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Title: Discussion on the Sashastra Seema Bal Bill, 2007 (Discussion concluded and Bill Passed).

MR. SPEAKER: Now, the House will take up item no. 10, the Sashastra Seema Bal Bill, 2007.

Hon. Minister please.

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): Mr. Speaker, Sir, I beg to move* :

"That the Bill to provide for the constitution and regulation of an armed force of the Union for ensuring the security of the borders of India and for matters connected therewith, as passed by Rajya Sabha, be taken into consideration.
"

The Special Services Bureau, now Sashastra Seema Bal, was raised in 1963 under the Cabinet Secretariat in the backdrop of Chinese aggression. The organization was initially functional in the regions of the then North-East Frontier, North Assam, North Bengal, hills of Uttar Pradesh, Himachal Pradesh and Jammu. Subsequently, its activities were extended to other areas in Manipur, Tripura, Meghalaya, Sikkim, Rajasthan, Gujarat, Mizoram, South Bengal, Nagaland and some areas of Jammu and Kashmir between 1965 and 1991.

The SSB was initially assigned "Stay Behind Role" wherein the non-uniformed Area Wing was primarily responsible for organizing, planning and execution of the assigned tasks and the uniformed wing was providing administrative and logistic support for the same.

On 15th January, 2001, the control of the SSB was transferred to the Ministry of Home Affairs, in pursuance of the recommendations of the Group of Ministers on reforming the National Security System. The Ministry of Home Affairs entrusted to the SSB the role of guarding Indo-Nepal border, stretching over 1,751 kms.[\[MSOffice14\]](#)

* Moved with the recommendation of the President

On 12th March, 2004, the Ministry has further assigned the task of guarding Indo-Bhutan Border to the SSB, stretching over 699 kilometres. The SSB seeks to achieve these objectives by policing the border through armed combatized wing which has been re-structured into 41 Battalions.

The organizational structure, sphere of responsibilities and role of Sashastra Seema Bal (SSB) has undergone a considerable change over a period of time. The Force has expanded both in size and responsibility. At present, the SSB is performing the Border Guarding duties on Indo-Nepal and Indo-Bhutan borders through its Armed combatized wing with the following objectives:-

1. to promote a sense of security among the people living in the border areas;
2. to prevent trans-border crimes and unauthorized entry into or exit from the territory of India; and
3. to prevent smuggling and any other illegal activities.

The organizational structure and sphere of responsibility of the SSB have undergone a qualitative change since its inception in 1963. The role and duties entrusted to it as a Border Guarding Force (BGF) on Indo Nepal Border and Indo Bhutan Border have necessitated enactment of a comprehensive legislation to be called the Sashastra Seema Bal Act, on the lines of similar Acts for other Border guarding Forces especially the Indo-Tibetan Border Police Force (ITBPF) Act which is the latest Act of a Border guarding Force on account of the following factors:-

1. to lend statutory backing to the Organization/Force and clothe it with a separate and independent identity at par with other Border Guarding Forces;
2. to dispense with the existing arrangement of extending selective applicability of the provisions of the CRPF Act 1949 to SSB personnel and to introduce uniformity by enacting a separate comprehensive legislation for the SSB;
3. to reinforce superintendence, guidance and control for effective operational efficiency and management of the Forces to achieve its organizational objectives as a border guarding force; and
4. to pave way for cohesive organizational structure as also to provide for a set of rules, methods and procedures in matters of

discipline and performance.

The following are the salient features of the proposed legislation:-

1. Constitution of the Sashastra Seema Bal as an Armed Force of the Union with provisions for control, direction and service conditions of the Force personnel.
2. The details as regards the constitution of the Force and conditions of service of its members and the powers of the Director General, SSB, are incorporated in Chapter II (clauses 4 to 15).
3. Bringing under purview of the proposed Bill all persons appointed (whether on deputation or in any other manner) in the Force, namely:-
 - (i) Officers and subordinate officers; and
 - (ii) Under-Officers and other personnel so enrolled.
4. Constitution of the SSB Force Courts and provision for the powers, processes and procedures to be followed, and the penalties which can be imposed are contained in Chapters III and IV (Clauses 16 to 60) and Chapter VII to IX (Clauses 76 to 132) of the proposed legislation. Death penalty has been stipulated for certain grave categories of offences (Clauses 16 and 17).[\[a15\]](#)

Out of 11 Chapters in this Bill, Chapter 2 relates to the Constitution of the Force and conditions of service of the members of the Force. Chapters 3 and 4 deal with the Offences and Punishments. Chapter 5 deals with the Deductions from Pay and Allowances of the persons subject to the Act. Chapter 6 deals with the Arrest and Proceedings before trial of the persons subject to the Act. Chapters 7, 8 and 9 deal with the Force Courts, Procedure of Force Courts and Confirmations and Revision of Proceedings of Force Courts. Chapter 10 deals with Execution of Sentences, Pardons, Remissions etc. and Chapter 11 deals with the Powers and Duties, Protection for acts done by members of the Force.

The Sashastra Seema Bal in existence at the commencement of this Act, shall be deemed to be a Force constituted under this Act and the members of the Sashastra Seema Bal in existence at the commencement of this Act shall be deemed to have been appointed or as the case may be enrolled under this Act.

Moreover, anything done or any action taken before the commencement of this Act in relation to the constitution of Sashastra Seema Bal in relation to any person appointed or enrolled as the case may be shall be as valid and as effective in law as if such thing or action was done or taken under this Act. However, nothing shall render any person guilty of any offence in respect of anything done or omitted to be done before the commencement of this Act.

All expenses incurred concerning the administration of this Force would be met from the 'Consolidated Fund of India'. As the Force has already been constituted, no additional expenditure of non-recurring nature is likely to be involved when this Bill is enacted and brought into force.

The Sashastra Seema Bal Bill, 2007, has been passed by the Rajya Sabha on 28.11.2007.

With these words, Sir, I commend this Bill to this august House for consideration and approval.

MR. SPEAKER: Shri Tapir Gao to speak now.

SHRI TAPIR GAO (ARUNACHAL EAST): Hon.Speaker, Sir, I seek your permission to speak from here.

MR. SPEAKER: Do you not like your own seat?

SHRI TAPIR GAO : Sir, at the outset, I would like to say that the Sashastra Seema Ball Bal, 2007 is a very important Bill and I am here to support this Bill. But I have got a lot of views on this Bill. I would like to highlight them in this connection.

12.44 hrs.

(Shri Arjun Sethi *in the Chair*)

Sir, I salute the services of the SSB. As has rightly been pointed out by the hon. Home Minister at the outset, this organization, SSB – earlier, it was called as the Special Service Bureau which was formed in 1963 – was to inculcate a sense of security in the

border areas and the citizens of the NEFA – the North-East Frontier Agency, which is today called Arunachal Pradesh after the 1962 aggression. Proudly, the people of Arunachal Pradesh can say that only because of the SSB's services, they are calling Jai Hind in all the remotest corners of Arunachal Pradesh. The SSB, in those days, was well organized and the initial role of the SSB in NEFA was very unique and its salient features were to provide humanitarian assistance, to maintain integrity and to provide security to the nation and the people.

I have gone through the Bill. Luckily, I am in the Standing Committee on Home Affairs. So, I have got access to this Bill. Hence, I would like to point out that the initial role of the SSB of 1963 was to inculcate a sense of security among the border people and subsequently it has been changed. But I have some fear. I would like to draw the attention of the hon. Minister and the Government of India and I would like to make a mention of the Padmanabiah Committee's recommendations of 1999 also. [\[R16\]](#)

I fear if I am not wrong, I would like to get the reply from the Home Minister regarding the salient features of the role of SSB today. In the initial stages, the role of SSB was to inculcate a sense of security and spirit of resistance in the border populace and perform "Stay Behind" role during enemy invasion or occupation, promoting national awareness and security consciousness among the people of the border areas, generating mass support in the border areas through National Integration Programme and welfare activities and countering enemy propaganda through psychological operations and awareness campaigns. Now, as the hon. Home Minister has rightly pointed out, I think now it is limited to only three points. They are to promote a sense of security among the people living in the border area; to prevent trans-border crimes and unauthorised entry into or exit from the territory of India; and to prevent smuggling and any other illegal activities on the border.

Today, I would proudly like to say and you can see it for yourself that today, in spite of China's repeated claims on the territory of Arunachal Pradesh, not a single Arunachali supports it. All this is because of the services rendered by SSB for four decades in Arunachal Pradesh. So, I salute the services, rendered by SSB. That is why, I highlighted the initial role of SSB in this country. They organise the villagers and make volunteers in the villages. By this, they generate Indianness among the people living in the border areas. We have seen it with our own eyes. Secondly, you cannot get the intelligence information from across the border with your uniform. The SSB were having some non-uniform workers also in those days. I hope the present day SSB is also having them for intelligence accumulation from across the border. So, it was so well organised. This force has got the strength to guard the international borders with Nepal and Bhutan. I think today the Bhutan border and the Nepal border are more sensitive than the Western border with Pakistan. All untoward activities, extremism, unlawful entries and anti-India propaganda are enroute through the Nepal border. Therefore, the same spirit of SSB's working should be maintained in the future also.

Today, the SSB is guarding 1,700 kilometres of border with Nepal and 699 kilometres of border with Bhutan with high altitudes and all dangerous trends in the Himalayan range. Therefore, Sir, we need to maintain its initial role and it need to be strengthened by Padmanabiah Committee's recommendations. [\[MSOffice17\]](#)

Sir, earlier the SSB's role was to stay behind, but now they have been asked to guard the border. So, same type of facilities should be extended to the SSB also which may require better coordination with intelligence agencies and the main intelligence agencies should look into this aspect.

I have gone through the Bill. The hon. Minister has very rightly brought this Bill now and we support this Bill and I hope this Bill comes under the Armed Forces Act which is good for the Armed Forces personnel who are serving in the SSB. In Clause 7 of the Bill, it is stated that their jurisdiction will not be limited to the country and every member of the force shall be liable to serve both inside the country as well as outside India. If the personnel of SSB are to be sent on UN services outside the country, then in addition to the nomenclature of SSB, like ITBP, CRPF etc., we may also give an English name for this force like Border Armed Force or Border Police Force so that it gets a broader sense when its personnel are sent outside India.

Sir, I have been appointed as one of the members for looking after the housing facilities of para-military forces.

MR. CHAIRMAN: Please conclude.

SHRI TAPIR GAO : Sir, please give me a little more time.

सभापति महोदय: आपकी पार्टी की तरफ से चार स्पीकर्स हैं, इसलिए थोड़ा शॉर्ट करें।

श्री तापिर गाव : जितना हो सकेगा, मैं शॉर्ट करने की कोशिश करूंगा।

Sir, in para-military forces, housing facility has been given only to 25 per cent of their personnel, but in SSB it is less than one per cent. Therefore, the housing aspect of SSB personnel may kindly be looked into seriously because they have to work in the remote, Himalayan ranges and they will have to look after their family members like old aged father, mother etc. So, this is an area where the Government of India should pay attention.

