

have given guarantees against inconvertibility, in favour of allowing remittances of profit, against expropriation, etc. what are these additional business risks which require guarantees at this stage?

**Shri Sachindra Chaudhuri:** War risk.

**Shri Indrajit Gupta:** This has been signed long after the war.

**Shri Sachindra Chaudhuri:** Maybe; it is intended to cover war risks, not the past war but any war that may happen.

**Mr. Deputy-Speaker:** Question Hour is over. We take up the short notice question.

ताशकन्द समझौते क अन्तर्गत सनाओं की वापसी

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- S.N.O. 3. श्री प्रकाशबीर शास्त्री :  
 श्री हुकम चन्द कछवाय :  
 डा० राम मनोहर लोहिया :  
 श्री हेम बबुआ :  
 श्री राम सेवक यादव :  
 श्री बड़े :  
 श्री बुद्धबीर सिंह :  
 श्री श्रींकार लाल बेरवा :  
 श्री श्रींकार सिंह :  
 श्री प्र० प्र० सिंह :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ताशकन्द समझौते के अन्तर्गत 25 फरवरी, 1966 तक जो दोनों देशों की सेनाओं की वापसी होनी थी वह पूर्ण हो गई है;

(ख) क्या किसी भाग में कुछ ऐसे भी स्थान हैं जो त्रिनादास्पद अभी तक माने जा रहे हैं और इसलिये वहां से सेनाओं की वापसी पूरी तरह नहीं हुई है;

(ब) यदि हां, तो वे कौन-कौन से स्थान हैं और कितना क्षेत्र उन के अन्तर्गत आता है; और

(ब) क्या जम्मू-काश्मीर राज्य में जो कई हजार वृत्तपैठिये प्रवेश कर गये थे, वे भी वापस चले गये हैं अथवा उन में से कुछ अभी वहीं हैं ?

**The Minister of State in the Ministry of Defence (Shri A. M. Thomas):**  
 (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

(d) A very large number of infiltrators have been killed in action; a large number have expatriated and several have been captured. However, odd infiltrators still being there cannot be ruled out.

श्री मधु लिमये : आंकड़े बताइये ।

श्री प्रकाशबीर शास्त्री : ताशकन्द समझौता की भावनाओं का कहां तक पाकिस्तान पालन कर रहा है ? इस का प्रत्यक्ष परिचय कल रात रावर्लापिडी में भारत और पाकिस्तान के मंत्रियों की बातचीत जिस रूप में समाप्त हुई है, उस से भलीभांति पता लग गया है। ऐसी स्थिति में क्या रक्षा मंत्रालय फिर भी इस बात का विचार कर रहा है कि 1948 के आघार पर सेनाओं की संख्या में कमी कर दी जाये, पाकिस्तान के इस रुख को देखते हुए भी वह कमी करने का विचार है ? या उस में कुछ परिवर्तन हुआ है ।

**The Minister of Defence (Shri Y. B. Chavan):** About this agreement, I think we have explained government's attitude in this matter because whatever number we will agree to, we will always keep in mind that we are in a position to defend our Kashmir frontiers. That point will always be kept in mind. About that I can assure the hon. House that we have not changed our attitude in this particular matter.

श्री प्रकाशचौर शास्त्री : मैं यह जानना चाहता हूँ कि जहाँ तक जम्मू काश्मीर में घुसपैठियों का सम्बन्ध है, उन में जो बुसपैठिये अभी तक गेब हैं, उन की जानकारी के लिये वही एजेन्सी काम कर रही है बिच एजेन्सी की प्रसावधानी से वे जम्मू काश्मीर में पहले भा गये थे, या कोई विशेष व्यवस्था और की गई है। यदि विशेष व्यवस्था की गई है तो जो लोग इस लड़ाई के दौरान काश्मीर छोड़ कर पाकिस्तान चले गये थे, उन की जगह दूसरे बुसपैठिये फिर न आवें क्या उम के लिये भी कोई व्यवस्था कर ली गई है।

**Shri Y. B. Chavan:** Naturally certain improvements have been introduced after the last experience. I must say that we will have to continue to make these improvements even in future. One cannot say that we have reached a stage when we have made complete improvements. One will have to be vigilant about this matter. But I can assure this hon. House that we are very much aware of this position and are thinking of new steps about it.

