ALVA : Sir, just one clarification. What I said was this. The age limit for recruitment is, for example, 25. By the time they serve here and go back, they will be overaged. So the service they have put in

here must be taken into consideration while they are being re-employed.

MR. DEPUTY CHAIRMAN : He has already answered that. The question is :

“That the Bill to provide for the registration of qualified persons and for the rendering of national service by such persons and for matters connected therewith as passed by the Lok Sabha, be taken into consideration.”

The motion was adopted.

MR. DEPUTY CHAIRMAN : We shall now take up clause by clause consideration of the Bill.

Clauses 2 to 38 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI K. C. PANT : Sir, I move.

The question was proposed.

श्री बी० के० सखलेचा : माननीय उपसभापति महोदय, मैंने उस समय यह निवेदन किया था कि सोशल सर्विस की कोई डेफिनिशन इसमें नहीं दी है और यह केवल मैंने ही नहीं, अन्य सदस्यों ने—माननीय श्री नरसिंहा ने भी—समर्थन किया कि इसकी कुछ डेफिनिशन देनी चाहिए। मैंने यह भी निवेदन किया था, जैसा कि मंत्री जी ने लोक सभा में जवाब देते हुए कहा कि अन्य सिचुएशन एराइज हो सकती है बाद में, इसलिए हम पूरा डिफाइन नहीं करते, लेकिन मैंने निवेदन किया था कि इसके बारे में बाड़ी बनायी जाय। मंत्री महोदय ने जवाब में कहा हमारे डिफरेंट गवर्नमेंट के डिपार्टमेंट्स हैं, वे मिल कर और बैठ कर इस बारे में तय करते हैं। मेरा निवेदन है कि जब किसी सर्विसेज के बारे में आप कोई नेशनल स्टेप उठाना चाहते हैं, किसी को सर्विसेज को एक्वायर करना कम्पलसरी समझते हैं, तो नेशनल प्वाइंट आफ व्यू से करना चाहिए और उसके लिए डेफिनिशन करना चाहिए। अगर उसको एक्वायर करने के बारे में गवर्नमेंट आफ इन्डिया नोटिफाई करे तो उसके पहले एक ऐसी बाड़ी हो जो नेशनल रिप्रेजेन्टेटिव बाड़ी हो, उसमें कंसल्टेशन के बाद नोटिफिकेशन किसी सोशल सर्विस को कम्पल-

[श्री बी० के० सखलेचा]

सरीली एक्वायर करने का करे। उसके बारे में मंत्री महोदय ने जवाब नहीं दिया। मैं चाहता हूँ, जब आप नेशनल परपज के लिए कोई सर्विस कम्पलसरीली एक्वायर करना चाहते हैं तो उसके लिए एक नेशनल बाडी होनी चाहिए, उसके कांस्टीट्यूशन में इस प्रकार का कानूनी प्रावधान आप कर सकते हैं। कम से कम आप बताएं कि आपकी इच्छा है या नहीं कोई नेशनल बाडी बना कर, तब कोई नेशनल सर्विस कम्पलसरीली एक्वायर की जाएगी। वह एक रिप्रेजेन्टेटिव बाडी होनी चाहिए, सारे नेशनल की होनी चाहिए; क्योंकि केवल गवर्नमेंट को अपने हाथ में सारे डिजीजन की पावर लिमिटेड रखना उचित नहीं है। आपने इस बारे में कोई स्पष्टीकरण नहीं दिया, इसलिए मैं चाहता हूँ इस के बारे में गवर्नमेंट स्पष्ट रूप से आश्वासन दे कि सभी दलों के लोगों के इस बारे में विचार जाने जाएंगे और सोशल सर्विस डिक्लेयर करने से पहले सब दलों की राय ली जाएगी और उसके बाद नोटिफिकेशन किया जाएगा।

SHRI K. C. PANT : Having answered the point, really I have nothing to add. But I would like to refer Shri Sakhalecha to the definition which might remove some of his doubts. The definition says :

“National service means any service which is likely to assist the defence of India and civil defence or the efficient conduct of military operations and includes such social service as the Central Government may, if it is of opinion that it is necessary for public purposes so to do, by notification specify in this behalf.”

Therefore, the definition is very, very clear and in any case the specialised know-how is with the Government to determine which are the areas required for the services of any particular class of people, etc. In these matters, Government can certainly be trusted to take a national view of the matter and if friends opposite have any suggestion to offer at any time and if they feel that the scheme is not functioning properly...

श्री बी० के० सखलेचा : नेशनल बाडी तो आप बनाना नहीं चाहते हैं।

SHRI K. C. PANT : It is no use interrupting me because you are not going to get something out of me. He should know it. He is an experienced Parliamentarian. I have already said ‘no’. If he keeps on interrupting me, he will not get ‘yes’ from me. I am trying to explain to him the reasons. I would welcome suggestions, if any, at any stage, if any of my friends feel that some other field should be taken under the purview of the Bill or some other point requires attention, and we shall certainly look into them.

MR. DEPUTY CHAIRMAN : The question is :

“That the Bill be passed”.

The motion was adopted.

THE DELHI CO-OPERATIVE SOCIETIES BILL, 1972

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE (SHRI JAGANNATH PAHADIA) : Sir, I beg to move :

“That the Bill to consolidate and amend the law relating to co-operative societies in the Union Territory of Delhi, as passed by the Lok Sabha, be taken into consideration.”

Sir, the co-operative societies in the Union Territory of Delhi are at present governed by the provisions of the Bombay Co-operative Societies Act, 1925, as extended to the Union Territory in 1949. The Bombay Act of 1925 has been repealed in Maharashtra and Gujarat and replaced by new Acts. Thus a strong reason was afforded for replacement of the current Act in the Union Territory of Delhi.

In order to meet the changing conditions of the co-operative movement, the Punjab Co-operative Societies (Extension to Delhi) Bill, 1965, was introduced in the Third Lok Sabha in December, 1965. The Bill, however, was not taken up for consideration, and lapsed.

Under the Delhi Administration Act, 1966, the Metropolitan Council was established. The Metropolitan Council considered the matter and recommended a self-contained comprehensive Bill. The Bill as recommended