Sir, para-military forces have been given flying facilities as it has been given to their DGs and also for evacuation of their soldiers at the time of any casualty. Now, SSB is looking after more than 45 Outposts at an altitude of more than 10,000 feet above the sea level in the Himalayan ranges in the Nepal border and Bhutan border. At the time of any casualty, they cannot carry out evacuation as they do not have flying facility now. Nepal border is the corridor of naxalities. Therefore, for quick deployment and better operation of this force, flying facility may be extended to SSB like it has been given to other para-military forces.

Then, with regard to enrolment to this force, as per the guidelines, 20 per cent of their recruitment should be from the guarding areas, another 20 per cent should be from militancy-affected areas and the remaining 60 per cent should be from the rest of the country.[\[R18\]](#)

[\[r19\]](#)The silent feature of the SSB was in regard to recruitment of non-citizens' enrolment also. This is a good service that they have rendered for the four decades in the nation building. Therefore, there may not be enrolment only but they should be allowed to recruit non-citizens services on the border so that they can get a lot of intelligence information from outside the territory also.

MR. CHAIRMAN : Please wind up now.

SHRI TAPIR GAO : Sir, for the first time in my life, if I handled arms and ammunition, it was through SSB only. I was one of the volunteers in those days and for the first time in my life I fired 303 in the SSB camp. Therefore, this organization has a vast role in social upliftment, for voluntary organizations in the border areas. The same type of initial stage should be there.

12.56 hrs.

(Mr. Deputy-Speaker *in the Chair*)

The recommendations of the Padmanabhaiya Committee be kindly implemented so that this organization can do lot of services in protecting the borders, protecting us from the enemies and doing social service for the people living in the border areas.

With these words, I support this Bill.

SHRI NIKHIL KUMAR (AURANGABAD, BIHAR): Sir, I rise to support the Sashastra Seema Bal Bill that has been introduced by the Government to give legal and statutory power to what was earlier the Special Services Bureau and which has now been renamed as the Sashastra Seema Bal.

As the hon. Home Minister has, in his presentation, mentioned the background of the SSB, a force that was established in 1963 to perform mainly the stay-behind role and now after 44 years, it has been found necessary to give it a different role.

I personally feel that this is something that was long awaited and should have been done much earlier. I say this because I am personally aware of the sensitivity of the Indo-Nepal Border. This border is nearly 1800 kms. long and it is open, it is porous. It is so following the provisions of the Indo-Nepal Friendship Treaty of 1950 in which there were provisions especially incorporated to promote Indo-Nepal Friendship and Amity and the preservation of centuries of our common culture.

But this sincere attempt at promoting friendship with Nepal has been misused by forces inimical to India's interest and I am aware also of the fact that it is extremely difficult to police this long border. As a result, it is possible to cross from Nepal into India and from India into Nepal without there being any serious checking or monitoring of such movements. Consequently, we have faced the brunt, as my dear colleague, Shri Tapir Gao, has mentioned, this has become even more sensitive, this border with Nepal than our western border. Any number of incidents which have been orchestrated by terrorists seated across our border have been so done by people who have entered India across this border. Therefore, it became extremely essential to organize some kind of effective policing of this border.

The SSB, which was basically, as the hon. Home Minister has very rightly mentioned, in a somewhat dual role, it was stay-behind role in a non-uniform way and it was given logistical support, etc. by a uniformed force. Without meaning to cast aspersions on the force, it was doing very good work.

13.00 hrs.

But the fact also is that, at a certain point of time, that Force was not very clear as to what it is supposed to do; whether it is supposed to perform uniform duties or it is supposed to perform non-uniformed duties. However, that is now past. A time had come when the SSB was not, if I may submit, quite clear as to what duties it is supposed to perform. At the same time, the Government was faced with the serious problem of policing the open and porous border with Nepal. Therefore, a very sensible decision was taken to deploy the SSB on this border. I am aware personally of this deployment. I met people from this Force who were deployed along this border. They lacked the infrastructure to police a border; they lacked the training; they lacked the arms; they lacked the necessary logistics to be able to perform their duties effectively. The most important thing was that they needed to change their mindset. Earlier, their mindset was quite different; and now their mindset is supposed to be akin to a border guarding force. Therefore, it became utterly essential to ensure that the border guarding duties to be performed by the SSB in its new *avatar* should be effective and should, therefore, have a legal cover. There is no other way to do it except to provide them with a proper enactment. It is for this that this new Bill has been introduced. Therefore, it has come not a day too late. I support it fully.

But, Sir, there are a couple of considerations which I would like to submit for the consideration of the hon. Home Minister and the Government. There will, now, be three border guarding Forces. There will be the Sashastra Seema Bal (SSB); there will be the Indo-Tibetan Border Police (ITBP); and there will be the Border Security Force (BSF). I recall that some time back a Group of Ministers has been constituted to go into the question of internal security and external security. As you all know, internal security in India is, now, largely governed by or determined by happenings outside the border. Therefore, it became very necessary to see what kind of policing, what kind of border policing is being done in this country. So, the Group of Ministers mentioned in one of its recommendations that all these Forces should go back to their primary duties. If you are in the Border Security Force, you should go to the borders; if you are in the Central Reserve Police Force, you should manage internal security duties; if you are in the Indo-Tibetan Border Police – it is a border guarding Force – then you should go to the borders.

Now, this is a new border guarding Force. With this, there will be three new border guarding Forces. My sincere apprehension is that there is bound to be some amount of coordination problems amongst these three. This coordination has to be organised and overseen by the Government of India. My appeal to the Government of India is that it should be done. ...*(Interruptions)*

Mr. Deputy-Speaker, Sir, please give me some little time. This is a very valuable piece of legislation. It is something very new. Therefore, there are certain considerations which I must place before this hon. House.

This coordination amongst the three border-guarding Forces is extremely important. There has to be a coordination mechanism so that there is no overlap of the duties. I say this overlap of duties especially with reference to the newly constituted SSB and the ITBP. There is a little grey area as to what will be the areas of responsibility of SSB *vis-à-vis* the ITBP. There are portions along the Indo-Tibet border and Indo-Nepal border, especially in Uttarakhand, where the question of actual delineation of areas of responsibility will need to be very carefully looked into. Once that is done, perhaps the Government may also take a decision as to whether this new Force should be so deployed as to not come into conflict with the Indo-Tibetan Border Police. My sincere apprehension is that since this area is a little grey area, there is a little overlap, something should be done to see that this overlap is taken care of and there is no coordination problem.

The second thing is that – as my dear friend Shri Tapir Gao mentioned, and I commend him for this – there is need to look after the welfare of the SSB people. Today, they are lacking in their housing conditions, for instance. They are lacking in the fact that not enough has been done to look after their welfare.

As it is, the attrition rate of our paramilitary forces is very high. I am not particularly clear about the statistics but I am more than reasonably certain that a number of personnel from the border guarding forces particularly the BSF who take premature retirement and retirement at a time when they are entitled to full attention is very large. Now, the Government has to pay a very special attention to this attrition rate, which is in the paramilitary forces. Much the same kind of danger faces the new force which

we are creating it. It is a good thing that we are creating it but at the same time we need to look after the welfare of these people. If you do not look after the welfare of these people, then the attrition rate will go on mounting, and the very intention of our border guarding being effective will be belied. So, this is my submission to the Government to look into this.

The third thing is that the SSB is deployed particularly along the Indo-Nepal border, say in the border districts of Bihar, which are infested by a great deal of left wing extremism. Now, here it is mentioned that it will be essentially meant for border guarding and other duties. Now, these other duties will need to be spelt out with special reference to the problem of the left wing extremism in the border districts of Bihar along Nepal. There, Sir, a great deal of coordination will be needed between the SSB and the State police of Bihar for the simple reason that there is a great deal of criss-crossing of the left wing extremists between Nepal and India. As we are all aware, there is a very strong movement of the left wing extremists in Nepal and they have very close connections with people in Bihar especially in the northern districts of Bihar, which are on the border of Nepal.

If the SSB is to perform its duties in the manner that we expect it to, then it must be in a position to coordinate its functioning with the State police of Bihar to see that it keeps an eye on the left wing extremism that is burgeoning in the whole area, all around the Nepal border, and today, it is in a position to pose a much greater threat to the security of this country than even terrorism. This will need to be kept in mind, and let not the SSB later on say that this is not a part of its duties. This has to be specified, this has to be clarified and even now when this Bill is being passed, this will have to be brought to the notice of the Government for necessary and appropriate action.

Sir, my final point is that there is an expectation of all of us that the SSB will be deployed along the Indo-Nepal and Indo-Bhutan borders as per the Explanatory Note given to us by the Government along with this draft Bill. That is all very nice but at the same time it also mentions in this Bill that it will be used for border duties in the country. So, what happens if this border guarding force which is supposed to guard the Indo-Nepal and Indo-Bhutan borders is suddenly withdrawn from there and posted elsewhere? It is this which needs to be guarded against because I do think that once this force is aware of the topography which is supposed to police, which is supposed to guard and suddenly it is removed from there, then it will take a long time, Sir, to get to grips with the problems of the new areas.

Sir, these are the three points that I submit for the consideration of the Government. With these words, I also commend that this Bill has been brought not a day too late, I support it fully and it should be passed.

MR. DEPUTY-SPEAKER: Before I would request the next hon. Member to speak, I have one announcement to make. Since this is the last item in Today's Revised List of Business, if the House agrees, we would not take lunch break today.

SOME HON. MEMBERS: Yes, Sir, we all agree.

MR. DEPUTY-SPEAKER: All right. There will be no lunch-break today.

Secondly, I have a long list of hon. Members still to speak on this Bill. Therefore, I would request them to be very brief in their speeches.

Now, Shri Shailendra Kumar. Please give suggestions and be very brief in your speech.