श्री हुकम चन्द कछवाय : माननीय मंत्री ने अपने वक्तव्य में बताया है कि कुछ घुसपैठिये मारे गये है और कुछ चले गये हैं, तो मैं जानना चाहता हूँ कि कितने व्यक्ति वहाँ से चले गये हैं और कितने वहाँ मौजूद हैं। हाल में पाकिस्तान संघर्ष में पाकिस्तान ने जिस भारतीय क्षेत्र पर कब्जा किया था, तथा जिस के अभी खाली करने के वाद वहाँ हिन्दुओं और सिखों के गुरुद्वारों और मन्दिरों को हानि पहुँची है, उन के मकान भी तष्ट हो गये हैं; तो क्या हमारी सरकार ने पाकिस्तान में जो वार्ता हुई है, वहाँ के अधिकारियों से इस बारे में जिक्र किया था, जो कि वहाँ पर इतनी तोड़-फोड़ कर के गये हैं।

**Shri Y. B. Chavan:** As regards the detailed discussions about it, I have to acquaint myself with our hon. colleagues who have just returned. But certainly during these operations, in

areas which were occupied, civil properties have been mostly destroyed. There is no doubt about it. But I have not got any specific information at the present moment to say whether temples and gurdwaras are damaged or not. At the present moment, I have not got any information to make any statement. But I will certainly find out, and if there is any information which needs to be given, certainly I will give it to the hon. Members.

श्री हुकम चन्द कछवाय : प्राकड़े नहीं बताये।

**Shri Y. B. Chavan:** I do not think we can give information about the number etc.

डा० राम मनोहर लोहिया : छम्ब, जोरिया से जितने पाकिस्तानी सैनिक थे, वे चले गये, तो क्या मैं मंत्री महोदय से पूछ सकता हूँ, तादाय के बारे में नहीं पूछ रहा हूँ, जब छम्ब-जोरिया पाकिस्तान की पलटनों ने भारत से छीन लिया था, उस की अपेक्षा अब भारतीय सैनिक वहाँ ज्यादा है या कम।

**Shri Y. B. Chavan:** This is also again a thing in regard to disclosing certain information which concerns the security measures. (Interruption). Let me complete my statement. According to the scheme of withdrawals, we are not sending back the troops everywhere. Normally, the civil administration will go; the border police will go and the police administration will take over. I can only make this statement, that in case of any danger to the Chhamb-Jaurian area, we will take every step and we are taking even now the necessary steps to protect this from a similar danger.

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं फिर व्यवस्था का प्रश्न उठाना चाहता हूँ।

उपस्थित महोदय : व्यवस्था का प्रश्न नहीं है।

**डा० राम मनोहर लोहिया :** व्यवस्था का प्रश्न इस लिये है कि इत्तिला के लिये सवाल पूछा जाता है ।

**Mr. Deputy-Speaker:** Order, order Shri Hem Barua.

**श्री रामेश्वरानन्द :** आप व्यवस्था का प्रश्न सुनना नहीं चाहते हैं ।

**डा० राम मनोहर लोहिया :** मैं नियम सं० 41 के अन्दर व्यवस्था का प्रश्न उठा रहा हूँ ।

**Mr. Deputy-Speaker:** Order, order. What is the rule that has been infringed? There is no point of order.

**श्री रामसेबक यादव :** जब व्यवस्था का प्रश्न उठा, आप ने उसे सुना नहीं, आप कैसे कह देते हैं कि व्यवस्था का प्रश्न नहीं है ।