श्री शैलेन्द्र कुमार (चायल) : माननीय उपाध्यक्ष महोदय, मैं आपका आभारी हूँ कि आपने मुझे सशस्त्र सीमा बल विधेयक, 2007 पर बोलने का अवसर प्रदान किया।

महोदय, माननीय गृहमंत्री जी यह जो विधेयक लाए हैं, उसका पुरजोर समर्थन करने के लिए खड़ा हुआ हूँ। देश की सीमा की रक्षा में जिन जवानों ने अपनी जान गंवाई, मैं उनकी स्मृति को नमन करते हुए अपनी बात शुरू करना चाहता हूँ। चीन के हमले के बाद यह बल बनाने की सोच इसलिए पैदा हुई। वर्ष 1963 में इस बल का नाम विशेष सेवा ब्यूरो रखा गया था। वर्ष 2006 में राज्यसभा में इस बिल को प्रस्तुत किया गया और आज भी ये जवान भूतल से लगभग 18,000 फुट उंचे पहाड़ों पर हमारी सीमा की सुरक्षा कर रहे हैं। इस बल का गठन नेपाल और भूटान से लगने वाली हमारी 1751 किलोमीटर लम्बी सीमा की सुरक्षा करने के लिए किया गया है। खासकर सीमा से लगे हुए हमारे गांवों या क्षेत्रों में रहने वाले लोगों में कैसे सुरक्षा की भावना जागृत हो, इसके लिए इस बल का बहुत महत्वपूर्ण स्थान है। आज जब इस बिल के बारे में इस सदन में चर्चा हो रही है, मैं माननीय गृहमंत्री जी से यह मांग करना चाहूंगा कि सीमा पर हमारे जो नौजवान तैनात होंगे, उन्हें अत्याधुनिक शस्त्रों से लैस किया जाए क्योंकि सीमा पर जो ये नौजवान लगेगे वे देश की एकता और अखण्डता की रक्षा करने के लिए लगेगे और आज जैसी हालत में आतंकवाद और उग्रवाद से लड़ना पड़ रहा है, उसके हिसाब से इन्हें अत्याधुनिक

हथियारों से लैस करना होगा। प्रायः यह देखा गया है कि मानवाधिकारों के उल्लंघन से सम्बंधित तमाम शिकायतें आती हैं, उन पर हमें कड़ाई से पालन करना होगा और क्षतिपूर्ति के रूप में कुछ न कुछ करना होगा। सीमा पर हमारे जो जवान तैनात होते हैं, अक्सर यह सुनने में आता है कि उन्होंने आत्महत्या कर ली या अपनी ही सेना से लड़कर मरे। यह भी रिपोर्ट हमारे कई जवानों से मिली है, इस प्रवृत्ति को भी हमें रोकना होगा। ऐसी स्थिति तभी पैदा होती है जब सीमा पर तैनात जवानों को प्रमोशन मिलने में कोई दिक्कत होती है या वे घर जाने के लिए छुट्टी चाहते हैं या खुद बीमार हो या घर पर कोई बीमार हो या फिर घर में कोई कार्यक्रम जैसे शादी-ब्याह वगैरह हो या अधिकारी द्वारा उनका उत्पीड़न होता है, तभी यह देखने में आता है कि वे आत्महत्या करते हैं या लड़ते हैं। इन शिकायतों को भी हमें देखना होगा।

मैं माननीय गृहमंत्री जी से गुजारिश करूंगा कि सीमा पर हमारे जो जवान तैनात होंगे, चूंकि वे दूर सीमा पर, इंटीरियर क्षेत्र में तैनात होते हैं, उनके वेतन को भी उसी अनुपात में बढ़ाने की आवश्यकता है और उनके बच्चे जो उनके साथ न रहकर, उनके गांव में घर पर रहते हैं, की शिक्षा और स्वास्थ्य की अच्छी व्यवस्था होनी चाहिए। [R22]

सीमा पर वे तमाम मौसम चाहे जाड़ा हो, गर्मी [R23] हो या बरसात हो, झेलते हैं और देश की सीमा की रक्षा करते हैं। हमें जाड़ों में उनके लिए गर्म ओवरकोट की व्यवस्था करनी चाहिए। इसी तरह से गर्मियों में जब पसीना आता है तो उससे कपड़ों से एक कमेकिल कास्टिक जैसा पदार्थ होता है, उसकी वजह से उनकी वर्दियां फट जाती हैं। इसलिए वर्दी पर विशेष ध्यान देना होगा। इसी तरह बारिश में उनके लिए रेनकोट की समुचित व्यवस्था होनी चाहिए। मैं गृह मंत्री जी से निवेदन करना चाहूंगा कि विशेष भर्ती के कैम्प तहसील मुख्यालय और ब्लाक मुख्यालय पर लगाए जाएं, ताकि अच्छे जवान भर्ती हो सकें।

आज विश्व एड्स दिवस है। हमने कल ही समाचार पत्रों में पढ़ा कि सीमा पर जो जवान तैनात हैं, वे पोजिटिव रोग से ग्रस्त हैं। इस पर ध्यान देने की जरूरत है कि ऐसी घटनाएं क्यों घट रही हैं और यह मर्ज क्यों फैला है।

दूसरी बात मैं यह कहना चाहूंगा कि हाल ही में हमने समाचार पत्रों में खासकर उत्तर प्रदेश की जो सीमा नेपाल से लगी हुई है, वहां नौतनवा बॉर्डर है, उसके बारे में पढ़ा। उत्तर प्रदेश का बलरामपुर और सिद्धार्थ नगर जो बॉर्डर एरिया है, वहां नेपाल में रह रहे मधेशी जो भारतीय मूल के निवासी हैं, करीब 40,000 की संख्या में हमारे देश में आ गए हैं। उन्होंने सिद्धार्थ नगर में जिलाधिकारी से समझ धरना एवं प्रदर्शन भी किया है कि हमें शरणार्थियों का दर्जा दिया जाए और यहां रहने की व्यवस्था की जाए। यहां हमारे देश की आंतरिक सुरक्षा पर सवाल खड़ा होता है। हमें कोशिश करनी चाहिए कि जो यह उग्रवादियों, माओवादियों और नक्सलवादियों की संख्या बढ़ी है, ऐसा तो नहीं कि मधेशियों के रूप में ये लोग हमारे देश में आ रहे हैं और कहीं उग्रवाद को बढ़ावा तो नहीं दे रहे हैं। इस पर भी पूंज विन्ड लगा हुआ है इसलिए इस पर विशेष ध्यान देने की जरूरत है और इनकी पहचान करने की जरूरत है।

मैं एक बात और कहना चाहूंगा। सेना में पासी रेजिमेंट बनाई जाए, क्योंकि पासी कौम बहुत ही बहादुर और स्वाभिमानी होती है। इसलिए सशस्त्र बलों में यह रेजिमेंट बनाई जाए। ये लोग सीने पर गोली खाकर आएंगे, पीठ पर नहीं, इसलिए इनकी भर्ती करके इन्हें सीमा पर तैनात किया जाए।

इन्हीं शब्दों के साथ मैं इस विधेयक का समर्थन करता हूं और अपनी बात समाप्त करता हूं।

उपाध्यक्ष महोदय: श्री गणेश प्रसाद सिंह। आप कृपया पांच मिनट में अपनी बात समाप्त करें।

श्री गणेश प्रसाद सिंह (जहानाबाद): उपाध्यक्ष महोदय, सशस्त्र सीमा बल विधेयक, 2007 माननीय गृह मंत्री द्वारा सदन में चर्चा और पारित करने के लिए पेश किया गया है। हम सबको और देश को गर्व है कि भारत की सीमाओं पर हमारी थल, जल और वायु सेना सुरक्षा के लिए मुरतैद है और दुश्मन से लड़ने और युद्ध करने में कई बार अपने कार्य कौशल का परिचय दे चुकी है। हमें अपनी सेनाओं की बहादुरी पर फ़ला है।

हमारे देश की सीमाओं की सुरक्षा के लिए पहले से कुछ सशस्त्र बल थे। उसमें बीएसएफ, सीआरपीएफ, आईटीबीपी आदि अनेक प्रकार की फोर्स का गठन किया गया था। ये सब हमारी सीमाओं की रक्षा कर रहे हैं। अब इस सम्बन्ध में यह सशस्त्र सीमा बल विधेयक, 2007 लाया गया है। यह इसलिए भी जरूरी है कि आज जिस समय इन फोर्स का गठन हुआ था, तब से लेकर आज के मुकामबले स्थिति बेकाबू हो चुकी है, समस्याएं बढ़ गई हैं, हमारा बॉर्डर राजस्थान या पंजाब और अन्य क्षेत्रों का चाहे वह पाकिस्तान, तिब्बत, चीन, नेपाल, भूटान के साथ लगा हो या श्रीलंका के साथ मामला हो, इन तमाम जगहों पर घुसपैठ बढ़ रही है और इससे देश में उग्रवाद को बढ़ावा मिल रहा है। ये लोग हमारे देश में शांति को भंग करना चाहते हैं। हम सुनते हैं कि कानून व्यवस्था राज्यों का विषय है, लेकिन देश की सुरक्षा केन्द्र की भी जिम्मेदारी है। इसी उद्देश्य से इस बल का गठन किया गया है।

महोदय, इस बिल में काफ़ी लम्बी-चौड़ी करीब 156 धाराएं हैं, जिसमें इसे तैयार किया गया है। इस बिल में फोर्स के स्वरूप के बारे में बताया गया है। [R24] इनकी सेवा-शर्तों के बारे में गठन किया गया है। इन धाराओं में अपराध के बारे में भी बताया गया है। अन्य फोर्स जो हैं उनके बारे में पहले भी शिकायतें आती रही हैं। जैसा इसमें बताया गया है, मैं धारा को भी उद्घृत करना चाहता था। हमारी फोर्स में कहीं कोई शत्रु से मित्रता करता हो, कहीं तस्करी करने में मदद करता हो या कहीं और किसी के लिए, दुश्मन के साथ मिलकर गुप्तचरी का काम करता हो। यह भी उसमें प्रावधान किया गया है कि जो बिना कारण बताए, लम्बी अवधि तक छुट्टी पर चले जाएं, वे भी दंड के भागी होंगे। इन सब दंडों के लिए तीन तरह के न्यायालयों के गठन का प्रावधान किया गया है। उनके गठन में न्यायालयों का जो स्वरूप होगा, उसमें कहा गया है कि जनरल एटोर्नी जज की बहाली होगी, उप-एटोर्नी जज की बहाली होगी और इनके द्वारा जो हमारे एटोर्नी जज होंगे, जज न्यायालय होगा, उनके द्वारा जो पीटिशन कोर्ट या समरी-कोर्ट के भी किसी पदाधिकारी की भी नियुक्ति होगी। इसमें मैं एक सुझाव माननीय मंत्री जी को देना चाहता हूं कि न्यायालय और न्याय में पारदर्शिता होनी चाहिए। अभी आरक्षी महानिदेशक रैंक के नहीं हैं, आरक्षी महानिरीक्षक रैंक के नहीं हैं, उपमहानिरीक्षक रैंक के नहीं हैं। इसमें जो जज का रैंक होगा, जो वहां के अटोर्नी जज का रैंक होगा, वह सभी न्यायालयों में निर्धारित होना चाहिए और इसमें उसका प्रावधान करना चाहिए।

दूसरी बात मैं कहना चाहता हूं कि जो हमारा एवीडेंस-एक्ट है, सीआरपीसी है, आईपीसी, इन सबकी गाइड-लाइन्स इंडियन एवीडेंस एक्ट में हैं। इंडियन एवीडेंस एक्ट के तहत जो अपराध करने वाले व्यक्ति हैं या जिन पर अपराध का आरोप लगता है, ऐसे व्यक्तियों को साक्ष्य प्रस्तुत करने, केस में यथेष्ट अक्सर देने का भी इसमें स्पष्ट प्रावधान होना चाहिए।

जैसा हमारे साथी ने और कुछ माननीय सदस्यों ने भी कहा कि नेपाल से लगता हमारा बार्डर है। इसलिए अब चाहे माओवादी नेपाल में, सत्ता में भागीदार हो गये हों, लेकिन आज वे बिहार में अशांति फैला रहे हैं, बिहार में प्रवेश कर लोगों को भड़का रहे हैं और यहां अपराध कर रहे हैं। उसी प्रकार भूटान से, असम से, लंका से ये लोग अपना कार्य कर रहे हैं। भारत की सीमा बड़ी लम्बी-चौड़ी है, इसलिए आज की परिस्थितियों को देखते हुए इसकी बहुत आवश्यकता थी। इसलिए माननीय मंत्री जी ने इस बिल को लाकर बहुत ही स्वागत-योग्य कार्य किया है। अपने देश की सीमाओं की रक्षा करने के लिए, अपने देश की सीमाओं पर रहने वाले फौजियों का मनोबल बढ़ाने के लिए, उनमें सुरक्षा की भावना पैदा करने के लिए, इस बिल को लाकर उन्होंने बहुत ही अच्छा कार्य किया है। समय का अभाव है इसलिए इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

SHRI B. MAHTAB (CUTTACK): Thank you Mr. Deputy-Speaker, Sir.

This force has been in existence for the last 40 years. It has projected a benign face of the Government to the border populace of our country. This special service bureau, as has been said, was established in 1963 after the Indo-China war. The basic purpose of that force was to build morale and inculcate spirit of resistance in the border population against threats of subversion, infiltration and sabotage from across the border. These were the three major problems which were faced during that time.

Today we have Border Security Force, we have Indo-Tibetan Border Police and since 2004 this new name – Sashastra Seema Bal – has come into effect. [k25] These are the three border guarding Forces which we have. There are three problems that are to be tackled by this Force because it will be deployed in the open borders - Indo-Nepal border and Indo-Bhutan border and it covers about seven provinces of our country and around 3,000 to 4,000 kilometres of open border. So, as far as I understand, the problems can be confined to three. These are to tackle large-scale smuggling at Indo-Nepal border, to check criminals and the criminal activities which take place in the open borders and to tackle the Maoists' problem which is becoming a nuisance in our country. This Force is going to work on the Himalayan region which is considered to be one of the most troublesome terrains in the world. So, it is definitely a very difficult task for the Force to work there as there are gorgeous rivers, difficult terrains and inclement weather. So, when we consider the strength of the Force, we have to consider the ravages of nature which are prevalent there.

As has also been mentioned by the previous speaker, there are 156 Sections in this Bill and it is very exhaustive. In the previous provisions which were there, other than guarding the border, the Intelligence Wing also was strengthened. I went through the Bill. So, I would like to be educated by the hon. Minister as to how you strengthen the Intelligence Wing of this force because for guarding the border by a Force, especially a paramilitary force, the Intelligence Wing needs to be strengthened. In this regard, the first speaker, Shri Tapir Gao had mentioned that it was there earlier and since 1963 till 2003, it was being maintained by the people and a number of people were engaged.

Another aspect is recruitment, as I understand. I went through the report. The attrition aspect was also mentioned by Shri Nikhil Kumar. I would say that there is a sanctioned strength of around 47,000 and odd for this force, but now with respect to both combatised and non-combatised personnel, who are recruited, there are still around 15,000 vacancies. That means around one third of the sanctioned posts are still lying vacant. I would like to understand, because this is the report which I went through, why there are so many vacancies. This is one aspect.

The second thing is the recruitment. As has been mentioned, the recruitment is done as follows – 20 per cent from local area, 20 per cent from militancy affected areas and 60 per cent from the rest of country. As far as I understand, there are certain specifications for certain States. Their height is measured, their weight is measured and things like that are there. There are large tracts which form Orissa, especially the tribal districts. Due to these specifications, though the local people of these districts want to join the Armed Forces and paramilitary forces, they cannot join it. Because their height is at par with Bihar, Jharkhand and Madhya Pradesh, they are unable to cope up. I am talking about Kalahandi district. The next to the border of Orissa is Andhra Pradesh where the height is a bit less. So, Orissa people are denied entry into the service. They are the people of the same tribe, who are there in Andhra Pradesh, get into the service. I think, the Minister should look into it. The specifications of height, weight and other various measurements should be looked into so that more people can get recruited to this Force. [s26]

[r27]

Another aspect that was discussed is about the term 'enemy'. It has been mentioned in Clause 2 (1) (a) (i) that their duty is "which is engaged in operations against any enemy, or". The 'enemy' is further explained in section (i), which states that :

"(i) 'enemy' includes all mutineers, armed rebels, armed rioters, pirates, terrorists and any person in arms against whom it is the duty of any person subject to this Act to take action;"

As we understand, this force is being deployed in the open borders. We have come across a number of instances of how terrorist

activities and Maoist activities are taking place by taking the liberty of crossing the open border and coming to our country. Therefore, I do not know the reason why the word 'infiltration' not being included in this Bill. 'Infiltration' needs to be included in it, and the persons who illegally come into our country for a very different purpose of creating trouble in our country. We have come across instances of explosions that have occurred in Hyderabad, Ajmer, Malegaon, or even in Uttar Pradesh. These are instances where people from the neighbouring country have taken advantage of the open border; have come into our country; and have done this type of explosion. Therefore, infiltrators and illegal immigrants should also be treated as enemies. I think that we can control the problem of infiltration in our country in this manner.

I have nothing more to say. But at the end, I would only like to remind about the Padmanabhaiah Committee's Report. The Committee has given its recommendations, and one of the recommendations is that there is a need to motivate the forces that are deployed on the border. We would be happy if necessary steps are taken to motivate the forces that are deployed in these difficult terrains to protect our borders.

With these words, I support this Bill.

MR. DEPUTY-SPEAKER: The next speaker is Shri C. K. Chandrappan. Please be very brief while making your speech.

SHRI C.K. CHANDRAPPAN (TRICHUR): Sir, I will be very brief. I support this Bill. Please do not take it otherwise, but I do not know why this Sanskritized-Hindi has been used in the name. The name could have at least been mentioned in brackets in English. I am saying this because I cannot understand the name *Sashastra Seema Bal*. It is not that I am against Hindi or anything.

The Bill envisages that the Special Services Bureau is now being provided with a Statute. It is good, but I would like to ask one thing from the hon. Minister. We have several Border Security Forces that are doing distinctly different jobs. Is it not advisable that we have a joint command, and all of these are kept as separate divisions under them? Everyone having an independent entity with its own command probably will add to our defence expenditure. I am saying this because you need top officials for all these arrangements at the top level. I would like the hon. Minister to enlighten us on this aspect, namely, whether this could be rationalized.

Secondly, Clause 13 of this Bill says that the men of this force are not supposed to join any organization, trade unions, etc. [r28] It is understandable that in a force like this such organisations may not be permitted. But then, who will take care of their welfare? I do not find any special arrangement for taking care of their welfare. Welfare means housing, travel, leave and other facilities. Sixty per cent of the Forces, if I understood correctly, will be recruited from all over the country. Suppose a man from Kerala has to travel all the distance over three days in train. If leave is sanctioned to him but no special arrangement for train reservation is made, that man will have to travel unreserved which might lead to a situation where he may get wild. There are cases in which they occupied others' seats and clashed with people. Things like that have happened. So, there should be a definite welfare programme. Officers should be assigned with statutory powers to ensure better housing, food, leave, travel and other facilities. I do not think this Bill provides such an arrangement.

I understand they have to deal with all kinds of enemies. But we should take note of the fact that in the recent period, especially in Kashmir and Punjab, our forces have been accused of killing people and terming those people as killed in action. There are Human Rights Commission reports about it. There were many complaints also. How will this problem be tackled? They should be given some protection. At the same time, it should be seen that they do not cross the limits beyond which they are not supposed to go. How that will be ensured, I would like to know.

These are some of the queries which I would like the hon. Minister to answer. We support the Bill.

SHRI ABDUL RASHID SHAHEEN (BARAMULLA): Sir, I rise to support this Bill. I will very briefly submit a few points in order to invite the attention of the hon. Minister towards them.

This Bill has ultimately come before the Parliament for becoming a law. There was a need for this Bill so that we have some legal command over the forces in order to put them in discipline. I can see that in the Sections of this Bill, there are disciplinary actions, special court, etc. That is a necessity of course but I would like to draw the attention of the hon. Minister to the fact that the people who are guarding our borders, laying down their lives to do a greater job, are sometimes in a difficult situation. On a tour of one of the Committees I was in Ladakh when some people represented to me that they did not have many facilities and

that was why they were put in a difficult situation. Some of them even wanted to leave the forces. So, we must first take care of our forces. An unhappy force can never be loyal to the best extent, cannot be up to date. If the forces have personal problems, that will certainly reflect upon their actions.

Secondly, we need some sort of training for these forces as we have made a special force to look after the Nepal border. We have the problem of naxalite movement, Leftists, etc. There are probably special situations for which we need to train the personnel with some knowledge input, where they must understand what they are going to tackle. Unfortunately, in spite of all the sacrifices made and the great service which the paramilitary forces have done in Kashmir and other places, there were some allegations and aberrations which unfortunately have led to a big upheaval in the people. Their achievements were shadowed by those smaller incidents which took place. I can understand, because of psychological pressures and other difficulties of the forces such things happen. [KMR29]

In case, we take care of them by giving them some knowledge and input or provide some sort of courses for them during the time so that we educate them about the specialities of the areas, where are placed, things can go better. I would request the Minister to kindly look into the problems of leave and other facilities to the Forces so that they keep themselves happy and do their duty well.

प्रो. रासा सिंह रावत (अजमेर): उपाध्यक्ष महोदय, मैं माननीय गृह मंत्री जी द्वारा प्रस्तुत सशस्त्र सीमा बल बिल, 2006 का पुरजोर समर्थन करता हूँ। जैसा कि हम सभी जानते हैं कि पहले उत्तर दिशा से हम निश्चित थे कि हिमालय जैसा पर्वतराज हमारा पृथ्वी है। लेकिन 1962 में हिन्दी चीनी भाई-भाई कहने वाले मुल्क ने अपने ही दोस्त के ऊपर हमला कर दिया। उसके बाद 1963 में इस बल का गठन किया गया, स्पेशल सर्विस ब्यूरो, नाम तो वही है सीमा सशस्त्र बल और स्पेशल सर्विस ब्यूरो, लेकिन इनके काम बढ़ गये। मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहूंगा कि पहले यह कैबिनेट सचिवालय के अंतर्गत आता था, लेकिन अब गृह मंत्रालय के अंतर्गत आ गया है। पहले इसका काम पूरे पहाड़ी क्षेत्र में था, जम्मू से लेकर हिमाचल, उत्तरी आसाम, मणिपुर, त्रिपुरा आदि में पहले इसका गुप्त सूचनाओं के आदान-प्रदान का कार्य था, यानी इसका गुप्तचरी का काम था। पहले यह बल यूनिफार्म में नहीं रहता था, लेकिन अब यह यूनिफार्म में रहने लग गया है और इसका ढांचा बढ़ गया है। अब इसकी ट्रेनिंग बगैरह की व्यवस्था करते हुए आप इसका गठन करने जा रहे हैं। लेकिन मैं कहना चाहता हूँ कि कहीं ऐसा न हो कि एक काम अच्छा करते हुए हम दूसरा गुप्तचरी का काम तथा सूचनाएं एकत्र करने का काम या अन्यान्य क्षेत्रों में वया हो रहा है, उसके बारे में जानकारी प्राप्त करने के काम में कहीं पिछड़ न जाएं। क्योंकि बॉर्डर गार्डिंग फोर्स नेपाल और भूटान इन दोनों देशों की सीमाओं तक सीमित रहेगी और सीमा की रक्षा का महत्वपूर्ण दायित्व इस सीमा सशस्त्र बल को प्रदान किया गया है। निश्चित रूप से यह अपनी सेवाओं में खरा उतरेगा। हमें अपनी भारतीय सेनाओं एवं अपने अर्द्ध सैन्य बलों के कार्यों पर अत्यधिक गर्व है। हमें बहुत गौरव का अनुभव होता है कि वे विषम परिस्थितियों में भी, चाहे देश की सीमाओं की रक्षा हो, चाहे आंतरिक और बाह्य सुरक्षा का प्रश्न हो, अपने परिवार आदि की चिंता न करते हुए बहुत दृढ़ता के साथ शत्रु का मुकाबला करते हैं।