**डा० राम मनोहर लोहिया :** इस लिये मेरा निवेदन है कि आप पहले मुझे सुन लें (Interruption.)

**Mr. Deputy-Speaker:** Order, order. We cannot go on like this.

**डा० राम मनोहर लोहिया :** नियम सं० 41, जिस में मंत्रियों से इत्तिला जानने के लिये प्रश्न पूछे जाते हैं । मंत्री महोदय यहां पर भविष्य के बारे में अपना संकल्प बता देते हैं, उस से वर्तमान की इत्तिला नहीं मिल पाती है ।

**उपाध्यक्ष महोदय :** कौन सा सब-रूल वायोलेट हुआ है । उस रूल में 12 सब-सैक्शन हैं ।

**श्री किशन पटनायक :** 1 और 2 ।

**डा० राम मनोहर लोहिया :** मैं शब्द खता रहा हूँ ।

"41(1) Subject to the provisions of sub-rule (2), a question may be asked for the purpose of obtaining information on a matter of public importance within the special cognizance of the Minister to whom it is addressed."

यह नियम है । इस के माने होते हैं कि वर्तमान की इत्तिला के बारे में मैं ने मंत्री महोदय से प्रश्न पूछा है । मंत्री महोदय उस का उत्तर न दे कर भविष्य के अपने संकल्प को बता देते हैं, अपनी छाती फुला लेते हैं यह कह कर कि हम यह करेंगे वह करेंगे । प्रश्न यह नहीं है । प्रश्न यह है कि छम्ब-जौरियां में सेना के बारे में इत्तिला क्या है ? मैं ने यह नहीं पूछा है कि कितनी तादाद है । तादाद मैं ने रही पूछी है । मैंने खाली यह पूछा है कि जब छम-जौरियां पाकिस्तान की सेनाओं ने भारत से छीना था तब जितने हमारे सैनिक वहां थे उस से आज कम है या उस से ज्यादा है । मैं ने तादाद के बारे में कुछ नहीं पूछा है ।

**श्री किशन पटनायक :** यह बताना बहुत जरूरी है ।

**Mr. Deputy-Speaker:** Rule 41(2) (i) says:

"It shall not bring in any name or statement not strictly necessary to make the question intelligible."

You cannot go on like this. Shri Hem Barua.

**श्री मधु लिमये :** यह नियम तो रक्षा मंत्री के विरुद्ध जाता है क्योंकि उन्होंने जो भविष्य के बारे में संकल्प बताया है जो कि गैर लागू है ।

**Shri Hem Barua:** Tithwal, Haji Pir and such other areas on the 1949 cease-fire line were occupied by our armed forces to prevent intrusion of Pakistani armed personnel into the State of Jammu and Kashmir. Now that Pakistan has deliberately, systematically and regularly refused to acknowledge the responsibility of the intrusion of these Pakistani armed personnel into the State, nor does the Tashkent declaration give any guarantee against future infiltration of Pakistani armed personnel into the State of Jammu and Kashmir, may I know from the minister in a very straightforward way on what it is that our government pinned their faith while

deciding to withdraw our troops from the strategic areas on the 1949 cease-fire-line?

**Shri Y. B. Chavan:** This is again going back into the arguments for or against the Tashkent Declaration. As I said, this is a political decision based on certain in-built assurances and guarantees in the Tashkent Declaration itself. Despite that, certain strategic considerations do arise. I can assure hon. members that subject to the framework of this political decision, we are taking the necessary steps even to guarantee against further infiltration through those areas as well.

**श्री रामसेवक यादव :** राजस्थान सीमा पर वह भारतीय भूमि जो कि पाकिस्तान के कब्जे में गई थी और खाम तौर से वे सोलह चौकियां जिन पर उन्होंने ने कब्जा किया था वह एक-एक इंच भूमि क्या अब हमें वापिस मिल गई है ? दूसरे यह कि जो वहां रहने वाले लोग थे कब्जा होने के पहले और जो तब पाकिस्तान के अन्दर चले गए थे क्या उन को भी वापिस लेने का आप इरादा रखते हैं ?