उपाध्यक्ष महोदय, मैं आपके माध्यम से कहना चाहूंगा कि चाहे सीआरपी हो, सीआईएसएफ हो, आईटीबीपी हो और चाहे सीमा सुरक्षा बल हो, इन्हें विशेष प्रकार की ट्रेनिंग दिये जाने की आवश्यकता है। इनके पास नवीनतम हथियार हों। टेलिकम्युनिकेशन, संचार के साधन भी इनकी टुकड़ियों के पास हों। मैंने यह पूरा पढ़ा है, हो सकता है कि अज्ञानता के कारण मुझे नजर न आया हो कि इसका मुख्यालय कहां पर होगा, गुप हैडवार्टर्स कहां होंगे। आपने यह तो बता दिया कि 31 बटालियन होंगी। लेकिन जैसे आईटीबीपी का मुख्यालय वहां है, ट्रेनिंग सेंटर वहां है। सीआरपीएफ का मुख्यालय वहां है। इसके अलावा सारे देश के अंदर अलग-अलग गुप हैडवार्टर्स हैं। ऐसे ही इसका नेपाल, भूटान की बॉर्डर पर गार्डिंग फोर्स बनेगा, इसके मुख्यालय की लोकेशन कहां पर होगी, इसके बारे में भी यदि कोई जानकारी दे सके तो बहुत अच्छा होगा।

मैं यह भी कहना चाहूंगा कि एफिशिएंसी एंड डिस्प्लिन जैसा हमने स्वयं स्वीकार किया है कि डिस्प्लिन ऑर्डर आने के लिए और उनकी कार्यकुशलता बढ़ाने के लिए विशेष प्रयास किये जायेंगे। आजकल अखबारों में बहुत पढ़ने को मिलता है कि जवान ने अपने अधिकारी को राइफल का निशाना बना दिया। कभी-कभी जवान आपस में लड़ पड़ते हैं या जवान जब सिविल लोगों को सम्पर्क में आते हैं, तब भी कुछ घटनाएं घटित हो जाती हैं। ऐसे मामलों में मैं समझता हूँ कि अधिकारियों को भी संवेदनशील होना चाहिए। जैसा हमारे मित्रों ने कहा कि बीमारी के समय छुट्टी देनी चाहिए। मैं स्वयं ऐसे परिवार से आता हूँ, मेरे पिता जी खुद फौज में सिपाही थे। मेरे ताऊ जी के दो लड़के अभी भी सीआरपीएफ में हैं। हमें मालूम है कि हमारे घर में शादी या गमी हो गई और एकदम से तार दिया और जवान छुट्टी मांगता है और ऐसे समय में उसे छुट्टी नहीं देते हैं [b30]। परिणामस्वरूप उनके मन के अंदर दुर्भावना पैदा होती है। आपने इसमें बहुत अच्छा किया है कि ऐसे विवादास्पद प्रसंगों में फोर्स कोर्ट, जनरल फोर्स कोर्ट, पैटी फोर्स कोर्ट, समरी फोर्स कोर्ट इत्यादि विवादों की स्थिति से पहले फोर्स में ही निबट तें और फिर उसके बाद कोर्ट में जाने की नौबत आए। ऐसी स्थिति किसी के लिए भी न आए। हमारे जवानों के साथ अधिकारियों का तालमेल इतना अच्छा हो, इतनी अच्छी सुविधाएं उन्हें दी जाए, उनके बच्चों के लिए शिक्षा, आवास, कल्याणकारी गतिविधियों का यदि ध्यान रखा जाए तो वास्तव में कार्य करता हुआ जवान, बहता हुआ पानी और चलता घोड़ा हमेशा एक्टिव रहता है। मैं समझता हूँ कि आप इन सब बातों का ध्यान रखेंगे, इसमें तनिक मात्र भी संदेह नहीं है।

मान्यवर, एक और बात मैं कहना चाहूंगा कि माओवाद और नक्सलवाद इन विचारधाराओं के बारे में कि वहां कौन से लोग हैं, कैसे लोग हिन्दुस्तान में प्रवेश कर रहे हैं, इन सबके बारे में भी हमारे जवानों को बताया जाना चाहिए क्योंकि नेपाल की स्थिति इन दिनों विषम है। पहले वह हमारा मित्र देश था। वहां के नागरिक इधर आ जा सकते थे और इधर के भी वहां जा सकते थे, पासपोर्ट की भी ज्यादा आवश्यकता नहीं थी लेकिन अब पाकिस्तान का या कहीं का भी आतंकवादी नेपाल में होकर हिन्दुस्तान में आ जाता है। नकली नोट पाकिस्तान के द्वारा बनाये हुए नेपाल में पहुंचकर हिन्दुस्तान में आ जाते हैं।

भूटान भी हमारा मित्र देश है, नेपाल और भूटान में यदि माओवादी और नक्सलवादी गतिविधियां नहीं हों तो ऐसे आतंकवादी तत्व हिन्दुस्तान की सीमा में प्रवेश नहीं कर पाएं। इन सबके बारे में भी हमारे जवानों को विशेष प्रशिक्षण दिये जाने की आवश्यकता है।

मधेशी लोग जो तराई क्षेत्र में रहने वाले हैं। वे अपने अधिकारों की बात कर रहे हैं। कभी-कभी ऐसी परिस्थितियां पैदा हो जाती हैं क्योंकि अभी तक भाईचारा था, ऐसे समय में उनको ठीक से टैकल करना चाहिए ताकि कोई नयी समस्या पैदा नहीं हो, इसके बारे में भी माननीय मंत्री जी विशेष ध्यान रखेंगे। आपने बोलने के लिए मुझे समय दिया, इसके

लिए मैं आपको धन्यवाद देता हूँ।

श्री देववृत्त सिंह (राजनंदगाँव) : उपाध्यक्ष महोदय, माननीय गृह मंत्री जी ने एक बहुत ही ऐतिहासिक और महत्वपूर्ण विधेयक सदन में प्रस्तुत किया है। मैं इसके समर्थन में बोलने के लिए खड़ा हुआ हूँ। हमारे देश की जो भौगोलिक सीमाएँ हैं, चाहे समुद्री सीमा की बात करें, चाहे राजस्थान के रेगिस्तान की बात करें, चाहे कश्मीर की घाटियों की बात करें और चाहे हम पूर्वोत्तर की बात करें, यदि हम देखें तो पाएँगे कि आज जो हमारी सेनाएँ हैं, सेनाओं के साथ-साथ सबसे महत्वपूर्ण अगर किसी की जिम्मेदारी बन गई है और सुरक्षा की दृष्टि से अगर किसी की जिम्मेदारी है तो वह जिम्मेदारी हमारे सीमा सुरक्षा बलों की है। चाहे समुद्री सीमा में कोस्ट गार्ड होते हैं चाहे हमारे बीएसएफ जो राजस्थान और पाकिस्तान की सीमाओं में काम कर रहे हैं, विशेषकर जो जम्मू-कश्मीर में काम कर रहे हैं, चाहे हमारे सीमा सुरक्षा बल हैं जो भारत-नेपाल और भारत-भूटान की सीमा पर काम कर रहे हैं, निश्चित रूप से चाहे बर्फ की बात हो चाहे रेगिस्तान की बात हो या समुद्र की बात हो, इन सभी मामलों में हमारे अर्धसैनिक बल तथा सीमा सुरक्षा बलों ने काफी मेहनत की है। इनकी भूमिका कहीं भी हम सेना से नीचे नहीं ला सकते।

आज जो माननीय मंत्री जी ने सदन में विधेयक प्रस्तुत किया है, इस सीमा सुरक्षा बल एक्ट के माध्यम से न केवल सीमा सुरक्षा बल एक राष्ट्रीय संस्थान और राष्ट्रीय अर्धसैनिक बल के रूप में साबित हो जाएगा बल्कि पहले इसकी जो भी पृष्ठभूमि थी, जो यह पहले नेपथ्य में रहकर काम करता था लेकिन अब एक स्वतंत्र व संवैधानिक रूप से उसको कार्य मिल जाएँगे और सीमा सुरक्षा बल के जो आंतरिक कानून हैं, नियुक्ति, बर्खास्तगी, बहाली सेवाएं, डंड, सेवा शर्तें, न्यायालय तथा अधिकार इत्यादि बहुत स्पष्ट रूप से इस विधेयक के माध्यम से वे परिभाषित हो जाएँगे और इसका अपना एक संवैधानिक स्वरूप प्राप्त हो जाएगा।

महोदय, मैं यहां बताना चाहूँगा कि पहले सीमा सुरक्षा बल जिस तरह से बनाया गया था और सीआरपीएफ के कानून के तहत उसकी कार्यप्रणाली चलती थी लेकिन जिस तरह से आईडीएफ और अन्य सीमा पर जो काम करने वाले बल हैं, आर्सेनिक बल हैं, उनके समकक्ष अब यह सीमा सुरक्षा बल हो जाएगा। मैं आपके माध्यम से कुछ बातों की ओर मंत्री जी का ध्यान आकर्षित करना चाहूँगा कि इसमें जो सेशन 21 और 74 है, ये जो हमारे जवान होते हैं, सीमा सुरक्षा बल और उनके सैनिक होते हैं, उनकी छुट्टी से संबंधित इसमें प्रावधान [r31] है।

मैं निवेदन करना चाहूँगा कि जैसा कई माननीय सदस्यों ने कहा है और समाचार-पत्रों में पढ़ने को मिलता है कि छुट्टी के लिये कोई स्पष्ट प्रावधान नहीं होने के कारण या उत्त्वाधिकारियों के दबाव के कारण जो निर्णय होते हैं, कभी-कभी जवान आत्महत्या करने को मजबूर हो जाते हैं। ऐसी स्थिति होने से बहुत ही मनोवैज्ञानिक रूप से कमजोर स्थिति का निर्माण होता है। मेरा आग्रह है कि विधेयक में जवानों की छुट्टी के पृष्ठ रूप से प्रावधान किया जाना जरूरी है। इसके अलावा विधेयक में जवानों के वेतन और वैलफेयर एक्टिविटीज़ संबंधी बातों का स्पष्ट रूप से प्रावधान नहीं किया गया है। मुझे आशा है कि भविष्य में संशोधन द्वारा इसमें इस तरह का प्रावधान करेंगे। जो जवान सीमा पर अर्द्ध सैनिक बलों के रूप में काम करते हैं और मुठभेड़ में रक्षा करते हुये शहीद हो जाते हैं, अगर उनके परिवार के आश्रितों के लिये अनुकम्पा आधार पर नियुक्ति का प्रावधान इस विधेयक में किया जाता तो ज्यादा अच्छा रहता। इससे सशस्त्र सेना के जवान और अधिकारी हैं, उनके अंदर मनोबल का संवार हो जाता।

उपाध्यक्ष महोदय, विधेयक के अध्याय 11 के खंड 153 में शक्तिशाली, कर्तव्यों और संरक्षण के बारे में कहा गया है। चूंकि भारत-नेपाल और भारत-भूटान सीमा पर सशस्त्र सेना बल रहेगी लेकिन यहां सब से बड़ी समस्या यह है कि नेपाल में माओवादी टेकओवर करते हैं और यहां नीचे एक रेड कॉरिडोर बनाने की बात चल रही है, हमारी सीमा पर अवैध रूप से प्रवेश करते हैं। जब अवैध रूप से प्रवेश करने वालों की या उनके दस्तावेजों की शिनाख्त करने की बात आती है तो बिना राज्य की स्थानीय पुलिस की जानकारी के गुप्तचर व्यवस्था नहीं की जा सकती है। यह भी स्पष्ट रूप से नहीं लिखा कि उनके अधिकारी को एक पुलिस अधिकारी के रूप में अधिकार मिलने चाहिये। अगर उनका स्पष्ट नियोजन किया जाता तो निश्चित रूप से सशस्त्र सेना बल के अधिकारी और सक्षम रूप से काम कर सकते थे।

उपाध्यक्ष महोदय, यह एक ऐतिहासिक विधेयक है, मैं इसका पुरजोर समर्थन करता हूँ।

SHRI K. FRANCIS GEORGE (IDUKKI): I will be very brief, Sir. The Special Services Bureau, which was formed during the time of Pandit ji, is being reorganized into this Sashastra Seema Bal very ably by the hon. Home Minister and the Ministry.

The basic duty of this Force is going to look after the border between India and Bhutan and India and Nepal. Indo-Nepal border has become very sensitive of late with problems in Nepal which are spilling over to our border States like Bihar and parts of Uttar Pradesh. We have a host of paramilitary forces; the CRPF, BSF, ITBP, CISF, the National Security Guards, the Assam Rifles and the Rapid Action Force. To that set we are now forming this SSB. I would request the Home Minister to see that this is a very well modern trained Force, well equipped to perform its duty especially in these very sensitive border areas.

Today, a report has come that the Defence Minister is visiting Nathula, our border with China, amidst reports that there have been incursions from China into our territory. These people are going to be deployed in very sensitive areas. Naturally, there is going to be lot of tension amongst them. Almost all the Members who spoke before me mentioned about the various kinds of indiscipline that is prevalent in the Forces that are deployed in border areas. Naturally, because tension is bound to be there amongst our personnel however trained they are. So, a lot of caution, a lot of training is required while we raise Special Forces.

Recently there has been an incident in Kashmir area where one of the officers belonging to my constituency has been shot dead by his own men over a minor argument. All this points to lack of proper training in our Forces. [R32]

Sir, it has been said that out of two lakh personnel in the BSF, in the last 30 months, 41,000 men have quit and from other para-military forces also, people are quitting. On the one side, when you hold recruitment rallies, for example, in a State like Kerala, police has to resort to *lathi* charge to control the mob of young men and aspirants who want to get into the forces. But on the other side, after getting into it, if they feel dissatisfied and if they feel uneasy about continuing in the forces, there is something wrong in our training or in our running of these forces.

So, I think the personnel have to feel at home because they are far away from their families. Naturally, they will be worried about their families. They will be having old parents. Their wives or children may be sick. They will be worried about the education of their children. If the officer community is not able to instil confidence and make them feel at home, naturally, there will be dissatisfaction and problems. Of late, the suicide rate has also been going up among the forces.

So, I would request the hon. Home Minister to raise it as a model force. Let us provide our men with the most modern facilities to communicate with their family members. Now we have all kinds of facilities. We have mobile services, visual communication facilities, etc. All these facilities have to be provided to them.

As part of the Standing Committee on Defence, I had gone to Nathula Pass, which is located at about 50,000 to 60,000 feet above sea level. One cannot even breathe properly there. When our men perform their duties under such hazardous and difficult conditions to protect our borders and our country, they should be provided with proper facilities. They should be taken proper care to see that it is a satisfied force. Then only they can serve and do their duties to our expectations.

There have been a lot of provisions but I do not want to go into all those details. The Ministry has prepared a very detailed and thorough Bill. I hope that this Force will fulfil its duties and it will be come up to the expectations of the nation.

DR. SEBASTIAN PAUL (ERNAKULAM): Sir, at the outset, I regret my inability to pronounce correctly the title of the Bill as well as the name of the Force. This Sashastra Seema Bal is intended to protect our borders but in Clause 4, it is seen that the Force can be given other duties also including perhaps foreign assignments. In that context, a more simple instead of this stuttering and tongue twisting nomenclature could have been given to this Force.

We have so many forces to guard our borders. I do not know the exact number but I wonder how coordination can be effected amongst these Forces. It would have been better if a comprehensive legislation has been brought for a common force or a joint command. Although, the primary duty of this force is to guard our borders, it will definitely come into contact with the civil society. Our experience in the North-East as well as in Kashmir and other States where our *jawans* are in contact with the civil society, is that there are always conflicts, turbulence and complaints. Even in the airports and other public places where these forces are guarding, our experience is not much satisfactory. So, training should be given to these *jawans* about the need for protecting the constitutional rights of the civil society. That is very important in this area because in the name of security and countering terrorism, more and more restrictions are being imposed and members of these forces should be properly trained and they should be given proper instructions for dealing with the civil society.[\[R33\]](#)

14.00 hrs.

I am not going into the other aspects of the Bill which is very comprehensive. One thing which is evident from one of the clauses of the Bill is that members of this Force would be prevented from joining any organisation or union. However, they are permitted to associate themselves with any society that is purely social, recreational or religious in nature. There is bound to be difficulty in interpreting this clause because every organisation has a political leaning, for example, the Rashtriya Swayam Sevak Sangh which claims to be a social organisation. It is a very dangerous provision and therefore, it needs a very specific definition and interpretation. With these words I support the Bill.

SHRI BIKRAM KESHARI DEO (KALAHANDI): Sir, I rise to support this Bill. It is a very good piece of legislation. The Bill seeks to transform a special Service Bureau into an active armed unit or armed force in order to secure our borders more effectively. Presently our borders are quite volatile. We do not have very friendly relations with our neighbours on either side, be it the East or the West. It has been reported in today's newspaper that the Chinese have blown up two bunkers in the Indian territory. They came within the territory of Arunachal Pradesh and had blown up two of their bunkers. So, under such circumstances we cannot call our borders as fully secure and safe. Keeping in view the perspective the hon. Minister has done the right thing by bringing forward this Bill on the same lines as that of the ITBP. I think, the provisions, as contained in this Bill, will prove to be effective in controlling our borders.

Sir, I would like to ask two specific questions to the hon. Minister. This organization has so far been considered as a second line

of defence to the Armed Forces. They were mainly engaged in providing intelligence service to the Armed Forces and to the Government of India. Now, it has come under the Ministry of Home. Now, after this Bill is passed, is there enough infrastructure for the welfare of those people who are going to be converted into 41 battalions in seven coys. I would like to know from the hon. Minister if he could assure these people -- who work under adverse conditions, like the people working in the Siachin glaciers, and suffer from mental depression resulting even in suicides -- about the proper infrastructure which could ensure for them a good mental health. Proper provisions should be made for education of their children, adequate staff quarters and proper medical facilities and medical facilities.

Sir, it has been mentioned here that the non-uniform civil component of the Force will continue to be dealt with under CCS and CCA rules of 1965 and other Central Civil rules will be completely phased out. I do not know why this is proposed to be phased out. In any kingdom, in any empire, in any sovereign country or State, there should be a strong spying network. Proper intelligence service is necessary because so many terrorist related incidents are taking place in this country because of intelligence failure. Again, narcotics smuggling is going on through our Western Borders. [\[R34\]](#)

It is going on through the Indo-Nepal border, through the Burma border and through the Myanmar border. So, this Intelligence Service is very vital for any police force or any armed force to work properly and strike at the nerve centre to stop the crime. I would like to quote Kautilya's Artha Shastra. He has advised Chandragupta that he must increase his spy system. And in all the great empires, right from centuries immemorial, existed a good spy system. It may be in the Mughal Empire or the Maurya Empire or the Gupta Empire or afterwards also. But I do not know why the spy system among our forces is being withdrawn. They play a vital link to information on crime along the borders.

SHRI VIJAY BAHUGUNA (TEHRI GARHWAL): Sir, I stand to support the Bill which constitutes and regulates an Armed Force for providing security on our borders.

On the question of clause 4 of the Bill with regard to its constitution, I would like to make an appeal to the hon. Home Minister and also to the hon. Speaker. After the 1962 War, guerilla warfare training was given to the youths of the border States. It was given in the hilly region of Uttar Pradesh which is now called as Uttarakhand. Now, several youths have been given training in guerilla warfare. Some of these youths have filed writ petition in the Guwahati High Court. The High Court directed their absorption in the SSB services.

With regard to the men and women who are from Uttarakhand and Himachal Pradesh, they have been agitating since long that they should be absorbed or they should be given some benefit.

Now, I appeal to the hon. Home Minister that in constituting this force under clause 4, preference can be given to these men and women who have undergone the guerilla armed training in Uttarakhand. It is a border State to Nepal and the growing Maoism is a threat to our country. These youths who have undergone the guerilla warfare training for years together and have become over-aged may be given some preference in absorption. This Service will have an Intelligence Wing and a Civilian Wing. So, those armed trained men and women who have now become over-aged could be given civilian nature of work or they could be put under the Intelligence network by which we would be doing justice to such patriotic people of hilly areas which are border States, as they have undergone training.

So, my appeal to the hon. Home Minister is this. These people have got their records.. This was continued right upto 2003 when the NDA Government abolished it. If these things are in mind and if their interests are protected, the people of Uttarakhand would be thankful to the present Government.

DR. H.T. SANGLIANA (BANGALORE NORTH): Sir, I rise to strongly support the Bill and also thank the hon. Home Minister on behalf of myself and all the SSB officers who have served in this organization in the past for the reason, especially, that the SSB was threatened to be disbanded on many occasions in 1990s. Having served, in fact, in this organization for ten long years, I am perhaps the most eligible Member today to speak on this subject.

First of all, my recommendation would be in regard to deployment. Instead of restricting the SSB to Nepal and Bhutan borders alone, place of deployment should be interchangeable with ITBP and BSF. Keeping one unit in a particular place for a long time can breed undesirable things like over familiarity with the local people, connivance with agents of our adversaries, smugglers, etc. as seen in the past. Therefore, deployment aspect should be reconsidered and made interchangeable with the other two organizations.

Regarding recruitment, as other speakers have said, we have so many volunteers, boys and girls who were trained in guerilla warfare and other social [MSOffice35]activities, who are not in SSB now. Many of them have been waiting for an opportunity to join the organisation which they could not do for various reasons. So, in the first wave of recruitment, my suggestion is to, look for children of ex-SSB or ex-Village Voluntary Force personnel in all the States, like Uttar Pradesh, Himachal Pradesh, North-Eastern States, where SSB had been stationed, so that their life long aspirations can be fulfilled.