**Shri Y. B. Chavan:** That is a different matter, because I have no detailed information about people coming here. I can tell the hon. member that we have gone back to all the areas which they have vacated.

**श्री युद्धवीर सिंह :** आज के अखबारों में यह आया है कि बिदेश मंत्री सरादार स्वर्ण सिंह की कल की रावलपिंडी की बातचीत के समय यह बात उट्टाई गई थी कि दो गांव जो कि सियालकोट सैक्टर में हैं अभी तक हिन्दुस्तान ने खाली नहीं किए हैं। मैं जानना चाहता हूं कि क्या यह सच है ?

मैं यह भी जानना चाहता हूं कि क्या कुछ ऐसा इलाका है सारे बोर्डर पर जैसलमेर से ले कर कारगिल तक जिस के बारे में कोई झगड़े हैं और उस की वजह से हिन्दुस्तान

और पाकिस्तान की फौजें वापिस नहीं जा रही हैं ? क्या यह सच है कि जो कोई इन के बारे में डिस्प्यूट है उन के सैटल होने के बाद ही फौजें वापिस जायेंगी या पाकिस्तान कोई बहाने कर रहा है ?

**श्री प्रकाशवीर शास्त्री :** पाकिस्तान तभी ऐसे बहाने करता है जब हमारी जमीन पर वह कहीं बैठा हो।

**Shri Y. B. Chavan:** Really speaking, I do not know exactly. I have yet to acquaint myself with the consultations which my colleague had at Rawalpindi. Without knowing the implications and details of it, I cannot make a statement in the House. As far as the other part of the question is concerned, it is answered in the reply itself. At present there is no area where their armies stand in the disputed area, nor anywhere do we stand.

**श्री श्रींकार लाल बेरवा :** यह बात सुन कर मुझे बड़ा खेद और आश्चर्य हुआ है कि जहां जहां भी पाकिस्तानी सैनिक थे वे हट गए हैं। यह मेरे हाथ में दो तारीख का अखबार है। राजस्थान विधान सभा में इस तरह का प्रश्न पूछा गया था और उस के जवाब में यह कहा गया था कि राजस्थान की चौकियों से वे नहीं हटे हैं। इस अखबार में भी कहा गया है कि संसद् के गोष्ठी क्षेत्रों में ऐसी चर्चा है कि राजस्थान की चौकियां पाकिस्तान ने खाली नहीं की हैं। मैं जानना चाहता हूं कि क्या यह सच है और इस प्रकार की सूचना मंत्री महोदय को भी मिली है या नहीं मिली है ?

**Shri Y. B. Chavan:** I have made a statement that they have withdrawn from all the areas.

**श्री श्रींकार सिंह :** ताशकंद समझौते के अर्थात् किन्नी चौकियां राजस्थान और जम्मू काश्मीर में हैं जो त्रिनादग्रस्त हैं।

**Shri Y. B. Chavan:** This withdrawal, really speaking, refers to the areas which they had occupied in the

course of the last conflict. All these statements I am making concern only those areas and those posts. At the present moment they are nowhere in any of the posts.

**Shri Indrajit Gupta:** I would like to know whether under this present agreement we are entitled to keep our security forces right up to the cease-fire line in Jammu and Kashmir, that is to say, along the line of the Uri Poonch bulge which we considered to be the main entry route of infiltrators in the past, or do we have to leave a certain area after leaving a gap where only civil administration can function? If that is so, is the Government satisfied that with regard to this particular Uri Poonch Bulge area sufficient precautions can be taken to prevent a recurrence of infiltration?

**Shri Y. B. Chavan:** As far as the factual agreement is concerned, Sir, I have placed it on the Table of this hon. House. I do not want to risk giving any interpretation on this agreement personally because it will be a unilateral interpretation unnecessarily binding ourselves and not the other. This agreement has been placed on the Table of the House and the hon. Member can look into it.