Regarding the role, I would further recommend that it should have intelligence component as was before. I remember having been recognised as one of the most well performed Divisional Officers of my time. I was DO in-charge of Manipur and Nagaland. A lot of actionable intelligence reports were fed to the SSB Headquarters. This suggestion may please be approved. The details of how to have intelligence component may, however, be carefully worked out.

We should also continue to have civic action rule like medical civic action, funding of construction of village dormitories or community halls or bachelors homes or some such socially useful infrastructures. That would be a good way of making friends in the border areas as it is necessary to integrate the border people into the mainstream as it promote national integration on a firm footing.

As regards effectiveness of the force, what we need is proper fencing on the borders. The Government, in their wisdom, had already passed a Bill for fencing our international borders. But till today, implementation is wanting. In places like Mizoram-Burma borders, not even one foot fencing or planting of a single pole has been done because of absence of motorable roads along the borders.

My recommendation to the Government is that we should declare upto half a kilometre width along the international borders as border reserve. If we have such border reserve, automatically, the command and control of the international border reserve areas will be with the Central Government and putting up of Battalion Headquarters and construction of border roads for patrolling, and maintenance of border fencing, etc. will become very easy. So, declaration of border line reserve all along the international border in the country is one recommendation which I want to put across.

As regards the name, I do agree that we should have a simple name which would be easily pronounceable to the people even as and when we deploy the force abroad.

My last point is about SSB land. We have acquired or purchased lands from the State Governments for establishing SSB battalion headquarters in the past. Some State Governments are wanting to take the lands back for development of their areas. For example, in Mizoram, the SSB has taken land at Aizawl and Kolosib. The Deputy Commissioner of Kolosib district has been in correspondence with the SSB Directorate for the return of the land for construction of some Government buildings and the matter is still pending. I suggest that the SSB now may settle such matters with State Governments as early as possible.

SHRI S.K. KHARVENTHAN (PALANI): Mr. Deputy-Speaker, Sir, I thank you very much for giving me this opportunity.

Sir, I rise to support the Sashastra Seema Bal Bill. I am also appreciative of our hon. Minister of Home Affairs for presenting this Bill. Actually, this Bill is framed for the constitution of Force and conditions of service of the members in the Force.

Sir, this Bill elaborately discusses about the appointment, tenure of service and also offences under Chapter III. The offences are discussed under Chapter III in an elaborate manner and certainly this proposal will streamline the force and will also raise the morality of our people serving in the force.

Sir, in this Bill, there were separate provisions under clauses 14 and 15 about redressing the grievances. Section 14(1) deals with the grievances of persons other than officers. The persons other than officers working in the service can get their grievances redressed by lodging the complaint against the senior officers. In most of the cases, we have seen the persons other than officers are being ill-treated by the immediate senior officers. This proposal will certainly protect them.

Sir, under clause 15, there is a separate provision for redressal of the grievances of the officers.

Sir, I would also like to mention that in the Army or in the Air Force, young people are serving in Bangladesh border or in Pakistan border. They are not being given any leave for two years or three years and they are not able to meet their family members.

Sir, today is the International HIV/AIDS protection day. There is a recent report in which it is mentioned that some of the Army

men are also affected by this disease and they are tested as positive. The reason for this is that they are not allowed to go to their homes and meet the family members for three years or so. There must be certain provisions for providing holidays at least 15 days, one month or once in a year. This is one of the important suggestions I would like to place before this august House.

Sir, the young men who are joining the Forces are not being provided adequate and proper salary. Nowadays, youngsters are getting very high salary in different fields. So, the Government has to come forward and provide good salaries and all other benefits to them. Then only the young people will come to serve in these Forces.

Sir, these are my few suggestions. I welcome the Bill.

श्री नन्द कुमार साय (सरगुजा) : महोदय, आपने मुझे बोलने का अवसर दिया, मैं इसके लिए आपको धन्यवाद देता हूँ। सशस्त्र सीमा बल विधेयक, 2007 पर मैं अपने विचार रखना चाहता हूँ। हमारे मित्रों ने इस बारे में बहुत सारे बिंदुओं को अपने अभिभाषण में स्पष्ट किया है। मैं केवल दो-तीन बातों की ओर माननीय मंत्री जी का ध्यान आकर्षित करना चाहता हूँ।

जब आप सशस्त्र सीमा बल का गठन कर रहे हैं या इस तरह के किसी भी बल का गठन होता है, तो उसका वहां पूरे राष्ट्र परिवार से अलग एक नया परिवार बसता है। मुझे लगता है कि आजादी के बाद चाहे पुलिस हो या हमारी सशस्त्र सीमा बल हो, उनका प्रशिक्षण जिस प्रकार का होना चाहिए, उसमें कमी दिखायी पड़ती है। यह बात अनुभव भी की जा रही है। हमारे मित्रों ने भी प्रशिक्षण के बारे में कहा है। मैं आपसे निवेदन करना चाहता हूँ कि वहां जो प्रशिक्षण हो, उसमें एक परिवार का भाव हो, जो अधिकारी बनायें, वे अत्यंत संवेदनशील, न्यायप्रिय और कुशल व्यक्त होने चाहिए। राष्ट्र और परिवार को चताने के लिए जो प्रमुख होता है, वह जितना कुशल होगा, उतना ही उस संगठन को मजबूत और गतिशील बना सकता है। पहला भाव यह है कि सीमा पर और जैसे आज किनारे की स्थितियां बिगड़ रही हैं, उसमें ज्यादा जरूरी हो गया है कि राष्ट्र के प्रति पूर्ण समर्पित होकर ये जवान वहां काम कर सकें। यह स्थिति कब उत्पन्न होगी? सबसे पहले शारीरिक रूप से उनको जो सुविधायें आप देने जा रहे हैं, उसकी व्यवस्था पूरी होनी चाहिए। वे मन से किसी प्रकार से दुखी न हों। हमारे मित्रों ने बहुत सारी बातें रखी हैं। एक तो वह नये परिवार में वहां रह रहा है। वहां आपस में सब का समन्वय हो। अलग-अलग जो सीमा के सुरक्षा बल हैं, उनके समन्वय की बात भी कही गयी है। एक भाव उनके मन में है कि वे अपने परिवार से दूर हैं और बड़े परिवार से जाकर एक छोटे परिवार में हैं, जो सीमा पर बना है। उसके लिए ऐसा प्रशिक्षण होना चाहिए। [p36]

मैं समझता हूँ कि यदि उसके मन में कर्तव्य बोध की उत्फुल अनुभूति हो रही है तो वह उसे पूरी ताकत और पूर्ण लगाकर करेगा। आज आधुनिक शस्त्र आ गए हैं, घुसपैठियों के नए-नए तरीके आ गए हैं, जिस तरह अनेक प्रकार के प्रलोभन देकर जवानों को भ्रमाने की कोशिश की जा रही है, उस समय उसे राष्ट्र भाव ही अडिग रखना है। जब तक उसके मन में यह भाव रहेगा कि यह पृथ्वी माता हमारा विशाल परिवार है, इसकी रक्षा के लिए मुझे बहुत बड़ी जिम्मेदारी सौंपी गई है, वह किसी भी स्थिति में किसी प्रलोभन में डिग नहीं सकता। इसलिए आपको सीमा पर काम करने वाले लोगों के मन में यह भाव भरना पड़ेगा। उनके लिए ऐसे प्रशिक्षण हों, वहां तैनात अधिकारी इतने कुशल हों कि अपने प्रमुख को देखते ही सड़े हो जाएं। उनके मन में यह भाव होना चाहिए कि हमारा प्रमुख यहां आया है और वह सबके हित की देखभाल कर रहा है। उनका प्रमुख बहुत न्यायप्रिय होना चाहिए। यदि कोई गड़बड़ है या कोई न्याय करना है, किसी गलती पर दंडित करना है, यदि उसमें उसकी न्यायप्रियता रहेगी, तो निश्चित रूप से जवान अपने कर्तव्य पर डटा रहेगा। आपको उनके मन में यह भाव भरना है कि यदि सारा राष्ट्र सुख-चैन की नींद सो रहा है, सारे राष्ट्र में अमन का भाव है, तो वह आपके कारण है। इसलिए आपने बहुत महत्वपूर्ण निर्णय लिया है। इसमें कानूनी प्रावधान बहुत हैं। व्यावहारिक और अन्तर्मन को छूने वाला प्रावधान, जो प्रशिक्षण से आने वाला है, यदि आप उसे पूरा कर लेंगे तो मैं समझता हूँ कि जिस उद्देश्य से राष्ट्र की रक्षा के लिए सशस्त्र सीमा बल का गठन करने जा रहे हैं, वह पूरा होगा। मैं समझता हूँ कि आप इन सारे भावों को सामने रखकर इसे पूरा करें। इन्हीं भावनाओं के साथ मैं इसका समर्थन करता हूँ।

श्री राम कृपाल यादव (पटना) : महोदय, मैं सशस्त्र सीमा बल विधेयक, 2007 के समर्थन में बोलने के लिए खड़ा हुआ हूँ। सन् 1962 में चीन के साथ हमारी लड़ाई हुई थी और उसके बाद 1963 में एएसबी का गठन हुआ था। इसके खास तौर से दो-तीन मानक रहे हैं - सीमावर्ती क्षेत्रों में रहकर लोगों के बीच सुरक्षा की भावना बढ़ाना, अवैध प्रवेश, तस्करी, अवैध कार्यकलापों को रोकना और तीसरी बड़ी बात रही है इंटीजीस सेवा देना। इन्हें यह तीन महत्वपूर्ण कार्य सौंपे गए हैं। मैं समझता हूँ कि एएसबी अभी भारत-नेपाल सीमा पर लगभग बीस जेलों में फैली 1,751 किलोमीटर और भारत-भूटान सीमा के साथ लगभग 120 किलोमीटर अंतर्राष्ट्रीय सीमा के साथ लगे सात सीमावर्ती राज्यों में कार्य कर रही है। एएसबी के तीन फ्रंटियर हैं और आठ क्षेत्रीय मुख्यालय हैं। माननीय मंत्री जी ने इस संगठन की सीमा चौकसी बल के रूप में जो भूमिका तैयार की है, उसे मॉडर्नाइज और सुसज्जित करने के लिए लगभग 444.33 करोड़ रुपये की लागत से आधुनिक हथियार और उपकरण उपलब्ध करवाए गए हैं। यह सब कार्य किए गए हैं जो निश्चित तौर पर सरहनीय हैं। मैं समझता हूँ कि उनके ऊपर जो दायित्व हैं, मैं ऐसा नहीं कहता कि वे उन दायित्वों का निर्वहन नहीं कर रहे हैं, लेकिन निश्चित तौर पर यह बात सही है कि दोनों सीमावर्ती इलाकों में कहीं न कहीं कमी है जिसकी वजह से तस्करी की गतिविधि रहती है। [N37] अवैध रूप से हथियार रखने या ड्रग्स वगैरह लाने में उनकी गतिविधि रहती है। हमारे देश में माओवादियों के आने का भी जोर चल रहा है। खासतौर से मैं दो क्षेत्र की चर्चा करना चाहता हूँ जहां एएसबी लगा हुआ है। पहला भूटान और दूसरा बिहार का वह क्षेत्र जो नेपाल से सटा हुआ है। इन दोनों जगहों पर माओवादियों गतिविधियां बड़े पैमाने पर चालू हैं। मुझे ऐसा लगता है कि ये जवान अपने दायित्वों का कहीं न कहीं पूरे तौर पर निर्वहन नहीं कर रहे जिसकी वजह से इस तरह की गतिविधियां हमारे देश में हो रही हैं। मैं आपको बताना चाहता हूँ कि एएसबी निश्चित तौर पर बहुत यूजफुल और डिसिप्लेन्ड सशस्त्र बल है। लेकिन इनकी जो गतिविधियां हैं, खास तौर पर बिहार से सटे हुए इलाके में इनकी जो गतिविधियां हैं, मैं यहां पर उसकी चर्चा करना चाहता हूँ ताकि माननीय मंत्री जी उस पर थोड़ा गौर करें।

महोदय, इस सशस्त्र बल का काम बहुत सीमित है, लेकिन ये लोग अपने कार्य से मतलब नहीं रखते, जैसी मैंने चर्चा की है। ये लोग अपने कार्य से बाहर जाकर आम सिविलियन की जिंदगी में भी प्रवेश कर जाते हैं। उनके घरेलू पारिवारिक झगड़ों में हस्तक्षेप करते हैं यानी वे अपने पद का दुरुपयोग कर रहे हैं। यह बिल्कुल निर्दोष है कि ये लोग सिविलियन क्षेत्र में 10 किलोमीटर से ज्यादा अंदर नहीं जा सकते। लेकिन ये लोग 20 किलोमीटर तक अंदर चले जाते हैं और वहां लोगों के घरेलू झगड़ों में हस्तक्षेप करके उनको डराने धमकाने का काम करते हैं। उनसे पैसा वसूलने का भी काम करते हैं। मैं सब पर चार्ज नहीं लगाता लेकिन कुछ छिटपुट घटनाएं हो रही हैं जिसकी तरफ मैं

माननीय मंत्री जी का ध्यान आकर्षित करना चाहता हूँ।

महोदय, मैं बताना चाहता हूँ कि मधुबनी का इलाका नेपाल से सटा हुआ है। आप कहें, तो हम गांव की चर्चा भी कर देना चाहते हैं। वहां एसएसबी लोगों के घरेलू पारिवारिक झगड़ों में हस्तक्षेप करते हैं। वे अवैध हथियार रखने के मामले में लोगों को फंसाते हैं और उनसे 10 या 20 हजार रुपये लेकर उनको हरास करने का काम करते हैं। हमारा कहना है कि उनको अपने कार्यबोध का ज्ञान देने के लिए ट्रेनिंग देने की आवश्यकता है। उन पर कड़ाई करने की आवश्यकता है। उनसे कहा जाये कि उनकी जो जिम्मेदारी है, वे उसका निर्वहन करें, न कि आप अपने पद, बल, आर्म्स का दुरुपयोग करके आम लोगों के जन-जीवन को अस्त-व्यस्त करने का काम करें। माननीय मंत्री जी का कई बार इस बारे में ध्यान भी आकर्षित कराया गया है कि जो माओवादी नेपाल में गतिविधियां कर रहे हैं, वही हमारे देश में भी आकर उथल-पुथल करने का काम कर रहे हैं।

महोदय, आपको मालूम होगा कि सीतामढ़ी इलाके में कुछ लोगों ने सांसद श्री सीता राम बाबू के घर पर हमला किया था। वे सब नेपाल से आये हुए माओवादी लोग थे। हमारे देश में कई ऐसी जगहें हैं, बिहार से सटा हुआ इलाका है जहां बड़े पैमाने पर माओवादी आकर अस्थिरता पैदा करने का काम कर रहे हैं। कई माननीय सदस्यों ने नोट्स, ड्रस की तस्करी करने की चर्चा की है। मैं सोचता हूँ कि इसको और शैड्यूल करने की जरूरत है। उनको उनके कार्य के प्रति बोध कराने की जरूरत है। उन पर जो विशेष दायित्व है, उन्हें उस पर अनुशासित रहकर निर्वहण करने का काम करना चाहिए। अगर इंटेलीजेंस ठीक तरीके से काम करेगा, तो कोई परेशानी नहीं होगी। वह आम तौर पर सरकार को इन्फार्म करता है ताकि चौकसी बरती जा सके। माओवादी गतिविधियों में लगे हुए जो लोग हैं, उन पर हमें रोक लगाने का काम करना चाहिए। मैं समझता हूँ कि माननीय मंत्री जी निश्चित तौर पर ऐसी चीजों पर विचार करेंगे। इस बिल में धारा 156 है। यह बिल बहुत अच्छा है इसलिए हम इसका स्वागत करते हैं। लेकिन सभी लोगों को अहसास है कि एसएसबी अपने दायित्वों को निर्वहण पूर्ण तौर पर नहीं करते। भूटान और नेपाल की सीमा से लगे हुए जो इलाके हैं, वहां एसएसबी अपने दायित्वों का निर्वहण ठीक से नहीं कर रहे हैं जिसकी वजह से हमारे देश में माओवादी लोगों की संख्या बढ़ रही है, तस्करी की संख्या बढ़ रही है। इससे हमारा देश अस्थिर हो रहा है।

महोदय, मैं ज्यादा वक्त न लेते हुए माननीय मंत्री जी से निवेदन करूंगा कि वे इस पर ध्यान दें। जो आपराधिक प्रवृत्ति के लोग सीमावर्ती क्षेत्र में लगे हुए हैं, उन पर आप निश्चित रूप से गौर करने का काम करेंगे और ऐसी व्यवस्था करेंगे जिससे उसकी प्रतिष्ठा बढ़ सके और वे अपने दायित्वों का ठीक ढंग से निर्वहण कर सकें।

मैं पुनः इस बिल का समर्थन करते हुए अपनी बात समाप्त करता हूँ।

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): Mr. Deputy-Speaker, Sir, first of all, I would like to pay homage to the memory of all the members of the para-military forces who have laid down their lives in guarding our borders.

I am indeed very happy that Members belonging to all parties from all sides of this House have supported this Bill. Almost all Members have praised the work done by the members of the para-military forces and also SSB. Members have given very good suggestions and most of the suggestions given by them relate to the welfare of the members of the para-military forces. I would like to say that we would keep these suggestions in mind and act on them. We have already taken certain steps to help them, more steps are required to be taken and we would definitely take more steps to make their lives more comfortable and more livable in the difficult areas in which they live.

Many of the Members have said that these members are living at very high altitude. Some of them are living at an altitude of 18,000 feet. Living at an altitude of 18,000 feet is a very difficult task and yet they are living there and discharging their duties. One or two Members have said that when they want to go back to their places from the border areas, they have to travel by train and it becomes very difficult for them to travel long distances by train and then make use of the leave that is given to them in a proper manner. We have already looked into this issue and we would like to see that the facilities which are given to the members of the Defence Forces living in the border areas are given to them also. I would not like to go into all the details of the steps which have been taken and it is not necessary for me to comment on all the suggestions which have been given by the hon. Members asking the Government to take welfare measures. I would only like to say that all the suggestions given by the hon. Members are valid and we would definitely act on them.

There were one or two other points which were made. One of the questions asked was why there are some vacancies. It is a very valid question and I would like to say that we would like to fill up all the vacancies which are there in SSB. I am told that as far as Constables are concerned, the vacancies of Constables are going to be filled up fully within 4-5 months. Then, with regard to the posts of officers, there is some difficulty because of the difficult nature of duties that they have to discharge. Many people are not joining these forces and that is why it is becoming a little difficult to fill up the posts of Inspectors and other officers at higher level, but we will take steps and see that these vacancies are filled up. This is a very valid point.[\[R38\]](#)

[\[r39\]](#)One of the points raised related to the joint command. It was suggested, why should we not have a joint command. It has to be realised that BSF is standing on the borders which are between Pakistan and India and between Bangladesh and India. The SSB is on the borders with Nepal and Bhutan. The ITBP is the force which is guarding the border between Tibet and India. So, the countries are different, the situations prevailing on both sides of the borders at different places are different and these forces have come into existence at different times. Different kinds of trainings are given to them. That is why, it does not become possible to bring them together and put under one control.

We have our Defence Forces. Army is there, but Army is also divided into different commands, Eastern Command, Western Command, Central Command, Southern Command, Northern Command and things like that. Under these commands, the forces are working.

Now, here we already have different forces. BSF is one force, SSB is another force, ITBP is third force, Assam Rifles is fourth force, which is looking after the border adjoining to Myanmar and Other States. So, I do not think that it is a good suggestion that all the forces should be brought under one command because they are dealing with different kinds of situations prevailing in those areas and it will be more useful to continue to command these forces in the manner in which they are commanded now.

Sir, one of the questions which was asked and a very pertinent question was whether the task which was performed by the SSB in the past will be continued to be performed by them. This is a very valid question. As a matter of fact, all the members of SSB were not putting uniforms and were not discharging the duties which are discharged by other forces in uniform. One other thing they were doing was to motivate the people living in those areas and help them. They were doing civil action duties. They were helping the people, motivating the people. This task will be continued to be done by SSB. The other was that in the process they were getting some information. Now, we expect our forces to get the information which will help them to discharge their duties in a proper manner. This task will also be continued to be done by them.

We are raising a few more battalions. About 21 battalions are going to be added to SSB. That is going to be an extra strength available to the SSB and they would be in a position to continue their duties as they used to do it. As a matter of fact, we would expect other forces also to continue some of the duties which these forces are doing. To some extent, they are also asked to help the civilian people living in the area where they are working in many ways so that they get the cooperation of the people living in that area.

Sir, I do not have to say anything more than this. If there are any deficiencies found in the working of this force, our endeavour would be to see that those deficiencies are removed and there is an improvement also.

I would once again like to thank the hon. Members for supporting this Bill and for giving very good suggestions.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the constitution and regulation of an armed force of the Union for ensuring the security of the borders of India and for matters connected therewith, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted [r40].

MR. DEPUTY-SPEAKER: The House will now take up clause-by-clause consideration of the Bill.

The question is:

"That clauses 2 to 156 stand part of the Bill."

The motion was adopted.

Clauses 2 to 156 were added to the Bill.

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

SHRI SHIVRAJ V. PATIL: I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

MR. DEPUTY-SPEAKER: The House stands adjourned to meet on Monday, 3rd December 2007, at 11 a.m.

14.42 hrs.

The Lok Sabha then adjourned till Eleven of the Clock

on Monday, December 3, 2007/Agrahayana 12, 1929 (Saka).

[\[R1\]](#)(fD. BY c1)

[\[s2\]](#)TO LEAVE 3 PAGES FOR STATEMENT

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fd by g1 [\[r4\]](#)

Ctd. By h1 [\[m5\]](#)

Cont [\[p6\]](#)by j1.h

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[\[r39\]](#)patil ctd

[\[r40\]](#)fld by w2