**Shri Indrajit Gupta:** I am not asking for any interpretation. I want to know the facts about the agreement.

**Shri Y. B. Chavan:** The facts are contained in the agreement. I would refer the hon. Member to that particular agreement. I have not got the agreement at the present moment before me.

**Shri Shinkre:** He wants to know whether there is a de-militarised zone.

**Shri Y. B. Chavan:** I would refer the hon. Member to that particular part of the agreement. His main point was whether we are in a position to take care of those areas. I have given an assurance in regard to that.

I think we are taking every step about it.

**Shri Nath Pal:** In reply to part (d) of the Short Notice Question the hon. Minister stated that a number of infiltrators had been repatriated. He used the word "expatriated" but I think he perhaps meant "repatriated". He has not told us the number. I would like to know that. Secondly, what is this confusion, what is the status of the infiltrators? Do they have any legal status like the prisoners of war? Why is this bungling going on? An infiltrator has no *locus standi* either under our law or under the international law. Repatriation is applicable only to *bona fide* prisoners of war. May I, therefore, inform the Minister that two questions arise? Did Pakistan accept responsibility for the infiltrators? So far as we know, they have not. Secondly, why have we bestowed on the infiltrators the status of prisoners of war? May we know this?

**Shri Y. B. Chavan:** The fact is that some of the prisoners, who were infiltrators as such, were returned to Pakistan and Pakistan has accepted those prisoners. By implication they have accepted the responsibility.

**Shri Nath Pal:** What was the number?

**Shri Hari Vishnu Kamath:** Is it a fact that among the prisoners of war returned by Pakistan to us—I mean Indian prisoners of war—in pursuance of the Tashkent Declaration, particularly at Hussainiwala in Punjab-West Pakistan border, unfortunately some dead men, Indian officers or army men, were received and if so, was any enquiry made to ascertain whether these brave and gallant soldiers of ours died in Pakistan camps under ill-treatment, inhuman, third-degree methods and torture by Pakistani authorities?

**Shri Y. B. Chavan:** I must have notice because the exchange of prisoners is not done at one place or on one occasion.

**Shri Hari Vishnu Kamath:** I was referring to Hussainiwala.

**Shri Y. B. Chavan:** Even in Hussainiwala it was done more than once. So, I would like to have notice so that I can take up this question.

**Shri S. M. Banerjee:** I would like to know whether the attention of the hon. Minister has been drawn to a news-item in almost all the leading newspapers in the country that while vacating Khem Karan area Pakistani troops devastated practically the whole area. Is this true? If so, was this matter taken up with Pakistan for getting compensation?

**Shri Y. B. Chavan:** As a matter of fact, the position is that most of the occupied areas, villages and towns, are found in a destroyed condition. Certainly, we will have to think of what further steps we have to take in this matter.

**Shri N. Sreekantan Nair:** May I know whether the attention of the Government has been drawn to a statement in all the leading newspapers that the discussion could not proceed because of internal resistance of the people of Pakistan? Is it a fact that the so-called Tashkent spirit that is tom-tommed in every corner of this country by every Minister is not reciprocated by Pakistan? If so, will the Government see to it that the interests of the people and the Indian nation are not jeopardised by this extreme love of the Tashkent spirit?

**Shri Y. B. Chavan:** It is not a question for me to answer.

**Shri N. Sreekantan Nair:** I want to know whether the interests of the country will be protected. That is all what I ask. I am not asking for a defence secret.

**Shri Shinkre:** The Prime Minister is here. Let her reply.

**Mr. Deputy-Speaker:** Shri Sham Lal Saraf.

**Shri Sham Lal Saraf:** Since Pakistan has not accepted the responsibility for the infiltrators who are already in Jammu and Kashmir, may I know whether this matter has been taken up with them in the light of the present Tashkent spirit?

**Shri Y. B. Chavan:** Naturally, from the very beginning we have taken the position that infiltrators was the responsibility of the Pakistan Government because it was the Pakistan army or Government which organised this. There is no doubt about it.

**Shri Tyagi:** They are criminals. They should be prosecuted.

**Dr. L. M. Singhvi:** Since the Pakistan Government never accepted responsibility for the infiltrators, what reasons prevailed with the Government of India to return these infiltrators who were taken in captivity, and are there any infiltrators who are still in the captivity of the Government of India? What is the policy of the Government in respect of that?

**Shri Y. B. Chavan:** At the present moment we have no infiltrators with us. We have exchanged all the prisoners.

**Dr. L. M. Singhvi:** What reasons prevailed with them to return these infiltrators to Pakistan when Pakistan has not accepted any responsibility for them and when this matter is not covered by the Tashkent Declaration? The answer has not come forward. The answer must come.

**Shri Y. B. Chavan:** I said, the general agreement in Tashkent was to exchange all the prisoners; that included even infiltrators. If they accept back those infiltrators as infiltrators, they accept responsibility by implication... (Interruption).

**Shrimati Tarkeshwari Sinha:** Arising out of the statement of the Defence Minister that the areas which were taken by Pakistan have been re-occupied by the Indian Army, may I know

whether any civilian population was left over when the area was under Pakistani occupation and whether any evidence has come forward of brain-washing or any such thing being done in that area; has any precaution been taken to see that nothing untoward happens?

**Shri Y. B. Chavan:** These are matters which we will have to go into now. Now, really speaking, a stage has set in when we can go into some details and get further facts about it. I think, we will have to wait.

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WRITTEN ANSWERS TO  
QUESTIONS

**Taking over of General Insurance  
Business by L. I. C.**

\*332. **Shri Vishram Prasad:  
Shri Bagri:  
Dr. Ram Manohar Lohia:  
Shri Yashpal Singh:**

Will the Minister of Finance be pleased to state:

(a) whether any decision has been taken by the Life Insurance Corporation to take over the general insurance business;

(b) if so, when it is likely to be done; and

(c) if not, the reasons therefor?

**The Minister of State in the Ministry of Finance (Shri B. R. Bhagat):**

(a) The Life Insurance Corporation of India commenced transacting general insurance business, in competition with other insurers, from the 1st April 1964. With effect from the 1st January 1966, the Corporation took over the general insurance business formerly transacted by the Indian Insurance Pool.

(b) Does not arise.

(c) Does not arise.

**Realisation of Income-tax and Excise  
Duty from People in Border Areas**

\*333. **Shri Maheswar Naik:  
Shri Subodh Hansda:  
Shri S. C. Samanta:  
Shri M. L. Dwivedi:  
Shri P. C. Borooah:  
Shri Bhagwat Jha Azad:  
Shri Karni Singhji:**

Will the Minister of Finance be pleased to state:

(a) whether the Central Board of Direct Taxes has directed the authorities in the bordering States affected by the Emergency not to realise any penalty for non-payment of income-tax from the people in the border areas;

(b) whether it is a fact that his Ministry has also decided to defer collection of excise duty; and

(c) if so, the period for which these orders will remain in force?

**The Minister of State in the Ministry of Finance (Shri B. R. Bhagat):**

(a) Yes, Sir. The Board had issued instructions that no coercive measures may be taken for recovery nor should penalty be levied for default in payment of tax dues on assessees in border districts of Jammu & Kashmir, Punjab, Gujarat and Rajasthan, who have suffered in consequence of enemy action.

(b) Yes, Sir. Orders were also issued to defer collection of excise duty on goods other than tobacco, cleared for home consumption from manufacturers in six war-affected districts of Amritsar, Ludhiana, Jullundur, Ferozepur, Gurdaspur and Kapurthala.

(c) These orders, which were issued in November, 1965, were in force up to the end of February, 1966.

**विदेशी मुद्रा की स्थिति**

\* 334. **श्री प्रकाश बीर शास्त्री :**  
**श्री हुकम चन्द कछवाय :**  
**श्री जगदेव सिंह सिद्धान्ती :**  
**श्री श्रीनारायण दास :**